

# Why increasing penalties against registered sex offenders in Oklahoma is nonsense

written by Sandy | May 24, 2023



By Sandy . . . [Early in May 2023, a man in Oklahoma](#) shot to death his wife, her three children, two friends of the children who were there for a sleepover, and then himself.

Demands for action to prevent future, similar incidents were swift.

Demands for increased mental health services? No.

For increased gun safety? No.

For better awareness on the part of family and friends of the warning signs of something like this happening? No.

The shooter was a registrant on the Oklahoma sex offense registry, and registrants and their advocates across the

nation knew the minute the news of the incident hit the airwaves what the demands would be.

Jesse McFadden was out on probation following incarceration for a 2003 sexual offense conviction. He was facing trial for a new charge committed in 2017.

The family of McFadden's wife and grandchildren have issued a lengthy petition. Their demands are that persons convicted in the future of a sexual offense against a child be imprisoned for life with no parole and that persons with a sexual crime conviction against a child who are already released 1) have their supervision and community notification requirements stringently increased 2) not be allowed to marry someone with children 3) not be allowed to have their own children.

Their surface reasoning, of course, cannot be faulted. If McFadden had remained in prison, their daughter and grandchildren would still be alive. The second point, besides being open to constitutional challenges, is weak as it disregards the will of the partner. If forbidden to marry, the couple could well choose to live together unmarried.

The irony is that McFadden's conviction is not a child sexual crime conviction. He would not have been subject to any of the family's proposed laws.

But that's not what makes these demands unnecessary.

They are unneeded, even foolish, because they will not bring about the desired results.

McFadden's last, maddened act of murder of his family has nothing to do with his having a sexual crime conviction. Committing murder/suicide is not a characteristic of a sexual offender. When registrants commit a significant reoffense – as, on average, [five percent or less](#) are prone to do – it is generally of a sexual nature.

One can understand the family's unspeakable grief and deep-seated need to find a "cure" for such horror, but they are looking in the wrong place for their answers.

Targeting men on registries who have committed offenses against children will do nothing but bring down more wrath upon a population already subject to severe rules, regulations, and ostracism – a population of whom 95% or more will not commit another sexual offense and certainly will not murder their families.

Where then should they look? Can these rare but horrific crimes be predicted and thus prevented?

Logic tells us no. Can **anything** be done?

A starting place would be to look at the characteristics of those who commit this type of crime.

These are the dominant factors [that research shows](#): 1) white males 2) weapon was a gun/access to gun 3) step-children in the home 4) prior domestic violence

McFadden ticks the first three boxes and quite possibly all four, as the family speaks of how controlling he was with their daughter and the children. There is no evidence of a complaint of domestic violence in McFadden's history, but that is a seldom-reported crime.

Interestingly, one of the researchers makes a point of including this: "However, a past criminal history is not a reliable or significant predictor in murder-suicide."

Given this, should the family's petition rather request that white men with domestic violence complaints not be allowed to own guns or marry women with children?

No one, or almost no one, would support such a law, but it makes more sense than laws targeting sexual offense registrants, which many will support.

The family's grief is understandable. It evokes empathy. It wants something, somebody to be held accountable.

Jesse McFadden, the sexual offense registrant, is not that person.

Jesse McFadden, the murderer, is.