

The Sexual Offender Dilemma

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For thirty years, I have closely observed the restoration of criminal offenders. Christians in particular, embrace the power of God to change people who were criminals through the stages of remorse, repentance, reconciliation, and forgiveness. People of faith believe all sins can be pardoned and (with the exception of doubting the Holy Spirit's ability to cause that change) they consider no sin is beyond God's mercy and grace.

Now, this is a theological exposition of Biblical truth, but I do not always observe this mercy in the hearts of all people when it comes to sexual offenders. As a society, America does not practice the old axiom: "*Time served pays your debt to society*". As a matter of fact, the punishment phase continues for sexual offenders after release in the form of banishment, heightened observation, prejudice, mapping, community alerts, and Internet postings.

Do not misunderstand. I consider sexual offenses serious crimes, but no more serious than murder, armed robbery, or domestic violence. In fact, the term "sexual offense" encompasses extreme behaviors and legal classifications and not all merit a lifetime of persecution.

As an example, a 17 year old boy that has consensual sex with a 16 year old girl (both students in the same high school) can be charged with *Statutory Rape*. We live in a sexually charged society, surrounded by a marketing and advertising industry that depends on sexual exploitation. We revel in the Playboy Philosophy; applaud "lockerroom talk about *scoring*", and fill motion pictures, television shows, "dime" novels, pulp magazines, talk radio, and Internet websites with sex, then condemn youth for being sexually active. The hypothetical 17 year old boy can have the "sex offender" label the rest of his life. Clearly, he is not the person society fears.

Most of us would agree that the pedophile, the person that molests a minor, is the person we want to keep a careful eye on. The extreme, is the person that abducts and kills the child as part of a sexual crime. In that instance, kidnapping and murder are included. Many murderers are released from prison, rehabilitated, have stable employment, and even preach in pulpits. I have known many former murders that have been restored to a full and active life in a local community and church. But this is usually not true for sex offenders. We hound them, hunt them, and often make their lives a form of purgatory, if not worse.

It is as if the sexual offender is the modern day leper. We exclaim "unclean!" then do everything to keep them as far away from decent neighborhoods (sometimes even our churches) as possible. Is there a double standard? I believe there is.

The Scarlet Letter, the classic novel by Nathaniel Hawthorne, is about a woman named Hester who is shunned by the community because of her sin of adultery. She is forced to wear a scarlet colored letter “A” as a badge of shame. It is hardly surprising that the story takes place in Puritan Boston. The Puritans were known for their stern morality, rigidity, and legalism. The Pharisees shared similar attributes.

Jesus often criticized the Pharisees for their legalism and hypocrisy especially when the woman caught in adultery was thrown at his feet (John 7:53 – 8:11). It is likely the religious leaders held her until Jesus arrived at the temple to both test him and trap him. She is thrown into the middle of the crowd for public humiliation. The Pharisees seem to have a zeal for righteousness but they do not really care about the woman. They want her put to death without a trial or confession. In this story, Jesus’ comment “throw the first stone” is meant to help them recognize their own sinfulness and ultimately their hypocrisy. Only Jesus is without sin and can throw a stone at the woman but instead he pardons her sin.

The public shamming of Hester in The Scarlet Letter often reminds me of the communities that post color photographs of “sexual offenders” on the Internet for all to see, even years after the offense, time served, and the completion of their period of parole and probation. Some towns print photos, names, and addresses in the local newspaper and others have called for legislation to put signs on “sexual offenders” home lawns, not just the front but all four sides telling their neighbors they are “sinners”, “ex-offenders”, “dangerous”, and “sexual predators”. Towns that have required such signs have resulted in people throwing rotten fruit at such homes and obscene graffiti written on outside walls. Some Florida legislators endorse pink colored license plates for sexual offenders.

As a civilized culture, what does this accomplish? It feeds self-righteousness, to be certain. And even more, it demonstrates hypocrisy. How many “pillars of the community” have their own dirty little secrets? 55% of those staying in hotels view adult films. Research by George Barna (2008) indicates 29% of “Born Again believers find pornography viewing acceptable”. Focus for a moment on public officials that create, pass, and enforce laws. Eliot Spitzer, the Governor of New York was involved in a \$5,500 per hour prostitution ring which brought his downfall. As a prosecutor, Spitzer showed no mercy for vice offenders. Senator Mark Foley solicited minors and Senator Larry Craig was arrested in a Minnesota airport restroom.

Sadly, religious leaders have had sex scandals; famous television evangelist Jimmy Swaggart, Jim Bakker of the PTL Club, John Paulk of Focus on the Family, and President of The National Association of Evangelicals Ted Haggard. Haggard in particular preached “harsh judgment of sex offenders.” My point is not ridicule, but the double standard of persecuting “the average guy or gal” for sex offenses and the denials and excuses of leaders and powerful people.

Several final points about double standards; 70% of adults admit to viewing pornography each month. 50% of men attending a Promise Keeps Event (1996) admit to frequent viewing of pornography. One half of all evangelical pastors admit to viewing pornography within the past year (Christianity Today Survey, 2000).

37% of pastors admit to a “pornography addiction” (Christianity Today, 2001). And finally, the National Association of Matrimonial Lawyers state that “2 out of 3 divorces involve the use of Internet pornography” (2007). We should not be shocked by such sin in view of the sexualization of our culture.

Now, you may respond “viewing of pornography is not illegal”. While this is true, there are 100,000 websites with illegal material (child pornography) and until a person is caught and convicted, we do not know who the next “sex offender” is. I am going to make an educated guess that many upstanding citizens have their share of “secrets”, “sins”, and “sexual addictions”. My point; why do so many “throw stones” at sex offenders? I believe the Biblical story in John7:53 – 8:11 gives us clues and insight.

Time and again, I have observed ministries creating a half-way house for ex-offenders with structure and accountability receive strong neighborhood protest and resistance if only one sex offender is a resident. I understand their fears; the harm of a child and reduced property values. But let me ask the question: are you not safer with a sex offender in a structured program than the ones on your block you do not know about? What about the offender who moves from another state, has an alias, or has yet to be caught?

Let me return to my theme about the “types” of sexual offenders. When I was a probation officer (both the juvenile and adult divisions) I had many sex offenders on my caseload. The vast majority were “nuisance” behaviors. This included the “peeping Tom” (someone who secretly watched someone undress), obscene telephone callers, and the “flasher” (a person who exposes their genitals to an unwilling observer) which we commonly call the “dirty old man in a raincoat”. According to the Bureau of Justice Statistics, most nuisance sexual behaviors are committed by males in their late teens and early twenties. All who are arrested and convicted will be listed with child molesters as “sex offenders”. Is the broad brush of one label fair? I think not.

You may be thinking, “They deserve to be arrested for such crimes”. But once again, a double standard exists. In New Orleans, there are hundreds of “flashers” on Bourbon Street at Mardi gras. They get a pass. At Spring Break on the beaches of Miami the “girls gone wild” group of college students expose themselves. They get a pass and a wink. At colleges across America (including conservative evangelical Wheaton College) students “streak” and have nude male runs. They get a pass and a nod. Youthful indiscretion? The effects of alcohol? No one would think of arresting youth for “mooning”, a behavior that goes back

many years. I am not suggesting a return to Puritanical standards. My point is that in some areas of our culture we are tolerant.

Most sex offenders need counseling and therapy. We know many have suffered head trauma in childhood, and psychological and emotional abuse. They have impulse control disorders and obsessive compulsions. But are they beyond hope? Absolutely not!

Many will argue that a sexual offender's recidivism or failure rate is very high, often 90%. That is true, but so is the recidivism of alcoholics, drug abusers, and cigarette smokers. We believe and have witnessed heroin and cocaine addict's recovery through treatment and the power of God. Is this divine power not available to sex offenders?

The NBC television program "To Catch a Predator" turns sexual addiction into entertainment. The "predator" is lured via an Internet actor into solicitation of a perceived minor by Internet chat and then the cameras catch them showing up at the "minor's" house. I do not doubt their stupidity but then most sinful addictions are "stupid" at some level. In some states, officers with weapons drawn tackle the suspect and cuff him as if he is an armed robber. It is all dramatic for the sake of ratings. But it only fuels the prejudice of the viewer. What about a show where a bank teller leaves cash unattended or a sporty unlocked car with the keys in the ignition? The "predator" program clearly ridicules the offender who at this point is only guilty of solicitation. Granted they may have averted "sex with a minor", but why is this offense worse than domestic abuse, attempted murder, or drinking and driving? I believe television shows like this prey on people with compulsive mental disorders, low IQs, and even mental illness.

Where does compassion enter in? There is still much unknown about the neurochemistry of the brain. Many people with unhealthy sexual compulsions fear discovery, live with guilt and anxiety, and usually only enter therapy by court order. What they need is accountability but also a support system. The AA "buddies" serves such a purpose and it works.

If the goal of reentry and parole is to assist an ex-offender become a functioning citizen and worker, why do we greet them with suspicion, make transition to a half-way house often impossible, and even "map" their location in the community? Why don't we "map" former burglars or robbers? I understand prohibiting a convicted sex offender from having a job as a day care worker or school bus driver, like not having a recovering alcoholic work as a bartender. In one city, sex offenders cannot live within five miles of a school zone. Of course, zones overlap so clearly no sex offender could reside anywhere in that city. And that was the intention of that ordinance. Former murderers are employed as construction workers, shelf stockers, truck drivers, and volunteer as Sunday school teachers. That is because we believe people can change.

If we do not believe the sexual offender can change, then it makes sense to find a new *Devil's Island*, perhaps an asteroid where we can exile them to. And I believe many in society would favor that alternative. It is the logical conclusion to a trend I have seen grow

worse in three decades. Many treat sex offenders as non-curable, non-responsive to treatment, and unchangeable. Above all, this is a denial of Biblical truth and God's power to change people.

I do not expect secular people to understand this truth. I do expect Christians to show compassion and give sex offenders a second chance. Are there solutions? Yes, there are things we can do. Here are examples:

1. Educate the public about the value of accountability programs (half-way houses) that provide support and structure for sex offenders
2. Provide group and individual counseling for the sex offender
3. Reserve Internet alerts for only the most dangerous child predators
4. After ten years, remove most sex offenders from community "mapping"
5. Invest resources in community mental health centers
6. Use jails and prisons for only repeat sexual offenders
7. Isolate and protect sex offenders in jails and prisons from abuse by other prisoners
8. Use electronic monitoring, home bound detention, and intense supervision while a sex offender is engaged in day treatment (not incarceration)
9. Provide more funds for counselors and psychologists in jails and prisons so it is not "dead time" for the sex offender
10. Have churches provide well trained mentors for sex offenders
11. Fund more MRIs, CAT Scans, and neurological exams to identify some of the causes of compulsive sexual behaviors
12. Use appropriate, monitored drugs and medications to control some behaviors

In conclusion, we need to stop isolating sex offenders and treating them as beyond hope. We put energy into treating heroin and cocaine addicts. We label some murders as "crimes of passion" and parole the murderer to communities. We let former bank robbers enter banks. We let former shoplifters go into stores. That is because we do not put a magnifying glass on them and track them. I am not suggesting that sex offenders become scout leaders but I am advocating the same freedom of movement other offenders receive. Can they go back to crime? Yes, but shoplifters and bank robbers sometimes return to crime, too. Recidivism stats of robbers and burglars don't prevent parole or keep these offenders out of half-ways houses. Yet we take one offense (sex offenses) and make it more difficult for them to receive needed structure, counseling, and treatment.

Both adult and youthful sexual offenders need support, supervision, accountability, and treatment. There is an incredible lack of resources for them when released. Some cities have only one or two half-way houses or transitional living facilities for sex offenders. Some cities have none at all. Newspapers are quick to report the failures. Few papers run success stories and there are many. People of faith must lead the way to compassion, understanding, and mercy.