

Sex offender laws irrational (Guest View)

By Dr. GARY SWENSON, Mason City

One cannot open a newspaper in Iowa without seeing an article pertaining to the recently enforced law prohibiting convicted sex offenders from living within 2,000 feet of schools and daycare facilities.

In the emotional aftermath, several communities, like dominoes in a line, have fallen prey to the temptation to make the standards even more stringent, effectively barring sex offenders from making their homes anywhere within the city limits.

How safe we feel when our vigilant city council keeps these people from our neighborhoods! We kiss our children and send them off to play, secure in the knowledge that there are no sex offenders left in our community.

The great tragedy is that our children are less safe than they were before the ordinance was enacted.

Because of this law, more children will be molested, abducted and possibly even killed than would have been the case had we left well enough alone.

This seems counterintuitive, but a bit of research into the situation may help clarify the facts.

My interest in sex offenders began 36 years ago, when as a child of 7, I was enticed to accompany a stranger to his home. I spent a day subjected to experiences better left unspoken, yet through some quirk of fate, I found myself at the end of the day back on my home porch instead of in a shallow grave in the nearby woods. I was left with memories and scars that have followed me my entire life.

I know what it means to be a victim of this crime. I live it every day.

So it seems unlikely that I, or other victims of sexual crimes, would be opposed to the 2,000-foot rule.

But each newspaper article I read and each new community that jumps on the “not in our town” bandwagon causes me to shake my head in dismay.

We must remember that not all sex offenders are the same. In actuality, very few are the pathologic predators that have become the stereotype. Most individuals who have been convicted of a sexual crime are persons who simply made a serious mistake. These individuals feel a deep sense of remorse for their actions, and during their time of incarceration actively cooperate in intensive therapy regimens.

When released on parole or probation, these low-risk individuals must register with the local police department in the town where they live, attend regular therapy sessions and subject themselves to regular polygraph tests in which they are asked very detailed questions, not just about their activities but also their very thought patterns.

They are subjected to constant monitoring, either wearing ankle bracelets with transmitters embedded in them or else enduring six to 11 random phone calls every night between 10:30 p.m. and 6 a.m. to ensure they are at home.

If they don't toe the line, they go back to prison.

They are a highly motivated and exceptionally well-behaved group of people.

High-risk individuals are readily identifiable as they do not cooperate in prison, refuse any attempts at therapy and usually serve their entire sentence without parole or probation. Unfortunately, once their prison term has been completed, their only requirement is to register with the local police department when they find a place to live. Because they are not on parole or probation, they cannot be mandated to attend therapy sessions, take polygraph tests or subject themselves to any monitoring.

These individuals often quickly become fugitives from justice, usually fleeing to another state where they somehow forget to register with the local law enforcement agency.

Before we feel all safe and cozy about our cities' new ordinance banning sex offenders, we should remember that the most violent sexual crimes against children, those that are most feared by parents, are rarely perpetrated by someone who is registered in the city where the child lives. No law, no matter how stringent, will save these unfortunate children.

What the new restrictions have done, however, is to take the low- and intermediate-risk offenders and totally turn their lives upside down. Forced to move, many of these individuals can no longer find transportation to work, or even affordable housing.

Some, despairing of finding a place to live, have simply sought to return to jail. Unfortunately, you cannot just check in at the local penitentiary as you would a hotel. You have to commit a crime. Good plan, eh?

Those who do somehow find a new place to live do so at the cost of substantial emotional and financial stress.

Probation officers have noted that low-risk individuals who were doing exceptionally well before the law was enforced have now regressed, many to their initial states of psychological disarray. As a direct result of the stresses associated with the 2,000-foot rule, intermediate-risk individuals are returning to thoughts that may transform them into high-risk persons.

Police officers who once knew the location of all the registered sex offenders in their communities are now scrambling to familiarize themselves with the new addresses and locations of those who were forced to move. In the meantime, several offenders have simply vanished. Doesn't that make us all feel safer?

Suicidal thoughts have surged in the sex-offender population in the weeks since the law was enforced. This puts everyone at risk. When a desperate man contemplates suicide, there is no reason to hold himself in check. "If I'm going to die anyway," he may think, "I might as well act one last time on these impulses." Children are going to be harmed.

The fatalistic offender may even determine that murder/suicide is the best way out. "If I'm going to kill myself, I'll take that SOB legislator/councilman with me." Given the circumstances, I certainly wouldn't want my name listed on any public record as the sponsor of one of these ordinances.

Let's look at the logical conclusion to this mess. Once every community in Iowa passes restrictions that prohibit sex offenders from living in the city limits, the only places they will be able to live are rural, isolated and poorly monitored areas — not the places we want sex offenders to spend their time. Once the counties become alarmed by the rural migration of sex offenders and start passing ordinances to prevent them from living anywhere in the county, the offenders will either go underground, flee the state or commit a crime so they can go back to jail.

In any case, Iowa's children will be less safe.

I would much prefer to know that Mr. Smith lives two houses away than to not know the whereabouts of Mr. Smith at all. If I know where the sex offender lives, I can caution my children to avoid his home and avoid contact with him.

We must remember that most sexual offenses against children are perpetrated by individuals who have no prior record of sexual crimes. These individuals frequently live in the same home as the children. Stranger abductions, while sensational and frightening, are rare. Our children are in more danger from step-parents, uncles and aunts than they are from a registered sex offender who lives next door.

The greatest irony of this situation is that we claim to be doing all this for the children.

Interestingly, more children are harmed by those who use methamphetamine and crack cocaine than are harmed by sexual predators. Why then don't we mandate that convicted drug users and dealers not be allowed to live within

2,000 feet of a daycare facility or school?

Many more children are harmed by second-hand cigarette smoke from their parents or from family alcohol abuse than are molested by sex offenders, yet we don't hear anyone raising the cry of alarm, refusing to allow anyone who smokes or drinks alcohol to live within 2,000 feet of a school or daycare center.

The hypocrisy is sadly amusing.

As is typical for our society, we pick a minority demon, blame all our ills on him and then chase after him with our pitchforks and fire-irons crying, "Kill the beast!"

Well done, Iowa! We have placed the salve of irrational hysteria on our wounded conscience. The adults feel better and have news conferences and get re-elected. The children, whom we are supposed to nurture and cherish, pay the horrifying price of these emotion riddled decisions.

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