

Who is a sex offender?

written by Sandy | September 6, 2019



Names in quotation marks are pseudonyms; names with none are used with permission or are publicly known figures.

By Sandy . . . “Evan” is 71 years old. He was charged with viewing illegal pornography, a federal internet crime. That was eight years ago. He did not come to trial for four years after being charged. He was sentenced to eleven and a half years, of which he has now served four. His wife visits him twice a week, spending a goodly portion of her meager income on gasoline, tolls, and vending machines. They have no children and no other family. She is in despair and fear every day. If he serves out his full sentence and is still alive, he will be almost 80 when he is released. He will then be on probation for ten more years and on the registry until he dies.

Tammie is a young grandmother who has legal custody of young grandchildren. Sixteen years ago, her son at age fourteen engaged in a sexual relationship with a woman in her mid-twenties. When Tammie became aware, she demanded that it stop and threatened to go to the authorities, which she did two

months later when she discovered the relationship was continuing. Tammie was charged with failure to report a crime in a timely manner and incarcerated for eighteen months. Upon release she was told that her offense was a subset of a sexual crime, promoting the sexual performance of a child in a custodial position, and that she would be required to register as a sex offender for life. Due to that status, she is prohibited from having any involvement with the school activities of her grandchildren.

"Bill" is now sixty. Twenty-five years ago, he was convicted of criminal sexual penetration. He was sentenced to 105 years with 80 of them suspended. He was incarcerated for fourteen years with eighteen months of in-house parole after release and is required to be on the registry for life.

"Ray" is in his early forties. As an eighteen-year-old high school senior football star, his girlfriend "Patti" was a fifteen-year-old sophomore cheerleader. After he graduated, her mother realized that they were sexually involved and, when they didn't listen to her, sought law enforcement assistance, expecting them to give Ray a warning. Instead, he was charged and convicted of sexual assault of a child. Two years later Ray and Patti married and have four children. Their father has been limited in his participation in their school and athletic activities because he is listed on the sexual offense registry for the rest of his life.

"Jeffrey" is 50 years old and was released from prison in March of this year after serving more than thirty years behind bars. In 1987 he was convicted of multiple felonies, including two for forced rape and sexual assault. He will be on the sex offender registry for life.

Brian is 34. In 2002 at age 16 he received a conviction for rape based on the accusation and testimony of a high school classmate. He served slightly over five years in prison and was released to a period of probation and with a lifetime

requirement as a registered sex offender. In 2011 his accuser contacted him and recanted her accusation. The Innocence Project became involved, and in 2012 Brian's conviction was overturned and he was removed from the registry.

"Thomas" is 52 years old. In 2018 he was released after serving thirty years. He was incarcerated as a result of multiple convictions of rape committed when he was in his early to mid-twenties. An attempt to have him civilly committed was unsuccessful, and he is on the sex offender registry for life.

"Mark" is now 22 and has been on the sex offender registry for six years. When he was fifteen, he sent by cell phone transmission pictures of his erect penis to two girls his age and requested reciprocal images from them, which he received. His conviction in 2013 was for sexual exploitation of a child. His registration requirement is for life, but he may be eligible to apply for removal from the registry after twenty years.

Eight people. Seven male, one female. Ranging in age now from little more than a teenager to a senior citizen. Seven living in towns and cities across America; one still incarcerated. One now exonerated as being falsely accused and wrongly convicted; seven whose guilt is not legally in question. At the time of the offenses, three were teenagers, two in their twenties, two in their thirties, and one sixty-three. Three have convictions of rape or sexual assault; one was an internet voyeur, one a parent in over her head, one engaged in premarital sex, one a horny teenager. And one was innocent.

They could not be more different, more disparate. Yet, when "Evan" is released from prison and if there were no Innocence Project – the recanting of an alleged victim is worth very little – for all eight:

- If they were evacuating from Hurricane Dorian in New Hanover,

North Carolina, the only place they could shelter would be in the city jail;

- If they lived in Oklahoma, they could never go to a beach, a lake, or a park;
- If they lived – or wanted to live – in Waxahachie, Texas, 70% of the homes and apartments would be off limits due to residency restrictions;
- If they lived in Missouri, on October 31 they would be under house confinement with lights out and a sign on their doors announcing, “No candy here,” from 5 – 10:30 p.m.
- If they live ANYWHERE, they could not set foot in Florida for three days or more without being legally required to register on the Florida Sex Offender Registry, from which they would never be removed even when they left the state or died;
- If they lived in South Carolina, every offense represented here and every conviction that can be labeled a sex offense would automatically trigger a lifetime requirement to register with no provision for removal;
- If they live anywhere, they are subject to vigilantes using the registry as a hit list and at risk, along with their families, for vandalism, assault, and murder;
- If they live in Delaware, they are ineligible to vote for life even though most felons have voting rights restored upon full completion of the sentence.

Eight people, different in so many ways, but they share a bond that unites them with each other and with the other almost million individuals in the United States who bear the distinction of being listed on one of our nation’s sexual offense registries. Their inclusion marks them as modern day lepers, arguably the most identifiable, despised group in America. That title tells the world that they are to be feared, that they are dangerous, that they must be kept at a distance from children, yet a significant percentage of them are children themselves or were when they were given the title of sexual criminals. And yet a high percentage of them are managing their lives, raising their own children, contributing

to their communities, and harming no one.

Almost everyone knows them. They are our neighbors, our husbands, our sons and daughters, mothers and fathers, our friends, our co-workers, and members of our churches and organizations.

And their number is growing. Thousands of Americans are added monthly to their number. Many of the state structures tasked with the complexities required in managing them are stretched to the breaking point, poised to break like rubber bands.

And not a study done can point to positive benefits for society that have resulted from the sexual offense registration programs. Indeed, each day more ways in which society is harmed are identified.

It is said that doing the same thing over and over and expecting different results is the very definition of insanity. And insanity is the very definition of America's sexual offense registries.