# Sex Offender Law Report

Vol. 7 No. 5 ISSN 1529-0697 August/September 2006

### **Community Re-entry Recast as Primary Prevention**

by Deborah Donovan Rice\*

In the absence of an informed public debate on the re-entry of those who have been convicted of sex crimes, fear-based laws are being enacted across the country. Recent trends have made community reentry the trigger point for society's most venomous and simplistic responses toward people with a history of sexually offending. Ironically, the re-entry process also has the potential to become one of the best forums for creating the conditions for a safer community and preventing the sexual abuse of children.

#### **Public Debate Needed**

Typical conversations about sexual abuse in the media or on the streets condemn child sexual abuse as a horrendous crime and misdeed, often taking a prejudicial turn so sharp as to create conditions for vigilantism and murder. Media adds to this divisive atmosphere by emphasizing the rarest type of sexual deviance. The widespread impact of current laws on offenders themselves and their family members is usually overlooked or absent in news coverage, an oversight that works against community interest.

Change starts with ordinary people working in their communities. And that's where media should start as well.

\*Deborah Donovan Rice serves as the director of public policy for Stop It Now!, a national nonprofit organization working to prevent the perpetration of child sexual abuse through a public health approach emphasizing adult and community responsibility. Her prior work in the prevention of child sexual abuse includes program development, management, and implementation on a national and statewide basis. As an expressive arts therapist, she worked with adults, adolescents, and children whose lives had been impacted by sexual abuse. She is a member of the National Coalition for the Prevention of Child Sexual Exploitation. Her work is informed by her experience of having been sexually abused.

The role of the media isn't to agree with any person or group—or the government or the powerful. But the media do have a responsibility to include all voices in the discourse. Then let the people decide. (Goodman and Goodman, *The Exception to the Rulers: Exposing Oily Politicians, War Profiteers, and the Media That Love Them* 311 (2004).)

girls who are sexually victimized are abused by someone known to the child or the child's family. (R. Lieb, V. Quinsey, and L. Berliner, "Sexual Predators and Social Policy," in M. Tonry, ed., *Crime and Justice* (1998).)

**Vermont's Experience.** Stop It Now! Vermont's experience with Megan's Law in 1996 offers a powerful example of how well intentioned policy initiatives negatively impact prevention efforts. Stop It Now!, founded in

A combination of prevention activities, risk management, and a positive approach to treatment increases the likelihood of successful re-entry for the sex offender returning to the community.

Embedded Assumptions Not Supported by Scientific Evidence. In many instances, the general public and policy-makers continue to hold beliefs that are not based on the current research. As a result, laws have several assumptions embedded in them that impact re-entry negatively and are not supported by the scientific evidence. Dr. Fred Berlin, director of the National Institute for the Study, Prevention, and Treatment of Sexual Trauma, states:

Much of public policy today in this area is based on the exception rather than the rule—those horrible cases where there is a kidnapping, a sexual assault, and a murder of a young child. That is a fraction of 1% of the big problem. (Dateline Interview with Chris Hansen, Feb. 6, 2006, and personal conversation.)

The lack of knowledge about who offends needs to be countered with the fact that approximately 60% of boys and 80% of

1992, is a national nonprofit organization that introduced a groundbreaking public health approach to prevent the sexual abuse of children. Its public policy, public education, and research programs emphasize adult and community responsibility in prevention. Stop It Now!, along with its Vermont partner, the Safer Society Foundation, Inc., launched the Stop It Now! Vermont program in September 1995. A social marketing campaign and community education were combined with the resource of a helpline for adults who were concerned about their own or someone else's sexual behavior. The helpline was launched in the summer of 1996; in the first six weeks of operation almost 60% of the calls were from people concerned about their sexual thoughts or behaviors. During week seven, news of Megan's Law hit the popular press in Vermont; within a week, the number of calls from abusers or people at-risk to abuse trickled down to zero. Over the intervening years, the number of calls from those seeking help for themselves has increased to approximately 8% of the calls. ("Stop It Now! Vermont: A Four-Year Program Evaluation, 1995-1999"; available at http://www.stopit-now.com/vt/.)

#### **Recent Trends in Context**

As a culture, we have historically opted for silence and denial rather than to educate ourselves with accurate information about people who offend, for our failure to address these contributing factors. By being accountable for sharing the responsibility for creating a safer environment, there is a role for each community member to play in preventing future sexual assaults whether as a private citizen or as a public official.

Courage to Disturb the Surface. Stop It Now!'s research has shown that although the

http://www.stopitnow.com/pubs.html.) For those who are asking the question about what to do if a sex offender moves into the neighborhood, "Creating a Family Safety Plan" offers additional information. (http://www.stopitnow.com/downloads/SafetyPlan.pdf.)

#### **Currently Existing Opportunities**

The state-by-state sex offender registries were meant to assist law enforcement and probation and parole officers in the supervision of those who have been convicted of sex crimes, not to create conditions of greater danger to community members. The recent murders in Maine of two men listed on the state sex offender registry list underscore the need for reconsidering how the registry and community notification is to be used.

Public Education Is Critical First Step. The Georgia legislature's recent passage of harsh new restrictions on registered sex offenders prompted Stop It Now! Georgia's statewide coordinator, Sally Thigpen, to observe:

Public education is a critical first step in protecting children from child sexual abuse. HB1059, in addition to the over-broad application of increased restrictions and penalties, is missing critical opportunities to incorporate public education into the practice of public access to registrant information...When the public seeks information about registered sex offenders, they should also be given information about certain realities:

- Most children who are, or who will be, sexually abused will not be abused by someone on the sex offender registry. In fact, over 90% of children who are, or will be, sexually abused will be abused by someone they know and trust—most likely someone within their own family.
- A vast majority—up to 88%—of child sexual abuse is never reported. While the registry offers communities important information, it does not include most individuals who pose a risk to sexually abuse children.
- The low rate of reporting leads to the conclusion that the approximate 265,000 convicted sex offenders under the authority of corrections agencies in the United States (Lawrence A. Greenfeld, "Sex Offenses and Offenders," 34 (Bur. of Justice Stats, U.S. Dep't of Justice 1997)) represent less than

## Community education meetings about sex offenders are opportunities to counter societal myths with facts, and send positive messages about the role of community members in the re-entry process.

child sexual abuse or even about sexuality in general. The current vituperative and punitive tone evidenced in the media and policy discussions begs the question of whether or not those with sexual behavior problems feel they can come forward and seek help.

So what are the critical steps that might help prevent the sexual abuse of children?

Tony Ward and Mark Brown state, "The best way to lower recidivism rates is to equip individuals with the tools to live more fulfilling lives." (Tony Ward and Mark Brown, "The Good Lives Model and Conceptual Issues in Offender Rehabilitation," 10 (3) Psych., Crime, & L. 243 (Sept. 2004).) They further stated, "At the end of the day, most offenders have more in common with us than not, and like the rest of humanity have needs to be loved, valued, to function competently, and to be part of a community." (Ward and Brown, supra.) While criminal justice solutions could provide a foundation for creating community safety, a combination of prevention activities, risk management, and a positive approach to treatment increases the likelihood of successful reentry for the individual returning to the community. Such a paradigm shift would create new opportunities for the primary prevention of sexual abuse.

#### Creating Conditions for Primary Prevention of Child Sexual Abuse

Every day on our helpline, we hear about the real barriers that stop well-intentioned, nonoffending adults from taking action before a child is victimized. We have come to understand that we adults have a stake in ignoring abuse. We need to hold ourselves as a community, accountable, as well as the

public is aware of child sexual abuse, most people simply do not know what to do about it. Most people in today's society lack a frame of reference for talking about child sexual abuse. Recognizing the educational potential of introducing real faces into a normally abstract discussion about the effects of child sexual abuse, Stop It Now! created a public Dialogue Project by gathering a panel of people who have been personally affected by sexual abuse-survivors, recovering sex offenders, and their family members. The dialogue participants are able to model an honest conversation about the potentials and the challenges to preventing the sexual abuse of a child. Describing her experience with the Dialogue Project, one survivor of child sexual abuse noted that having an authentic conversation about abuse requires the "courage to disturb the surface, to let go of appearances, and to disrupt normal social relations." "Let's Talk" is a companion publication on how to talk about child sexual abuse and is also articulated in the trainer module.

Need for Factual Information. Creating the conditions for openness about sexually disordered and sexually exploitive behavior includes addressing the need for factual information. To that end, Stop It Now! publications offer facts about those who commit child sexual abuse and information about what individuals can do to prevent or stop sexual abuse. ("Prevent Child Sexual Abuse.") A third publication answers the question, "Do Children Sexually Abuse Other Children?" All three publications could also serve as take-home materials for adults participating in community education meetings and can be downloaded or ordered in hard copy form. (Available at 10% of all sex offenders living in communities nationwide. (CSOM, "Myths and Facts" (2003) available at http://www.csom.org/.)

Coupling current policy efforts with components of public education—for example, a link on the web-based registry to sources of information about the prevention of the perpetration of child sexual abuse—would go a long way to comprehensively inform the public about the issue of child sexual abuse and the options to protect children effectively—before a child is harmed. (Sally Thigpen, Stop It Now! Georgia and Prevent Child Abuse Georgia; <a href="http://www.stopitnow.com/ga/">http://www.stopitnow.com/ga/</a>.)

#### **Provide Information Proactively.**

Recasting community notification meetings as community education meetings offers another opportunity to provide information proactively, rather than using the re-entry of a specific offender into the community as a starting place for a conversation. Detective Robert A. Shilling, Jr., lead detective in the Seattle Police Department's Sex and Kidnapping Offender unit, describes key components of his program: countering societal myths with facts, multidisciplinary team presentation, and positive messages about the role of community members in the re-entry process. Examples of the messages include:

Community members have a vested interest in the success of the returning ex-offender, because their failure means we have another victim which is unacceptable to everyone; most offenders want people to know and this is viewed as a support to stay on the straight and narrow, as a neighbor knows who they are and what they've done. Be vigilant, but leave them alone and let them get on with their life.

"These public education meetings are conducted citywide by neighborhoods utilizing schools. Meeting notices are sent to parents via the schools as well as being published in local newspapers." This level of community education enables adults to learn enough to begin to prevent future abuse.

**Community Forum Component.** The New York Coalition of Sex Offender Man-

agement (Bonura and Doane, Sex Offender Management: An Overview (2006)) has instituted a comprehensive, evidence-based approach which integrates best practice information from the Center for Sex Offender Management (http://www.csom.org/) and research on prosocial and procriminal criminogenic needs. This victim-centered initiative involves a victim service provider, citizen/survivor, law enforcement, district attorney, public defender, probation/parole, and sex offender treatment provider in a steering committee. One of the fundamental components is the community forum, designed to educate the community and minimize unrealistic expectations. These twohour forums begin with brief panel presentations across disciplines followed by questions and discussion.

Target Those at Highest Risk. Circles of Support and Accountability (COSA) offers another approach, targeting those without aftercare plans and at the highest risk of reoffense. (http://www.csc-scc.gc.ca/text/prgrm/ chap/circle/proj-guid/index\_e.shtml.) COSA seeks to "substantially reduce the risk of future sexual victimization of community members by assisting and supporting released men in their task of integrating with the community and leading responsible, productive, and accountable lives." (Correctional Service of Canada, 2002.) An ex-offender known as the Core Member and five community volunteers comprise an inner circle of support. Community-based professionals comprise an outer circle of support for the Core Member and the inner circle in its work. Community members joining with former offenders and professionals can make a difference as evidenced by the results reported: Offenders participating in COSA had a 70% reduction in sexual recidivism. (Robin J. Wilson, Janice E. Picheca, and Michelle Prinzo, Correctional Service of Canada, "Circles of Support and Accountability: An Evaluation of the Pilot Project in South-Central Ontario" (2005).)

## Cooperative Process of Shared Responsibility

Whose responsibility is it to assure safe integration of the sex offender into the community? It takes all adult community members to create the conditions for safety by educating themselves about child sexual abuse.

- On a societal level: When judges assign conditions of parole/probation are they informed by best practice for sex offender management?
- For policymakers: Asking the question whether a policy increases or decreases community safety and then looking to the evidence of what is most effective can increase the conditions for community safety. An example would be insuring opportunities for adequate housing and work for former offenders to be able to establish stable lifestyles.
- For the former sex offender: Is there specialized, sex-specific treatment available in the community?
- For professionals: Did re-entry planning begin at the early stage of incarceration? Are pre-release, transition, and community re-entry plans coordinated? Are reentry plans revised to keep up with changes in circumstances of the offender?
- For the general public: Are there opportunities to educate themselves about preventing sexual abuse?

Putting a human face on child sexual abuse through community education meetings as previously described can move the public discussion to one that is more reasoned and effective in preventing the sexual abuse of children. By participating in steering committees and panels to design and implement this type of forum, community professionals and citizens model sharing the responsibility of creating a safer community.

At its best, community re-entry becomes a cooperative process with a role for all of us to play in preventing future sexual assaults, whether as a private citizen, a public official, or agency professional. True primary prevention demands that each of us be accountable for educating ourselves with a clear understanding of the facts, so we can take the necessary actions in our personal and professional lives to prevent the sexual abuse and sexual exploitation of children.