

Laws driven by misinformation or by facts – which should we strive for?

written by Dwayne Daughtry | June 9, 2021



By Dwayne . . . You may know someone or have heard through news sources of individuals ordered by courts to attend sexual offender treatment. It is relatively common for courts to mandate forms of “therapy” such as polygraphs, group sessions, and elaborate treatment programs claiming efficacy. While the science community is skeptical of the effectiveness of such schemes, there are defenders with artificial data that cling to it fanatically.

But before I dive into the treatment programs, let us take a moment to reflect that we have seen this hype on various levels before. There was a time when marijuana use was a “gateway drug” that was sure to lead to other serious drugs and a life of crime. Let us not forget how homosexuality was targeted as an “incurable disease” where some were forced into conversion therapy and treatment programs. In each scenario, polygraph exams were sometimes administered to determine if

the person was credible to hold a license or pursue a specific career or, conversely, was deemed a threat to society. Those that resisted the notion that they were a threat were quickly labeled as living in denial and often punished for non-conformity.

Let me be clear that there is an extreme difference between addiction versus "caught up in a moment." Most sex crimes today are either caught up in a moment via the internet or in a situational circumstance of one-time poor decision making. These are not long-term addictions, nor are they gateway fantasies. Society, however, would insist that a one-time usage of marijuana is a sign of addiction and that past experimentation of homosexuality during college immediately labels that person as perpetually bisexual or gay. It is as if communities have a curious fetish about labeling one another with serious depravities – or what they consider depravities – and then creating fanciful "cures" for them, cures that ignore the science and evidence.

Sex-related crimes in America today are, for the most part, not indicative of addictive behaviors. While data shows that sex crimes are, in most cases, with someone known by the victim, people still cling to the notion that sexual assaults are habitual and lurking at every corner, perpetuated by strangers in raincoats either hiding behind a bush or driving a white van.

I would argue that a majority of sex crimes become so labeled due to confusion about what constitutes consent and due to issues with communication. To the science community, it is not rational to punish a person with life-long consequences and tag him or her as a sexual deviant. However, it is excellent public theater to make examples of others to hold up to the general masses. If this technique is effective in reducing sexual assaults, then why are sex registries growing at an alarming rate?

The short answer is that perhaps we are overinflating the issue similar to how we justified the war on drugs, the issue of homosexuality, and other issues that were in their time labeled and touted as "a threat to American values."

To be crystal clear, forcing polygraphs and therapy on people does not remedy any behaviors. While there may be a few with sexually addictive behaviors, we should be mindful that our judicial system shouldn't be in the business of mandating hocus-pocus remedies in the belief that they are correcting the problem. Perhaps the best treatment is for communities to quit trying to invent the next bogymen and instead listen to the scientific community about what constitutes best treatment for those who are labeled "sex offenders."