

"The great enemy of truth is often not the lie – deliberate, contrived, and dishonest – but the myth – persistent, persuasive, and unrealistic. Belief in myths allows the comfort of opinion without the discomfort of thought." – John F. Kennedy (as quoted by Mark Shaw in *The Reporter Who Knew Too Much* [New York: Post Hill Press, 2017])

In This Issue:

1. Satan! Now Are You Scared Enough to Abandon Reason?	1-2
2. Exactly How Dunning-Kruger ARE You?	2
3. Arrests Don't Dictate Risk of Reoffense — Except for Sentences & SOCC.	2-4
4. Even the Feds Will Exaggerate Recidivism to Up Your Perceived Risk.	4-5
5. 'Forensic' Franklin Exposes Flawed Psychological Test Evidence.	5-6
6. Wilson & Sandler, Part 2	6-7
7. What's a MAP, Anyway?	8
8. The Big One: Stigma re Sexual Interest in Children	7-8
9. MAP Antistigma Interventions — What's Best, Pragmatism or Compassion?	8-9
10. Review Reprint: A Long, Dark Shadow	9-10
11. A Farewell to Francis	10

- Note: The Last part of the Wilson & Your Rights in SOCC Cases?**
- ✓ Community Notification: A Shock-Show That Harms Its Audience?
 - ✓ Sex Offender Residence and Employment
 - ✓ What Does Barring Inter-SO Associations Actually Result in?
 - ✓ Remorse Bias — What's THAT?
 - ✓ RNR vs. Good Lives vs. Virtue Ethics vs. Desistance
 - ✓ Blanket Exclusions of SOs
 - ✓ Banishment by 1000 Laws
 - ✓ Levenson on Needs-Preferences of Clients of SO Treatment
 - ✓ New SORN Laws Are Punitive
 - ✓ SO Reintegration - Environmental Factors Must Be Considered
 - ✓ Different Backgrounds: Different Perceptions of SO Policies
 - ✓ Perlin Sounds Off
 - ✓ NIMBY: Not the Latest Toy Robot
 - ✓ Legislative Testimony by the Confined
 - ✓ PPG Test Results – Inadmissible
 - ✓ What IS Rehabilitation When It Is Said to Differ for Sex Offenders?
 - ✓ Moral vs. Clinical Decisions
 - ✓ Guessing the Number of Unreported Sex Crimes Is Not Science.
 - ✓ Why the AI Black Box Doesn't Know Why It Condemns You; It Just Does
 - ✓ Pedophiles in UK Communities
 - ✓ What Is The Mandela Effect, and Why You Should Care
 - ✓ Are Internet Bans Sinking Like the Titanic?
 - ✓ Algorithmic Risk Assessment assessed
 - ✓ Now Face: The New Vigilantism
- & Many more to come!

Free Downloads of all ILP editions:
 * <http://www.cure-sort.org/mn---the-legal-pad.html>
 * <http://wapercyfoundation.org/>

Feedback? News? Write!
ILP Editor Address
 (Exactly & Only as Below):

Cyrus P. Gladden II
 1111 Highway 73
 Moose Lake, MN 55767-9452

Satanic Panic and QAnon Propaganda — A Useful Comparison to Sexual Abuse Myths

Jeffrey S. Victor, "The Social Dynamics of Conspiracy Rumors: From Satanic Panic to QAnon," 46(4) *Skeptical Inquirer* 37 (July/Aug. 2022).

Text Excerpts: [p. 37:] "Almost all interpretations of conspiracy stories focus on the psychology of personality, emphasizing personal beliefs, motives, and preconceptions while ignoring their social constructions in groups. This article instead takes an alternative sociological approach, one that focuses on the influences of history, culture, and political organization. The difference between focusing on a conspiracy 'theory' and a conspiracy 'rumor' is not purely semantic. One person can have a theory, but a rumor requires the participation of many people; it is a social phenomenon. Social groups are driven by forces beyond that of the individual personalities within it. People in the mob that attacked the U.S. evil, the most harmful, most powerful evil. It is usually seen to be embodied in some widely disliked out-group, believed to be followers of Satan. These people become scapegoats for the underlying anxieties and fear in a society."

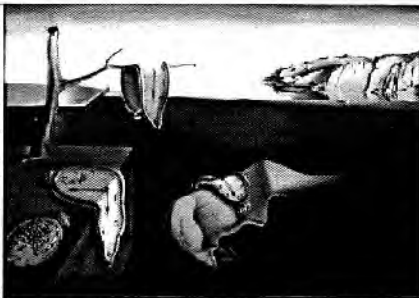
...Conspiracy stories employing the symbol of Satan will continue to be with us. As long as there are many people who believe in Satan, they will return again and again, albeit in mutated forms.

The Social Context of Belief: Birds of a Feather Flock Together

We can understand a rumor as a collaborative process. ...A rumor is a collective group creation. It is a constantly evolving story that many people contribute to during a time of ambiguity and uncertainty about a matter of concern. ... Rumors are usually spread by people who believe the stories but may also be spread by people who are simply curious or by pranksters.

How can so many people believe in a bizarre conspiracy rumor? The usual answer is that belief is due to people's poor education or their ignorance. However, the fact is that most of the people who believe bizarre rumor stories hold culturally based preoccupations that match the basic assumptions of a particular conspiracy story. We can all be seduced into believing a specific rumor if the stories fit our preconceptions. My research found, for example, people who held a belief in Satan as the embodiment of evil were most likely to give credibility to Satanic cult crime rumors. They were likely to believe that followers of Satan commit horrendous crimes, such as murdering virgins in ritual sacrifices. In comparison, people from different cultures and religions who did not believe in the existence of Satan did not give the rumor stories any credibility.

Concretely, I was able to trace rumor communication networks by recognizing people's cultural preconceptions. I became aware of different communication networks only when I asked the custodians at my college about the rumors. By



A Distorted World View, a la QAnon

way of a principle: different rumors travel in different communication networks. People in different communication networks live in different social worlds, isolated from each other. Today, that isolation has increased, because of the that I visited, in religious publications that I read, and at conferences about Satanic cult crimes that I attended (Victor 1994).

Another key to understanding why so many people believe bizarre rumors is the social phenomenon called the 'consensual validation of reality.' When people in a particular communication network hear the same stories over and over again, or read about them on their computers or smart phones, it becomes their reality. The consensual validation of reality occurs in online networks when people are enveloped in a homogeneous communication environment of family, friends, neighbors, fellow churchgoers, and Facebook friends.'

...Networks of believers socially reinforce an individual's belief in particular rumors.

...QAnon followers claim that there exists a cabal of Satanic, cannibalistic pedophiles who operate an international sex trafficking ring and who control the United States government. Many followers believe that Donald Trump will save America from this evil.

QAnon conspiracy believers are an internet community in which people collaborate in creating and passing on constantly evolving rumors. ...Different conspiracy theories are thrown into the QAnon community like a lumpy stew. The stew includes: Trump's 'Stolen Election' lie, lies about COVID-19 vaccinations, and even the usual anti-Semitic paranoia. Much of it appeals to extreme right-wing preconceptions....

[p. 39:] So, who believes QAnon Satanic crime conspiracy stories? A public opinion poll done by the Public Religion Research Institute and published in May 2021 provides some answers (PRRI Staff 2021). The survey found that while only 15% of Americans believe the QAnon stories, in certain religious subcultures a far larger percentage believes them. About 25% of white evangelical Protestants and 26% of Hispanic protestants believe that Satan-worshipping pedophiles control the U.S. government, the media, and financial institutions. In contrast, the stories

were believed by only 10 % of white mainline Protestants, 11% of white Catholics, and 8% of Jews. Several other social groups also have a high percentage of people who believe the stories, such as Republicans and people who are socially conservative. In other words, QAnon rumors are spread mainly through the communication networks of fundamentalist Protestants and other very conservative people.

...Today, conspiracy fears are being spread by influential people, such as Donald Trump and radio host Alex Jones, to gain money and power. Millions of people saw on television, in real time, a violent mob invade the United States Capitol building. Yet many thousands believe propaganda, promoted by some right-wing politicians, that they *actually* saw some anti-Trump, 'antifa' demonstrators.

...When a community of people believe that something is real, it is real in its consequences. And the consequences can be very harmful. There is no way to determine the exact number of innocent people who were harmed by false accusations resulting from Satanic cult rumors. However, various research efforts suggest that the number is in the many thousands, harmed by included threats of violence, false accusations of crime, imprisonment of innocent people, and destruction of families.

[p. 40:] ...There were also cases of children's daycare workers falsely accused and arrested for so-called ritual sexual child abuse. ...People falsely accused of sexual abuse of children by Satanic cults numbered in the many thousands. A study of 12,264 such accusations published in 1995 by the National Center on Child Abuse and Neglect didn't find a single verifiable case (Bottoms et al. 1996).

The QAnon conspiracy rumors are even more dangerous because they pose a threat of large-scale violence. One of the consequences of the QAnon conspiracy stories was the mob assault on the Capitol building, in an act of domestic terrorism. The presence of QAnon conspiracy believers was evident in the crowds of QAnon signs, amid Nazi swastika flags and Confederate flags, proudly carried by members of the mob. As a result of the attack, one attacker was shot to death, one policeman died from a stroke, four other policemen died from suicides shortly afterward, and over 100 were severely injured....

A Pressure Cooker Needs a Release Valve

A well-founded sociological principle suggests that rapid social change causes widespread social stress as people try to adjust to the changes. The anxiety and stress, in turn, leads to the search for scapegoats to blame for people's daily problems. The conspiracy stories claim that 'those people' are to blame for our problems.

The most familiar case is that of the German people after their defeat in World War I, when Germans experienced loss of jobs and evaporation of their income due to widespread unem-

ployment, and hyperinflation, leading to political conflict in the streets. The conspiracy stories blamed Jews, Communists, and immigrants for people's plight.

What social conditions and stress on people's lives can account for the return of Satanic crime rumors among QAnon believers? The underlying anxiety that can help us to better understand what is motivating the QAnon believers is fear of unfamiliar people caused by demographic changes in the American population. There is a widespread anxiety among white people in some areas of our country where the ethnicity of the population is undergoing rapid change. Rumors spread the claim that 'our country is being taken over by people who are not real Americans' (meaning dark-skinned people, immigrants who don't speak English, and people who are not Christians). This fear of replacement is an expression of White ethnocentrism, or what has been called white Christian nationalism. It is the fear expressed indirectly in concerns from some white parents about teaching about 'diversity' and about systemic racism in public schools (falsely labeled 'critical race theory'). It is the fear expressed in the claim, 'They are taking over our country' and implied in Trump's slogan 'Make America Great Again.'

There is some strong evidence of fear of ethnic replacement among significant numbers of white people. Researchers at the University of Chicago's Project on Security and Threats studied the backgrounds of 193 people charged with crimes during the violent attack on the Capitol on January 6, 2021 (Pape 2021). Surprisingly, these people had only one thing in common. It was not their socio-economic or educational level or rural versus urban residence. They were disproportionately white people from counties where the white population was rapidly declining and being replaced by nonwhite people. Anyone who watched the January 6, 2021, insurrection in television could see clearly amid the QAnon signs, that the mob comprised white people almost exclusively (95% according to some estimates).

[p. 41:] Most marketing studies recommend 'informational' approaches that rely upon public relations techniques to cope with rumormongers. This means providing information to correct the false claims in harmful rumors and highlight the benefits of the company's products. Unfortunately, informational approaches are of little use in trying to deal with nationwide conspiracy rumors.

An alternative might be termed a *punitive approach*. Such an approach may employ derogatory labeling to shame rumormongers, civil lawsuits to target specific groups, or even criminal prosecutions.

[The author cites the Procter and Gamble Corp., which was the target of malicious Satanic cult rumors in the 1980s, at the height of the Satanic cult rumor movement. Rumors included that P&G supposedly donated money to the Satanic church. In 2007, P&G won a \$19.25 million civil lawsuit against four former Amway distributors P&G competitors. Another example: the par-

ents of students murdered in the Sandy Hook elementary school. They sued after right-wing commentators claimed that the shootings were a fake. In November 2021, Alex Jones, one of the most vocal proclaimers of this baseless rumor, was found liable for damages for that rumormongering.]

...Attempts to control dangerous conspiracy rumors must deal with them as a social phenomenon and not simply an expression of the personality quirks of individuals. This means that they are anchored in communication networks that often have an ideological or religious following. This in turn means that managing dangerous conspiracy rumors must combine ways of relieving underlying causes of social stress in people's lives and ways of punishing the most outrageous promoters of harmful lies."

References:

Bottoms, B.L., P.R. Shaver, & G.S. Goodman. 1996. An analysis of ritualistic and religion-related child abuse allegations. *Law and Human Behavior*, 20(1): 1-34.

Network Contagion Research Institute. 2020. The QAnon Conspiracy: Destroying Families, Dividing Communities, Undermining Democracy. Rutgers University, Miller Center for Community Protection and Resilience (December 15).

PRRI Staff. 2021. Understanding QAnon's connection to American politics, religion, and media consumption. Public Religion research Institute (May 27). Online at <https://www.prri.org/research/qanon-conspiracy-american-politics-report/>.

Victor, Jeffrey S. 1994. Fundamentalist Religion and the Moral Crusade against Satanism: The Social Construction of Deviance. *Deviant Behavior* 15(3): 305-334.

The Dunning-Kruger Effect - Not Knowing How Little You Know

Stuart Vyse, "Yes, the Dunning-Kruger Effect Is Real," 46(4) *Skeptical Inquirer* (July/August 2022 at pp. 29-31

"Ignorant of your own ignorance. Frequently applied in a political context, the Dunning-Kruger (DK) effect has rapidly become a famous psychological concept. It

describes a kind of double-whammy. If you suffer from the DK effect, you know very little about a subject -- but you also have the false impression that you know considerably more than you do. In a world where the views of experts are regularly dismissed (Nichols 2017) and many internet users think they know more about medicine and foreign relations than people who actually studied those subjects in school, the DK effect seems to explain a lot. People who are unskilled or unschooled in a subject also suffer from a 'metacognitive deficit.' Metacognition is thinking about your own thought processes, and it is separate from the basic thinking you do while solving a problem or taking a test. According to Dunning and Kruger, people who are ill informed often don't know it....

The Basic Effect

In Study 2 of Kruger and Dunning's original article (Kruger & Dunning 1999), the authors gave college students a twenty-item test of logical reasoning with questions drawn from the Law School Admissions Test. After completing the test, each student was asked to rate their performance relative to others on a percentile scale and also to predict the number of items they got correct. In presenting the results, Kruger and Dunning grouped the participants into quartiles (e.g., lowest 25 percent of scorers, next 25 percent of scorers, etc.). The classic finding is shown in Figure 1 [below], a hypothetical graph that I created on my computer. People who scored low relative to other people greatly overestimated how well they did. Conversely, the people who scored in the top quartile slightly underestimated their performance. This kind of finding has been replicated many times by researchers in different laboratories with tests on a variety of subjects.

...In a classic study, 60 percent of a sample of U.S. drivers said they were in the top 20 percentile of drivers on the dimension of safety -- a mathematical impossibility (Svenson 1981)....

...Many people who lack knowledge in a subject area suffer doubly: they are both ignorant and ignorant of their ignorance. This is a troubling idea. But perhaps the hardest lesson to learn about the DK effect ...is that this problem is not limited to some other group of people safely off in the distance. Depending on the area of expertise, the Dunning-Kruger effect applies to us all. If ignorant enough, under many circumstances, we will fail to recognize how ignorant we are. Ideally, the message of the DK effect is both troubling and humbling."

...is that this problem is not limited to some other group of people safely off in the distance. Depending on the area of expertise, the Dunning-Kruger effect applies to us all. If ignorant enough, under many circumstances, we will fail to recognize how ignorant we are. Ideally, the message of the DK effect is both troubling and humbling."

References:

Kruger, Justin & Dunning, David. 1999. "Unskilled and Unaware of It: How Difficulties in Recognizing One's Own Incompetence Lead to Inflated

Self-Assessments." 77(6) *Journal of Personality and Social Psychology* 1121-34.

Nichols, Tom. 2017. *The Death of Expertise: The Campaign against Established Knowledge and Why It Matters*. New York: Oxford University Press.

Svenson, Ola. 1981. "Are We All Less Risky and More Skillful than Our Fellow Drivers? 47(2) *Acta Psychologica* 143-48.

Risk Assessments Score Police Capture & Are Comparative, Not Quantifying Risk

Klinge, Cecelia, "Making Sense of Risk," 38(3) *Behavioral Sciences & the Law* 218-225 (May-June 2020).

Text Excerpts: [p. 218-19:] "1. Introduction: The Need for Better Understanding of Risk Assessment Tools

From street-level policing to correctional supervision,¹ decision-makers throughout the criminal justice system now use actuarial risk prediction instruments to make decisions about how to manage individuals suspected or convicted of criminal behavior. The instruments they use vary in their particulars, but all use statistical modeling to predict the future behavior of an aggregate group of people with shared characteristics, such as criminal history, age, sex, family background, education, and employment.²

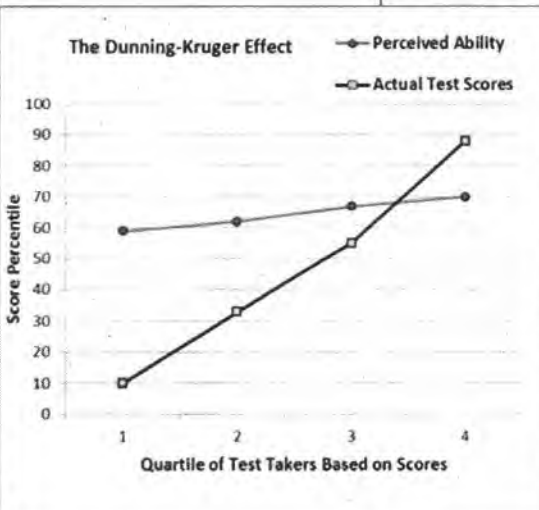
Most tools predict the probability that a person with certain of these characteristics will be rearrested or reconvicted....

[p. 219:] An emerging body of literature has begun to assess and critique the use of these instruments, raising concerns about both their accuracy and fairness.⁴ ...[End users of these tools -- judges, lawyers, and probation agents -- often are given little training in the limits of these instruments, an omission that contributes to errors in how the results of these tools are interpreted.

Former U.S. Circuit Judge Richard Posner once observed that

The discomfort of the legal profession, including the judiciary, with science and technology is not a new phenomenon. Innumerable are the lawyers who explain that they picked law over a technical field because they have a 'math block' -- law students as a group, seem peculiarly averse to math and science. But it's increasingly concerning, because of the extraordinary rate of scientific and other technological advances that figure increasingly in litigation.⁷

Risk assessment instruments provide a powerful example of this phenomenon. Despite the pervasiveness of actuarial risk assessment tools, many legal practitioners remain uneducated about even the most rudimentary aspects of their design -- in part, no doubt, due to the broader legal aversion to all things 'actuarial' or 'algorithmic.' This ignorance is not harmless. Although legal professionals need not possess the skills to scrutinize every aspect of risk calculation itself, in order to use these tools in ways that promote equity and



justice, and users of these tools need to possess a general understanding of how risk prediction tools work and what they do – and do not – reveal that has relevance to the legal decisions they make.

This article attempts to clarify some of the most common areas of misunderstanding among legal practitioners by addressing three simple points. First, risk assessments predict capture, not conduct. Second, risk categories are comparative, not absolute. Third, risk is not always an important consideration in criminal justice decision-making – particularly when the risk is remote, minor, or of wholly unknown content. ...The discussion below is aimed at both end users of these tools and at those who train them, with the hope that providing practitioners with a better understanding of the legitimate uses and limitations of risk prediction tools will ensure that they are being used in ways that are consistent with their intended purposes.

[pp. 219-20:] 2. What Risk Assessments Measure: Predicting Capture, Not Conduct

Criminal justice system actors, from police through parole board members, have been predicting the 'riskiness' of people involved in crime from time immemorial. For much of this time, risk predictions have been the product of professional judgment, informed by the decision-makers' varied knowledge of suspects' criminal and personal histories, coupled with their conscious and unconscious biases about the causes of repeated criminal behavior.⁹ This kind of unstructured, intuitive risk assessment remains pervasive....

Nevertheless, human beings tend to be both inconsistent and biased in their intuitive decisions.¹⁰ To combat these inconsistencies in human judgment – and the inequities they produce – standardized, structured risk prediction tools have been used for well over a century to promote evenhandedness and accuracy in important criminal justice decisions.¹¹ And, while there is debate over the accuracy of many of the instruments in use today, studies suggest that many of the most widely used risk prediction instruments have been found to be more accurate at predicting risk than unguided clinical judgment¹² [although this isn't saying much, given the utter error – as much as wrong nine times out of ten – of unguided clinical judgment].

Although some of these instruments attempt to structure professional judgment, the majority of the tools being adopted in criminal justice settings are actuarial in their design.¹³ Developers of these tools examine historical data about a target population – e.g., people being released from prison or people on probation – and identify a finite number of factors associated with the risk of specific behaviors, such as non-appearance in court, rearrest, or reconviction.¹⁴ Then, using some of the factors found most predictive of the measured behavior in the historical sample (such as a person's criminal history and age of first arrest), the tool uses an algorithm to calculate the statistical odds that a new individual in the target population will go on to engage in the measured behavior.¹⁵ The actuarial risk predic-

tion tools used in courts and by correctional agencies vary in their complexity and sophistication, with some newer tools accounting not only for static (i.e., inalterable) factors such as sex and past conviction history, but also for dynamic factors that are subject to change, such as employment status and educational attainment.¹⁶

In addition to tools that predict general risks of rearrest or reconviction, some tools attempt to differentiate between a person's risk of committing any offense versus his risk of committing a violent offense.¹⁷ In the main, actuarial tools are less accurate in predicting future violence than they are in predicting general recidivism, in part because violence is a rarer (and therefore more statistically aberrant) behavior.¹⁸

[p. 221:] Typically, decision-makers will understand the predicted risk to be a risk of engaging in the predicted future behavior, whether that be general criminal recidivism, a specific kind of criminal behavior (such as violent crime or sexual offending).... Importantly, that is not what the instruments actually predict. Although risk tools are often thought to predict conduct, they in fact predict the risk of capture.

...Most risk prediction instruments used in criminal cases calculate a person's aggregate statistical risk of being rearrested or reconvicted for a crime;²⁰ consequently, their accuracy turns not on how likely a person is to commit a new crime, but on how likely the person is to be caught for doing so.

Not surprisingly, the factors that predict capture are not identical to the factors that predict criminal conduct. For example, as a statistical matter, minorities are more likely to be arrested than are Whites.²¹ Men are more likely to be arrested than women.²² People living in urban settings are more likely to face arrest for domestic abuse than people living in rural communities.²³ The factors that predict capture are tied more closely to the intensity of population surveillance and ease of detection by police than they are to the actual prevalence of the criminal behaviors themselves. That means that people at high risk of rearrest may be no more crime-prone than a person at low risk of rearrest. When deciding how much weight to give to predictions of the likelihood of future offending, decision-makers would be wise to remember this essential limitation on the predicted outcome.

[p. 222:] 3. Quantifying Risk: Comparative, Not Absolute

Beyond the conduct-capture distinction, a second point of misunderstanding for many end-users of risk prediction tools is the meaning of reported risk categories. Fundamentally, it must be emphasized that risk is a relative concept, and its meaning will vary depending on the attributes of any sampled population and the cut-offs selected by a prediction tool's developers.

Different risk prediction tools present their results in different formats; however, it is common practice to categorize a subject's risk of a predicted behavior as 'low,' 'medium,' or 'high' – or some variation on that theme.²⁴ In conversations and during trainings with judges, lawyers, and correc-



Police once again demonstrating that arrest equals recidivism risk.

tional officers, I frequently find that end users assume each label has a fixed or absolute meaning; that is, that the label 'low risk' attaches to a very specific (though unknown) mathematical likelihood that a specific person will commit a crime. When I informally survey audiences as to what percentage points they think distinguish a low-risk person from a medium- or high-risk person, their answers vary dramatically, with some believing that high risk begins as low as a 30% likelihood of committing a crime and others believing it signifies a 90% or greater likelihood of committing a future crime. The answer, of course, is that there is no universal answer to that question. Each instrument operates differently, but most report risk in a way that is not grounded in any set level of mathematical certainty, but rather in a way that simply compares members of the sample population to one another.

[pp. 222-23:] ...[R]isk labels can be misleading, and their meaning is often unclear and highly context-dependent. That point matters for several reasons, not least of which is the fact that many risk tools currently in use across the country were not normed on local sample populations. Despite calls from researchers for jurisdictions to periodically re-norm their tools for changing populations and sub-populations,²⁸ few jurisdictions have done so, which means that in those places where the tools has not been tested on local populations, it may lack validity. Moreover, even where the tool has been normed within a large jurisdiction (such as a state) there may be meaningful differences between distinctive populations within the larger jurisdiction that may alter what it might mean to be low, medium, or high risk in any particular place.²⁹ The failure to norm all risk assessment instruments against local population samples does not mean the tools are worthless, but it does mean that end users need to be aware of the limits of these tools and of the information they provide when using these tools to make decisions in individual cases.

[p. 224:] Decision-makers need to understand that regardless of the predictive validity of the risk instrument itself, risk predictions can never be considered apart from the context in which they are being made. No tool can, or ever will, be able to see the future and tell us with precision what any individual person will do in the future. It is as impossible to know whether a person's most recent conviction will be his last as it is to accurately predict what we ourselves may do in the future. The very best risk

prediction instruments currently available can tell us which factors, on average, drive capture and which people with certain characteristics similar to a particular offender are statistically likely to be apprehended doing in the future.³³ However, given the variation of human behavior, no instrument can reliably predict whether any particular person will go on to reoffend, or what specific form any future reoffense will take.³⁴

Notes:

- 1 Sonja B. Starr, "The Risk Assessment Era: An Overdue Debate," 27 *Fed. Sentencing Report* 205, 205 (2015)...
- 2 Sarah L. Desmarais, et al., "Performance of Recidivism Risk Assessment Instruments in U.S. Correctional Settings," 13 *Psy. Serv.* 206, 207 (2016).
- 4 Dawinder S. Sidhu, "Moneyball Sentencing," 56 *B.C. L. Rev.* 671 (2015); Melissa Hamilton, "Back to the Future: The Influence of Criminal History on Risk Assessments," 20 *Berkeley J. Crim. L.* 75 (2015) ...J.C. Oleson, "Risk in Sentencing: Constitutionally Suspect Variables and Evidence-Based Sentencing," 64 *SMU L. Rev.* 1,329, 1340-47 (2011).
- 7 Jackson v. Pollion, 733 F.3d 786 (7th Cir. 2013).
- 9 Melissa Hamilton, "Risk-Needs Assessment: Constitutional and Ethical Challenges," 52 *Am. Crim. L. Rev.* 231 (2015), at 237-38.
- 10 Lydette S. Assefa, "Assessing Dangerousness Amidst Racial Stereotypes: An Analysis of the Role of Racial Bias in Bond Decisions and Ideas for Reform," 108 *J. Crim. L. & Criminology* 653, 676 (2018).
- 11 John Monahan & Jennifer L. Skeem, "Risk Redux: The Resurgence of Risk Assessment in Criminal Sentencing," 26 *Fed. Sent'g Rep.* 158, 158 (2014).
- 12 Daniel J. Neller & Richard I. Frederick, "Classification Accuracy of Actuarial Risk Assessment Instruments," 31 *Behav. Sci. & L.* 141, 141 (2013).
- 13 Sarah L. Desmarais, et al., "Performance of Recidivism Risk Assessment Instruments in U.S. Correctional Settings," 13 *Psy. Serv.* 206, 207 (2016).
- 14 *Id.*
- 15 Jessica Eaglin, "Constructing Recidivism Risk," 67 *Emory L. J.* 59, 85 (2017).
- 16 *Id.*
- 17 Melissa Hamilton, "Adventures in Risk: Predicting Violent and Sexual Recidivism in Sentencing Law," 47 *Ariz. St. L.J.* 1, 24-25 (2015).
- 18 *Id.* at 20.
- 20 Thomas H. Cohen, et al., "The Federal Post-Conviction Risk Assessment Instrument: A Tool for Predicting Recidivism for Offenders on Federal Supervision," in *Handbook of Recidivism Risk/Needs Assessment Tools*, First edition 77, 81 (Jay P. Singh et al. eds., 2018).
- 21 Marc Maurer, "The Endurance of Racial Disparity in the Criminal Justice System," in *Policing the Black Man: Arrest, Prosecution and Imprisonment* 39 (Angela Davis, ed., 2018).
- 22 Lisa Stolzenberg & Stewart J. D'Alesio, "Sex Differences in the Likelihood of Arrest," 32 *J. Crim. Just.* 4443 (2004).

(Continued on page 4)

23 Vermont Center for Justice Research, *An Analysis of Domestic Violence and Arrest Patterns in Vermont Using NIBRS Data* (2012), at 11.

24 For example, the COMPAS instrument categorizes recidivism risks as low, medium, or high, see *infra*, n. 25, while the LSI-R "produces a summary risk score that can be categorized into five risk levels".

28 James Austin, "How Much Risk Can We Take? The Misuse of Risk Assessment in Corrections," 70 *Fed. Probation* 58, 59 (2006).

29 Anthony P. Thompson, & Andrew McGrath, "Subgroups Differences and Implications for Contemporary Risk-Need Assessment with Juvenile Offenders," 36 *L. & Hum. Behavior* 345, 346 (2012).

33 Sonja B. Starr, "Evidence-Based Sentencing and the Scientific Rationalization of Discrimination," 66 *Stan. L. Rev.* 803, 806 (2014).

34 *Id.* at 806.

Bad Data

How the Feds Distort Sex-Crime Recidivism Data

Alissa R. Ackerman & Marshall Burns, "Bad Data: How Government Agencies Distort Statistics on Sex-Crime Recidivism," 13(1) *Justice Policy Journal* 1-23 (Spring 2016), www.cjci.org/jp.

[Text Excerpts.] "Introduction

...pp. 2-3: We found that a complex mathematical transformation was applied to [sex offense] recidivism statistics in an official US Department of Justice Report in a way that contorts the data to fit with common beliefs about recidivism, while the data themselves, without the transformation, tell a very different story. This transformation, which is illustrated in Figure 2 below, results in what we call the 'BJS recidivism rate.' The rate is comparable to the pre-Copernican epicycles [in the solar system] in that it is not false but distorts reality in a way that causes misunderstandings and errors in prediction. We quote a number of legislators making statements founded on the BJS recidivism rate, thereby propagating these misunderstandings and prediction errors.

It is a common belief that individuals convicted of sexual crimes have high rates of recidivism. In a study of public perceptions of sex crimes and the individuals who commit them, Katz-Shivone, Levenson, and Ackerman(2008) found that 98% of respondents believed that individuals convicted of sex crimes would inevitably repeat them. Mancini and Mears found similar results in their 2010 study. Here, 93% of the public believed in the inevitability of sexual recidivism no matter the amount of punishment or intervention. This popular, false belief is also found expressed in official pronouncements of the people who write our laws. In a study of policymakers' views of this population, Sample and

Kadleck (2008) found that the common view of a person convicted of a sex crime is that of someone who is sick and cannot control his urge to act out sexually.

...[S]everal reports, including government reports and peer-reviewed studies have found that sex-crime recidivism rates are actually much lower than commonly believed (Bureau of Justice Statistics, 2003; Hanson & Bussiere, 1995; 1998; Hanson & Morton-Bourgon, 2004; Hanson & Morton-Bourgon, 2005; Harris & Hanson, 2004). This is not new information, but has been known since at least the 1950s (Tappan, 1950).

...[T]he myth is ...furthered by lawmakers in public settings and the very reports that often show low recidivism rates for individuals convicted of sex crimes, but twist that information to make it look like it shows the opposite.

Recidivism means the repetition of illegal behavior after one has been punished for a crime. A fairly simple concept, it is complicated by a variety of factors in how it is measured. Some studies define recidivism as repetition of the original crime while others utilize a definition far more inclusive of any new criminal action. Similarly, researchers often set varying time periods to assess recidivism; while one study might utilize a three-year follow up period, another might choose a five- or ten-year follow up period, or longer. Despite these differing definitions and uses of the term recidivism, it is the premise upon which both sex-crime registries and sex-crime civil commitment are based.

[p. 4:] ...[W]e chose seven official government reports that provide the most misleading information and which have been most utilized to guide government policy. We address each of these seven reports on their definitions of recidivism. We then seek to resolve discrepancies and determine what can legitimately be said about sex-crime recidivism. To meet these aims we first explore the issues surrounding defining recidivism. Next, we summarize the available research on sexual recidivism rates. Finally, we discuss ...sex crimes vis-à-vis our analysis and we offer suggestions for future research.

Recidivism and sex crimes

...There are several sources of data that analyze sex-crime recidivism. For the purpose of this paper we focused on government reports and we determined that the findings are mixed, but that the data are often presented in a distorted fashion.

[pp. 4-5] Government reports, and in particular the seven reports analyzed by this paper, are key because they present the very data upon which laws and policies are based. Lawmakers are on the record citing these reports as evidence that the United States must act swiftly to protect its children from a group of individuals who will inevitably repeat their crimes. One example is the testimony of U.S. Senator Kay Bailey Hutchison (R-Texas), who, in 1996, spoke on the floor of the Senate and cited the BJS recidivism rate (explained below) in the following statement: 'We do know several unpleasant facts about sexual predators

who prey on children, like Amber, in communities across the country. ...The repeat crime rate for sex offenders is estimated to be as much as ten times higher than the recidivism rate of other criminals. ...[W]e know that more than 40 percent of convicted sex offenders will repeat their crimes. We must begin to act on the information that we have.'

That statement is completely false, but it and others like it provided the impetus for harsh legislation that ignores sound research on the recidivism rates of individuals convicted of sexual offenses. Other similar statements by numerous lawmakers (examples cited below) based on the recidivism reports discussed in this paper were made in support of the Jacob Wetterling Act (1994), Megan's Law (1996), the Pam Lychner Act (1996), the PROTECT Act (2003), and the Adam Walsh Act (2006). Thus these reports are directly related to current policy and procedure and are the foundation for a quarter-century of legislation based on faulty claims.

[p. 5:] Before considering the findings of recidivism studies, it is important to discuss some definitional issues regarding repeat crime rates. How recidivism is defined ultimately influences how findings are interpreted. There are three major definitional issues worth noting concerning calculating recidivism. First, it is important to understand some basic terminology:

General recidivism means that a person convicted of a crime subsequently commits another crime of any kind.

Specialized recidivism means that a person convicted of a crime subsequently commits another crime of the same kind, such as a person convicted of robbery committing another robbery.

Sexual recidivism means that a person convicted of a crime subsequently commits a sex crime. (Note that for a person whose previous crime was sexual, specialized recidivism is the same as sexual recidivism.)

pp. [5-6:] The follow-up period utilized in a given study ultimately affects the findings of the study. For example, if the authors of a study chose a three-year follow-up period and the authors of another study utilize the same sample of people convicted of sex crimes but opt for a five-year follow-up period, the results will be different. Another issue is the type of event that is used to indicate recidivism. While some researchers use reconviction as a measure of recidivism, others use rearrest. Both types of data have their problems. Rearrest tends to over-count because of people who are arrested and later found not guilty, while reconviction tends to undercount because of administrative or legal reasons that a guilty person may be acquitted. Maltz (1984) took the position that, in general, arrest data provide a better measure of recidivism, but found that sex crimes are an exception: '[A] person convicted of child molesting ...may be subject (and subjected) to arrest frequently, whenever a child is molested anywhere nearby. An arrest of this type should not be an indicator of recidivism.' Finally, the sample of people and

their associated documented risk levels influences findings. For instance, Prentky, Knight, and Lee (1997) conducted a recidivism study on people who were classified as sexually dangerous persons. The scholars were very clear that the sample was not representative of the more general population of people convicted of sex crimes; nonetheless, the study has been widely cited as if it were generalizable. These definitional issues, coupled with the popular notion that anyone convicted of a sex crime will 'do it again,' makes it difficult to say with any certainty how many people convicted of sexual crimes actually repeat.

Recidivism Studies

[p. 6:] While it remains a widely accepted belief that people who commit sex crimes will inevitably repeat..., the academic literature, for the most part, does not support this claim. Overwhelmingly, recidivism studies conducted over the last sixty-five years find that the vast majority of individuals convicted of sex crimes will not repeat. For instance, in a report issued by the federal government in 1989, Beck and Shipley found that the recidivism rate for forcible rape was 7.7%. One of the best known studies on recidivism was conducted by Sample and Bray (2003). The researchers analyzed data on (n = 146,918) individuals in Illinois and found that only 6.5% of individuals who were convicted of a sex crime were rearrested for a new sex crime within 5 years....

Turning recidivism inside out

[pp. 7-8:] The 1989 BJS [US Dept. of Justice's Bureau of Justice Statistics] report, Recidivism of Prisoners Released in 1983, was based on the records of 16,000 people who had been released from prisons in 11 states in 1983. The data was extrapolated to represent an estimated 106,000 individuals released from prison in the entire United States. [This extrapolation technique itself is highly questionable itself, given myriad uncertainties in assumed representativeness of the data selected from those specific states as a collective portrayal of recidivism throughout the whole country.] The report included [a] table [] which represents the percentage of prisoners rearrested within three years of release whose most serious crime at time of release was one of ten specific crimes [table omitted for brevity].

[Tables 1 and 2 appear on next page.]

[In Table 1,] ...the BJS calculates a new recidivism rate, which it calls the 'relative likelihood of rearrest for a charge similar to (versus different from) the release charge.' This sounds at first like the specialized recidivism rate, but it's subtly [but profoundly] meaningfully different. We will call it here the BJS recidivism rate. This new type of rate starts with the specialized rate (percentage of people who were convicted of a certain crime and then committed another crime of the same type) and then divides that by the percentage of people who were convicted of a different crime and then committed a subsequent crime that was of this type. The results of this intriguing calculation are shown in Table 10 of the report. Table 2 of this paper includes

Table 1. Cross-tabulation of initial and recidivistic crimes, as reported by the US Bureau of Justice Statistics (1989).

Rearrest charge	Percent for prisoners rearrested within 3 years of release whose most serious crime at time of release was:														
	Total	Violent crime						Property crime						Drugs	Disord
		Total	Murd	Rape	Rob	Asit	Total	Burg	Theft	Car	Fraud				
# (k)	106.2	36.8	3.3	2.2	19.8	6.8	51.3	27.4	11.9	2.8	5.8	10.1	6.8		
All	62.5%	59.6%	42.1%	51.5%	66.0%	60.2%	68.1%	69.5%	67.3%	78.4%	60.9%	50.4%	54.6%		
Violent	22.7%	30.4%	21.6%	27.5%	33.3%	31.5%	19.7%	20.9%	19.5%	23.0%	11.5%	12.2%	19.3%		
Homicide	1.6	2.8	6.8	2.8	2.9	1.7	1.1	1.1	0.8	1.4	1.1	0.3	0.9		
Rape	0.9	1.7	0.8	7.7	1.4	1.2	0.5	0.7	0.4	0.1	0.4	0.4	0.8		
Robbery	9.9	14.1	7.0	87.5	19.6	9.1	8.4	9.1	8.7	12.8	3.5	4.2	5.9		
Assault	12.6	15.7	10.5	10.7	15.8	21.9	11.1	11.9	10.8	13.1	6.9	7.8	13.4		
Property	39.7%	32.1%	16.8%	25.0%	38.9%	28.9%	49.8%	50.4%	50.3%	54.7%	47.4%	22.9%	28.2%		
Burglary	18.4	12.6	6.4	12.7	13.4	10.7	25.2	31.9	17.5	23.7	16.2	8.2	10.3		
Theft	21.2	16.3	7.4	7.4	21.0	14.4	27.2	25.3	33.5	26.3	26.0	12.2	14.9		
Car Theft	5.5	4.0	2.5	0.7	5.0	3.7	7.2	6.0	8.2	18.6	5.1	2.3	3.7		
Fraud	6.5	4.2	2.3	1.8	5.5	2.9	8.6	6.0	8.7	8.5	21.6	4.3	5.7		
Drugs	16.6%	14.8%	9.1%	11.3%	18.0%	13.8%	16.2%	17.7%	15.1%	17.1%	14.8%	24.8%	14.0%		
Disorder	29.9%	29.0%	19.2%	22.3%	32.0%	30.9%	31.0%	32.1%	30.5%	39.0%	24.3%	23.0%	33.7%		

This table corresponds to Table 9 (page 6) of the US Bureau of Justice Statistics report (Beck & Shipley, 1989). Italics indicate data on rape. Specialized recidivism rates are given in the diagonal of the table, which is shown in bold.

[p. 9] Table 2. Derivation of 'BJS recidivism rate' as reported in the US Bureau of Justice Statistics Report (1989)

A	B	C	D	E	F	G	H
Rearrest Charge	Persons rearrested with this charge	Persons whose prior crime was this	Percent arrested for same charge (specialized recidivism rate)	Persons arrested for same charge	Persons with different prior crime arrested for this charge	Percent of persons with different prior crime who were arrested for this charge	Ratio of percentages (BJS recidivism rate)
Source	Calculated	BJS Table 9	BJS Table 9	Calculated	Calculated	Calculated	BJS Table 10
Violent	24,111	36,769	30.4%	11,178	12,933	18.6%	1.9
Homicide	1,699	3,258	6.6%	215	1,484	1.4%	4.9
Rape	956	2,214	7.7%	170	785	0.8%	10.5
O. sex assault			(No data on this in Table 9.)				
Robbery	10,515	19,815	19.6%	3,884	6,632	7.7%	2.9
Assault	13,383	6,756	21.9%	1,480	11,904	12.0%	2.1
Property	42,168	51,332	49.8%	25,563	16,604	30.3%	2.3
Burglary	19,544	27,416	31.9%	8,746	10,798	13.7%	3.0
Theft	22,518	11,896	33.5%	3,985	18,533	19.6%	2.1
Car Theft	5,842	2,785	18.6%	518	5,324	5.1%	4.2
Fraud	6,904	5,809	21.6	1,255	5,649	5.6%	4.6
Stolen property							2.4
Drugs	17,632	10,104	24.8%	2,506	15,126	15.7%	1.8
Disorder	31,759	6,826	33.7%	2,300	29,458	29.6%	1.2

the table from the report with additional columns giving the steps in the calculation. Data that are not shown in the report, but that are calculated from data that are, are provided in italics.

[Table 2] corresponds to Table 10 (page 6) and selected columns from Table 9 (page 6) of the US Bureau of Justice Statistics report (Beck & Shipley, 1989). Italics indicate numbers calculated from data provided in Table 9 of that report.

We now describe the crafty manipulation of data behind the BJS recidivism rate.

The numbers in Column G represent the relative popularity of the listed crimes among people who went to prison for something else. We see that property crimes, especially theft, are crimes that people who went to prison for something else are prone to commit once they get out, to the tune of 30 percent. On the other hand, rape is a very unpopular crime. Less than one percent of people who went to prison for something else come out and commit rape. The BJS rate in Column H is obtained by taking the specialized recidivism rate of Column D and dividing it by this crime popularity measure of Column G. This is a breathtaking sleight-of-hand that turns the world of recidivism inside out. Under this mathematical transformation, crimes with high specialized recidivism rates tend to have low

BJS rates and vice versa. This is illustrated in Figure 2.

[p. 10] ...The specialized recidivism rate is an established measure that has been used and reported on in hundreds of studies for many decades. Far from affirming it, the BJS rate completely contradicts it. No explanation is given and nothing at all is said about why the proposed new rate should be accepted as a scientifically or mathematically valid measure of recidivism."

Dr. 'Forensic' Franklin on Flawed Psychological Test Evidence

Karen Franklin, Ph.D., "Flawed Science? Two Efforts Launched to Improve Scientific Validity of Psychological Test Evidence in Court," <http://forensicpsychologist.blogspot.com/2020/flawed-science-two-efforts-launched-to.html> (March 2025)

"There's this forensic psychologist, we'll call him Dr. Harms, who is infamous for his unorthodox approach. He scampers around the country, deploying a bizarre admixture

of obscure, outdated and unpublished tests that no one else has ever heard of.

Oh, and the Psychopathy Checklist (PCL-R). Dr. Harms never omits that. To him, everyone is a chillingly dangerous psychopath. Even a 30-year-old whose last crime was at age 15.

What's most bizarre about Dr. Harms' esoteric method is that he gets away with it. Attorneys may try to challenge him in court, but their protests usually fall flat. Judges rule that any weaknesses in his method should go to the 'weight' that jurors give Dr. Harms' opinions, rather than the admissibility of his tests.

Psychological tests hold a magical allure as objective truth. They retain their luster even while forensic science techniques previously regarded as bulletproof are undergoing unprecedented scrutiny. Based in large part on our briefcases full of tests, courts have granted psychologists unprecedented influence over an ever-increasing array of thorny issues, from future dangerousness to parental fitness to refugee trauma. Behind the scenes, meanwhile, a lucrative test production industry is gleefully rubbing its hands all the way to the bank.

In other forensic 'science' niches such as bite-mark analysis and similar types of pattern matching that have contributed to wrongful convictions, appellate attorneys

have had to wage grueling, decades-long efforts to reign in shoddy practice. (See Radley Balko's *The Cadaver King and the Country Dentist* for more on this.) But leaders in the field of forensic psychology are grabbing the bull by the horns and inviting us to do better, proposing novel ways for us to self-police.

New Report Slams 'Junk Science' Psychological Assessments

In one of two significant developments, a group of researchers today released evidence of systematic problems with the state of psychological test admissibility in court. The researchers' comprehensive survey found that only about two-thirds of the tools used by clinicians in forensic settings were generally accepted in the field, while even fewer – only about four in ten – were favorably reviewed in authoritative sources such as the *Mental Measurements Yearbook*.

Despite this, psychological tests are rarely challenged when they are introduced in court. Tess M.S. Neal and her colleagues found. Even when they are, the challenges fail about two-thirds of the time. Worse yet, there is little relationship between a tool's psychometric quality and the likelihood of it being challenged.

'Some of the weakest tools tend to get a pass from the courts,' write the authors of the newly issued report, 'Psychological Assessments in Legal Contexts: Are Courts Keeping "Junk Science" Out of the Courtroom?'

The report, currently in press in the journal *Psychological Science in the Public Interest*, proposes that standard batteries be developed for forensic use, based on the consensus of experts in the field as to which tests are the most reliable and valid for assessing a given psychological issue. It further cautions against forensic deployment of newly developed tests that are being marketed by for-profit corporations before adequate research or review by independent professionals.

'Life or Death' Call to Halt Prejudicial Use of Psychopathy Test

In a parallel development in the field, 13 prominent forensic psychologists have issued a rare public rebuke of improper use of the controversial Psychopathy Checklist (PCL-R) in court. The group is calling for a halt to use of the PCL-R in the sentencing phase of death-penalty cases as evidence that a convicted killer will be especially dangerous if sentenced to life in prison rather than death.

As I've reported previously in a series of posts, ...scores on the PCL-R swing wildly in forensic settings based on which side hired the expert. In a phenomenon known as adversarial allegiance, prosecution-retained experts produce scores in the high -psychopathy range in about half of cases, as compared with less than one out of ten cases for defense experts.

Research does not support testimony – being given by prosecution experts in capital trials that PCL-R scores can accurately predict serious violence in institutional settings such as prison, according to the

(Continued on page 6)

newly formed Group of Concerned Forensic Mental Health Professionals. And once such a claim is made in court, its prejudicial impact on jurors is hard to overcome, potentially leading to a vote for execution.

The 'Statement of Concerned Experts,' whose authors include prominent professionals who helped to develop and test the PCL-R, is forthcoming from the respected journal *Psychology, Public Policy, and Law*.

Beware the All-Powerful Law of Unintended Consequences.

This scrutiny into how psychological instruments are being used in forensic practice is much needed and long overdue. Perhaps eventually it may even trickle down to our friend Dr. Harms, although I have a feeling it won't be before his retirement.

But never underestimate the law of unintended consequences.

The research group that surveyed psychological test use in the courts developed a complex, seemingly objective method to sort tests according to whether they were generally accepted in the field and/or favorably reviewed by independent researchers and test reviewers.

Ironically enough, one of the tests they categorized as meeting both criteria – general acceptance and favorable review – was the PCL-R, the same test being targeted by the other consortium for its improper deployment and prejudicial impact in court. (Perhaps not so coincidentally, that test is a favorite of the aforementioned Dr. Harms, who likes to score it high.)

The disconnect illustrates the fact that science doesn't exist in a vacuum. Psychopathy is a value-laden construct that owes its popularity in large part to current cultural values, which favor the individual-pathology model of criminal conduct over notions of rehabilitation and desistance from crime.

It's certainly understandable why reformers would suggest the development of 'standard batteries ...based on the best clinical tools available.' The problem comes in deciding what is 'best.'

Who will be privileged to make those choices (which will inevitably reify the dominant orthodoxy and its implicit assumptions)?

What alternatives will those choices exclude? And at whose expense?

And will that truly result in fairer and more scientifically defensible practice in the courtroom?

It's exciting that forensic psychology leaders are drawing attention to the dark underbelly of psychological test deployment in forensic practice. But despite our best efforts, I fear that equitable solutions may remain thorny and elusive.

The Survey of Forensic Use in Court, in press in the journal *Psychological Science in the Public Interest* (the journal of the Association for Psychological Science) is open-access and available online. A brief review of the new study is available on the APS website.

The critique of the PCL-R in capital sentencing can be requested from the first author, David DeMatteo.....

Wilson & Sandler Say,

End Confrontational Tx, Full Disclosure & SO Restrictions on Community Supervision (Part 2 of 2)

Robin J. Wilson & Jeffery C. Sandler, "What Works (or Does Not) in Community Risk Management for Persons Convicted of Sexual Offenses? A Contemporary Perspective," 65(12) *Int'l Jour. Of Offender Therapy & Comparative Criminology* 1282 (Sept. 2021): Part 2.

(Continued Text Excerpts:) [p. 1292:]

"Integration and Conclusion

Public Policy Impact on Community Reintegration

As noted in the preceding sections describing various legislative approaches, research has not consistently found any of the policies listed above associated with decreased sexual recidivism and, therefore, increased public safety. Some of the sections above mention possible policy-specific reasons for these findings of no impact, including the fact that research (e.g., Freeman & Sandler, 2010; Zgoba et al., 2016) has shown several systems of registration and notification to inaccurately sort high and low-risk offenders, thereby violating the RNR principles of risk. Several of the other public policies discussed above also violate RNR principles by being applied broadly to all persons convicted of sexual offenses without any consideration of risk level at all (possibly under the assumption that no person convicted of a sexual offense may be regarded as less than moderate risk), much less criminogenic needs....

Another possible reason research has failed to find that the public policies discussed above reduce sexual recidivism may be that any reductions in sexual recidivism associated with the stated intent of the laws (whether increased visibility, decreased access to potential victims, etc.) may be offset by unintended consequences of the laws that actually increase sexual recidivism. Specifically, several studies have found these policies to be associated with significant impairments to community reintegration. For example, Levenson and Cotter (2005a) found that due to registration and community notification, many individuals reported losing their job, having to move from their apartment/home, or having been harassed by neighbors, while a majority of affected parties reported feeling hopeless and having lost relationships with friends/family (see Jennings et al., 2012; Levenson, D'Amora, & Hern, 2007; Tewksbury, Jennings, and Zgoba, 2012; Tewksbury & Zgoba, 2010).

[p. 1293:] Mercado, Alvarez, and Levenson (2008) found almost identical consequences associated with residence restrictions and exclusion zones. Specifically, persons convicted of sexual offenses reported that the restrictions made it more difficult for them to find housing and em-

ployment, to attend treatment, and to maintain prosocial relationships, as well as making them feel hopeless, isolated, and depressed (see also Levenson & Cotter, 2005b; Levenson & Hern, 2007; Socia, 2011). With regard to Internet restrictions, Tewksbury and Zgoba (2010) found that Internet restrictions made it significantly harder and more stressful for affected individuals to find and secure stable employment. Furthermore, in delivering the Supreme Court's unanimous opinion in *Packingham v. North Carolina* (2017), Justice Kennedy explicitly acknowledged the importance Internet access can play in successful offender reintegration: 'Even convicted criminals – and in some instances especially convicted criminals – might receive legitimate benefits from these means for access in the world of ideas, particularly if they seek to reform and to pursue lawful and rewarding lives' (p. 8).

As a whole, legislative policies intended to identify, monitor, and restrict persons convicted of sexual offenses have been found to make it more difficult for individuals leaving prison to find stable housing, employment, and treatment services, as well as to establish and maintain prosocial relationships. As we noted above, these important elements of community reintegration have been associated with lower rates of sexual recidivism (Hanson, Morton-Bourgon, 2005; Hanson et al., 2016); so, by disrupting their reintegration, these policies may actually be increasing the risk some individuals pose to sexually recidivate. Some of this risk may be due to social isolation and hopelessness leading to maladaptive coping and poor general and sexual problem-solving – all of which are known dynamic risk factors (Hanson et al., 2007). As such, it is clear to us that the gains achieved by sexual violence service providers (e.g., POs, treatment providers, community volunteers) may be unfortunately offset by well-intentioned, but ultimately ineffective legislation and public policy.

...Furthermore, over the past 10 years, the focus of sexual violence professionals has slowly shifted from risk management to prevention (see Tabachnick & Klein, 2011).

[pp. 1293-94:] We have argued that with a few notable exceptions, sexual violence prevention experts have done a generally poor job of sharing findings of optimistic outcomes regarding risk management with others in the community, including citizens and policymakers. As a result, there remains a prevailing view that persons convicted of sexual offenses are intractable predators always on the lookout for opportunities to offend. It is also a frustrating reality that even when confronted with research highlighting the ineffectiveness of most of the policies noted above, many legislators lack the courage to act in accordance with those findings. As long as community members are of a view that persons convicted of sexual offenses pose a significant threat to their loved ones, we are unlikely to see a change in perspective. The challenge, therefore, is for knowledgeable practitioners of all walks to confront ignorance and bad policy in all forums, not just peer-

reviewed journals."

References

- Aos, S., Miller, M., & Drake, E. (2006). *Evidence-based adult corrections programs: What works and what does not*. Olympia: Washington State Institute for Public Policy.
- Blood, P., Watson, L., & Stageberg, P. (2008). State legislation monitoring report, FY2007. Des Moines, IA: Author.
- Cantor, James M., in *Canadian Broadcasting Corporation [CBC]* (2016) (March 10, 2016). Retrieved from <http://www.cbc.ca/first-hand/episodes/i-pedophile>
- Carr, C., Schlank, A., & Parker, K. (2013, Sept.). *Review of Florida's Sexually Violent Predator Program*. Tallahassee, FL: Department of Children and Families, Substance Abuse and Mental Health Program Office.
- Center for Sex Offender Management (CSOM) (2010). *Exploring public awareness and attitudes about sex offender management: Findings from a national opinion poll*. Washington, DC: Author.
- Chaffin, M. et al. (2009). How safe are trick-or-treaters? An analysis of child sex crime rates on Halloween. *Sexual Abuse*, 21, 363-374.
- Does #1-5 v. Snyder* (2016). 834 F.3d 696, 705-06 (6th Cir. 2016).
- Duwe, G., Donnay, W., and Tewksbury, R. (2008). Does residential proximity matter? A geographic analysis of sex offense recidivism. *Criminal Justice and Behavior*, 35, 484-504.
- Freeman, N.J., & Sandler, J.C. (2010). The Adam Walsh Act: A false sense of security or an effective public policy initiative? *Criminal Justice Policy Review*, 21, 31-49.
- Freeman-Longo, R. & Wall, R. (1986). Changing a lifetime of sexual crime. *Psychology Today*, 20, 58-62.
- Hanson, R.K. & Morton-Bourgon, K. (2005). The characteristics of persistent sexual offenders: A meta-analysis of recidivism studies. *Journal of Consulting and Clinical Psychology*, 73, 1154-1163.
- Hanson, R.K. et al. (2007). *Assessing the risk of sex offenders on community supervision: The Dynamic Supervision Project (User Report 2007-05)*. Ottawa, Ontario: Public Safety Canada.
- Hanson, R.K., Harris, A.J.R., Helmus, L., & Thornton, D. (2014). High risk sex offenders may not be high risk forever. *Journal of Interpersonal Violence*, 29, 2792-2813.
- Hanson, R.K. et al. (2016). What sexual recidivism rates are associated with Static-99R and Static-2002R scores? *Sexual Abuse*, 28, 218-252.
- Hanson, R.K., Harris, A.J.R., Letourneau, E., Helmus, L.M., & Thornton, D. (2017). Reductions in risk based on time offense free in the community: Once a sexual offender, not always a sexual offender. *Psychology, Public Policy and Law*.
- Huebner, B.M. et al. (2013). *An evaluation of sex offender residency restrictions in Michigan and Missouri* (Research Report No. 2008-DD-BX-0002). Washington, DC: U.S. Dept. of Justice.
- Jennings, W.G., Zgoba, K.M., & Tewksbury, R. (2012). A comparative longitudinal analysis of recidivism trajectories and collat-

(Continued on page 7)

eral consequences for sex and non-sex offenders released since the implementation of sex offender registration and community notification. *Jour. of Crime and Justice*, 35, 356-364.

Letourneau, E. (2014, Oct.). *We need to make it easier for pedophiles to seek help. Time.*

Levenson, J.S., and Cotter, L.P. (2005a). *The effect of Megan's Law on sex offender reintegration. Jour. of Contemporary Criminal Justice*, 21, 49-66.

Levenson, J.S., & Cotter, L.P. (2005b). *The impact of sex offender residence restrictions: 1,000 feet from danger, or one step from absurd? Int'l Jour. of Offender Therapy and Comparative Criminology*, 49, 168-178.

Levenson, J.S., D'Amora, D.A., & Hern, A.L. (2007). *Megan's Law and its impact on community re-entry for sex offenders. Behavioral Sciences and the Law*, 25, 587-602.

Levenson, J.S., & Hern, A.L. (2007). *Sex offender residence restrictions: Unintended consequences and community re-entry. Justice Research and Policy*, 9, 59-73.

Marshall, W.L. (2005). *Therapist style in sex offender treatment: Influence on indices of change. Sexual Abuse*, 17, 109-116.

Marshall, W.L., Marshall, L.E. Serran, G.A., & O'Brien, M.D. (2011). *Rehabilitating Sexual Offenders: A Strength-Based Approach*. Washington, DC: American Psychological Association

Martinson, R. (1974). Nothing works: Questions and answers about prison reform. *The Public Interest*, 35, 22-54.

Martinson, R. (1979). New findings, new views: A note of caution regarding sentencing reform. *Hofstra Law Review*, 7, 242-258.

Meehl, P.E. (1954/1996). *Clinical vs. Statistical Prediction: A Theoretical Analysis and a Review of the Evidence*. Minneapolis: Univ. Of Minnesota Press.

Meloy, M.L., & Coleman, S. (2009). GPS monitoring of sex offenders. In R.G. Wright (Ed.), *Sex Offender Laws: Failed Policies, New Directions* (pp. 243-266). New York, NY: Springer.

Mercado, C.C., Alvarez, S., and Levenson, J.S. (2008). The impact of specialized sex offender legislation on community reentry. *Sexual Abuse*, 20, 188-205.

Minnesota Dept. of Corrections (2003). *Level Three Sex Offenders Residential Placement Issues*. St. Paul, MN: Author.

Monahan, J. (1981). *The clinical prediction of violent behavior* (Reprinted as *Predicting violent behavior: An assessment of clinical techniques by SAGE Publications*). Rockville, MD: National Institute of Mental Health.

Monahan, J., *Structured risk assessment of violence*. In R. Simon & K. Tardiff (Eds.), *Textbook of Violence Assessment and Management* (pp. 17-34). Washington, DC: American Psychiatric Publishing (2008).

New Jersey State Parole Board (2007). *Report on New Jersey's GPS monitoring of sex offenders*. Trenton, NJ: Author.

Nobles, M.R., Levenson, J.S., & Youstin, T.J. (2012). Effectiveness of residence restrictions in preventing sex offense recidivism. *Crime & Delinquency*, 58, 491-513.

Packingham v. North Carolina, 582 U.S. 98, 137 S. Ct. 1730, 198 L Ed 2d 273, 2017 US LEXIS 3871 (2017).

Porter, D. (2017, March 21). Court: Sex offender can challenge internet restrictions. *U.S. News*.

Prescott, D.S. & Miller, S.D. (2015). Improving outcomes one client at a time: Feedback-informed treatment with adults who have sexually abused. I B. Schwartz (Ed.). *The Sex Offender*. pp. 17-1-17.18, Vol. 8) Kingston, NJ: Civic Research Press.

Salter, A.C. (2003). *Predators: Pedophiles, Rapists, and Other Sex Offenders: Who They Are, How They Operate, and How We Can Protect Ourselves and Our Children*. New York, NY: Basic Books.

Sandler, J.C., Freeman, N.J., and Socia, K.M. (2008). Does a watched pot boil: A time-series analysis of New York State's sex offender registration and notification law. *Psychology, Public Policy, and Law*, 14, 284-302.

Schwartz, B.K., & Cellini, H.R. (1988). *A Practitioner's Guide to Treating the Incarcerated Male Sex Offender*. Washington, DC: U.S. Dept. of Justice, National Institute of Corrections.

Smith, P., Goggin, C., & Gendreau, P. (2002). *The effects of prison sentences and intermediate sanctions on recidivism: General effects and individual differences* (Research Report 2002-01). Ottawa, Ontario: Solicitor General Canada.

Smith v. Doe, 538 U.S. 84, reversing 259 F.3d 979 and remanding (2003).

Socia, K.M. (2011). The policy implications of residence restrictions on sex offender housing in upstate N.Y. *Criminology & Public Policy*, 10, 351-389.

Socia, K.M. (2012). The efficacy of county-level sex offender residence restrictions in New York. *Crime and Delinquency*, 58, 612-642.

Socia, K.M. (2015). State residence restrictions and forcible rape rates: A multistate quasi experimental analysis of UCR data. *Sexual Abuse*, 27, 205-227.

Tabachnick, J., & Klein, A. (2011). *A Reasoned Approach: Reshaping Sex Offender Policy to Prevent Child Sexual Abuse*. Beaverton, OR: Association for the Treatment of Sexual Abusers.

Tewksbury, R., Jennings, W.G., and Zgoba, K.M. (2012). A longitudinal examination of sex offender recidivism prior to and following the implementation of SORN. *Behavioral Sciences & the Law*, 30, 308-328.

Tewksbury, R., & Zgoba, K.M. (2010). Perceptions and coping with punishment: How registered sex offenders respond to stress, internet restrictions and the collateral consequences of registration. *Int'l Jour. of Offender Therapy and Comparative Criminology*, 49, 537-551.

Turner, S. et al. (2007). *Implementation and early outcomes for the San Diego high risk sex offender (HRSO) GPS pilot program*. Irvine: Irvine Center for Evidence Based Corrections, University of California.

Vaughn, J. (2016, March). Closer look: Finding statistics to fit a narrative. *The Sentinel*.

Whitaker v. Perdue, No. 06-140 (N.D. Ga.

2006).

Willis, G.M., & Grace, R.C. (2008). The quality of community reintegration planning for child molesters: Effects on sexual recidivism. *Sexual Abuse*, 20, 218-240.

Willis, G.M., & Grace, R.C. (2009). Assessment of community reintegration planning for sex offenders: Poor planning predicts recidivism. *Criminal Justice and Behavior*, 36, 494-512.

Wilson, R.J., Cortoni, F., Picheca, J.E., Stirpe, T.S., & Nunes, K. (2009). *Community-based sexual offender maintenance treatment programming: An evaluation*. [Research Report R-188]. Ottawa, Ontario: Correctional Service of Canada.

Zandbergen, P.A. Levenson, J.S., & Hart, T.C. (2010). Residential proximity to schools and daycares: An empirical analysis of sex offender recidivism. *Criminal Justice and Behavior*, 37, 482-502.

Zgoba, K. et al. (2016). *A multi-state recidivism study using Static-99 and Static-2002 risk scores and tier guidelines from the Adam Walsh Act. Sexual Abuse*, 28, 722-740.

Zgoba, K., Veysey, B.M., & Dalessandro, M. (2010). An analysis of the effectiveness of community notification and registration: Do the best intentions predict the best practices? *Justice Quarterly*, 27, 667-691.

B4U-Act Defines MAP

Text excerpts: p. 992: "...On their website, [B4UAct, 2018] defines MAP [Minor-Attracted Person]: 'We use the term to refer to adults who experience feelings of preferential sexual attraction to children or adolescents under the age of consent.' Pedophilia is described as an exclusive or primary sexual attraction to prepubescent children in the ...DSM-5, and carries with it a great deal of stigma in our society (Imhoff, 2015; Jahnke, 2018; Jahnke & Hoyer, 2013; Jahnke, Imhoff & Hoyer, 2015).

[p. 1004:] [One pedophile stated:] 'For me, I have impeccable self-control. I won't offend. I need help coping with the life-sentence of being alone with no companion, no one to love, no one to cherish, and give my life to. I want the same thing everyone else wants. But through no fault of my own, I can't have that. Guess I need help with being bitter, as well.' [Another stated:] '...I am convinced that my primary [pedophilic] attraction is fixed. I need more help in learning how to cope with accepting myself as I am.' [Some pedophiles interviewed] identified sexual frustration, along with sadness about the lack of opportunities for sexual gratification and unhealthy coping strategies such as drug or alcohol use, as topics of concern.

p. 1008: ...[S]ocial isolation and lack of intimacy can be a risk factor for offending. 'Until then, many individuals with pedophilic preferences remain standing at the edge of society, waiting for self-regulation to fail' (Houtepen et al., 2016, p. 63)."

References:

Houtepen, J. et al., "Being Sexually Attracted to Minors: Sexual Development,

Coping with Forbidden Feelings, and Relieving Sexual Arousal in Self-Identified Pedophiles," *Jour. of Sex & Marital Therapy*, 42, 48-69 (2016)

Imhoff, R., "Punitive Attitudes against Pedophiles or Persons with Sexual Interest in Children: Does the Label Matter?", *Arch. of Sexual Behavior*, 44, 35-44 (2015).

Jahnke, S., "The Stigma of Pedophilia," *European Psychologist*, 23, 144-153 (2018).

Jahnke, S. & Hoyer, J., "Stigmatization of People with Pedophilia: A Blind Spot in Stigma Research," *Int'l Jour. Of Sexual Health*, 25, 169-184 (2013).

Jahnke, S., Imhoff, R. & Hoyer, J., "Stigmatization of People with Pedophilia: Two Comparative Surveys," *Arch. of Sexual Behavior*, 44, 21-34 (2015).



Band-Aid Solutions

B4QR Review

Stigma About Sexual Interest in Children

B4QR Review: Lawrence, A.L., Willis, G.M., "Understanding and Challenging Stigma Associated with Sexual Interest in Children: A Systematic Review," (*Int'l Jour. Of Sexual Health*: <https://doi.org/10.1080/19317611.2020.1865498> [2021]), *B4U-Act Quarterly Review*, Vol. 1, No. 2 (Spring 2021), pp. 5-8.

Text Excerpts: "This article offers a comprehensive, theme-based review of the literature concerning MAPs [minor-attracted persons]. Lawrence and Willis investigate both the source of MAP stigma in the general population and among professionals, as well as the impact of this stigma on MAPs. The articles also reviews and compares intervention attempts to reduce the stigma experienced by MAPs.

Four scientific databases were searched using specific search terms, and all empirical studies featuring sexual attraction to children, stigma, its effects, and associated interventions were included in the final review (total of 35)....

Previous reviews in the area [e.g., Jahnke & Hoyer, 2013; Cantor & McPhail, 2016] are cited throughout the article, with the authors describing how these have provided an initial, rudimentary understanding of the area. These reviews have shown that attraction to minors is highly stigmatized and laden with misinformation, stereotypes and discrimination from members of the general public and professionals within the mental health and legal sectors. The reviews have also highlighted how stigma may increase the risk of illegal behavior, by

(Continued on page 8)

increasing self-isolation and withdrawal from close relationships, in addition to other risk factors.

In their own review of the literature base concerning the source of stigma among the general public and professionals, the authors distinguish three emerging themes: Misperceptions and Stereotypes, Negative Affective Responses, and Discrimination. We discuss each in turn, before turning to the review of the impact of stigma on MAPs.

The first theme encompasses studies that look at inaccurate beliefs people hold about MAPs. These beliefs concern topics such as the levels of risk posed by MAPs, the perception that the attraction is a choice, uncontrollability, and treatment resistiveness. Unsurprisingly, the most common belief within the samples was the supposed connection between a sexual attraction to children and committing sexual abuse. Additionally, while attraction to minors was generally acknowledged to be something that people cannot choose, this acknowledgment was associated, perhaps counter-intuitively, with higher perceptions of blameworthiness and untrustworthiness. The effects of language choices on these beliefs is also discussed, including research applying labeling theory to explore how the terms 'pedophile' and 'pedophilia' negatively influence moral judgments.

The Negative Affective Responses theme concerns studies in which participants agreed with statements exemplifying a variety of negative responses such as fear, reduced pity, anger, or disgust. Agreement with any such statement was most prevalent within the general public and among social work and psychology students and police trainees, as well as with those who had children younger than 14 years old. Importantly, there were high levels of negative affective responses within study samples even when no illegal behavior was described. The authors note how these findings support a 'social cognitive theory of attitudes,' where subconscious, affective responses are used to form snap judgments, even in the face of empirically accurate information providing evidence against those judgments.

Finally, the Discrimination theme groups 17 studies describing the degree to which people agreed with attitudes reflecting low social acceptance, punitive action, and professionals' unwillingness to offer treatment of those who are sexually attracted to children. Agreement was high in the general public and among social work and psychology students and police trainees. That agreement was influenced not only by the conflation of sexual attraction and sexual behavior, but also by the perception that a person chooses to be attracted to children, and a desire for punishment based on the attraction itself. Discriminatory attitudes were significantly related to higher social desirability scores, demonstrating that exhibiting such attitudes may be associated with a desire for social inclusion.

Concerning the impact of stigma on MAPs, three key themes were found: Mental Distress; Internalized Public Stigma; and Negative Experiences and Effects of Disclosure.

The Mental Distress theme depicts feelings of depression, anxiety, despair, shame, isolation, guilt, and low self-esteem experienced by MAPs. One way this was conceptualized by study participants was as a sense of grief over a loss of their perceived future, or of intimacy, love, family relationships, or professional opportunities. Eight of the fourteen studies exploring the impacts of stigma documented elevated levels of recent or chronic suicidality, which the authors note as being concerning.

Regarding the second theme, 'internalization of public stigma' is described as the process of applying external stereotypes to oneself. This process included participants identifying with the emotive, mainly negative, perceptions that society holds, such as them being 'monsters' or 'sexual deviants' who are inevitably going to hurt children. MAP participants expressed how this labeling made them feel ashamed, dysfunctional and unworthy of professional services, which in turn impacted their feelings of self-loathing. The authors describe how the internalization of stigma leaves participants avoiding disclosure and/or professional support as they fear exposure. Sadly, this avoidance further increases the generation of incorrect, stigmatizing beliefs held by wider society, as it reduces the opportunities for those beliefs to be corrected or challenged.

The third theme encompasses studies concerning both actual experiences of disclosing one's attraction (to both close friends/family and professional services), and ones concerning the participants' beliefs of what would happen should they disclose. Disclosure represented a dichotomy between both stress and relief, as participants reported having to navigate between the potentially devastating outcomes and the desire for help. Disclosing to mental health services was often found to increase distress, but in some cases was positive or neutral, particularly when professionals were seen as knowledgeable, non-judgmental, and viewing clients in a person-centered way. The authors also describe a 'Secrecy-Stigma paradox,' wherein stigma begets secrecy, but awareness of sexual attraction to children is needed to reduce stigma.

The final section in the review of the literature considered active interventions that have aimed to challenge public stigma. The authors distinguish 'Informative Interventions' from 'Humanization Narratives.' Informative Interventions presented fact-based information to challenge assumptions and attitudes. The results from these interventions were varied in effectiveness. Some studies found them to be effective in decreasing negative affective responses in the general population, but professionals showed no increase in willingness to work with this population following an informative intervention. The other group of interventions (Humanization Narratives) focused on increasing empathy and understanding of sexual attraction to children. These interventions presented information through narrative-based depictions of MAPs, partic-

ularly those who have never engaged in illegal sexual behavior. Humanizing approaches were found to be more effective than Informative Interventions for reducing stigmatization and punitive attitudes, though the majority of these studies contained professional-only samples, not the general public.

The present review expanded upon Jahnke and Hoyer's (2013) previous review, both in the number of studies appraised and in the content and quality of the research. This review included more diverse methodology and more representative samples, adding depth to the conclusions that can be drawn. These conclusions include support for a labeling theory perspective, which indicates how labels such as 'pedophile' influence negative perceptions, and a perspective based on a modified social cognitive theory of attitudes, which indicates the need to address both nonconscious and conscious judgments that support stigmatizing views. The authors also note that literature on MAP stigma is limited by the constant conflation of terms by researchers, which makes the target population hard to define, so researchers are encouraged to clearly define terms and avoid using non-equivalent terms interchangeably. The findings of the review also highlight how the media contributes to stigma against MAPs (such as by failing to differentiate between attraction and behavior), and it is suggested that mass media interventions could be used to decrease discriminatory beliefs and increase visibility and understanding of attraction to children.

This review highlighted two distinct interventions to target stigma, but future research is needed to understand which is more effective, and whether a combination of strategies may be more useful. Additionally, future research may consider including studies on how minor-attracted people cope with stigma, which were excluded in this review, but may also be useful in understanding the nature of the stigma and its effects."

B4QR Review

Antistigma Interventions re MAPs — Effects of Informative vs. Emotional Appeals

B4QR Review: *Lawrence, A.L. & Willis, G.W., "Cognitive and Affective Impacts of Antistigma Interventions Surrounding People with a Sexual Interest in Children", (Journal of Sex & Marital Therapy, 2023; DOI); reviewed at B4QR: 3(4) B4U-Act Quarterly Review 17-21 (Autumn 2023). Review Excerpt:* [p. 17:] "In their article, Lawrence and Willis investigate cognitive and affective impacts of exposure to videos depicting either factual information or the daily experiences of minor-attracted persons (MAPs) to a sample drawn from the general population in New Zealand. More

specifically, this national sample of 460 individuals, predominantly female and of European descent, were invited to share their thoughts through an online platform regarding whether their viewpoints changed after viewing one of two videos addressing the topic of sexual attraction to children....



Stigma: The Informative Approach

The first video, referred to as the 'informative intervention' by the researchers, featured a male actor presenting information from empirical research related to attraction to minors. His speech presented fact-based information to counter common stigmatizing stereotypes about MAPs (e.g., it's a choice, it increases the risk of committing sexual assault, this type of person is abnormal), while exploring the consequences of social stigma and the potential benefits of better access to prevention services. The second video, referred to as the 'humanizing intervention', featured the same actor, this time relating the life and experience of a New Zealand man who is attracted to children. The actor discussed the emergence of this attraction, disclosure and coming out, battles with the self and stigma, his commitment to never engage sexually/romantically with a minor, and highlighted the need for support resources for MAPs.

After viewing either one of the videos, participants were asked to express their level of agreement with the following two statements: 'The video challenged my views on people with a sexual interest in children' (choice of response: yes, somewhat, no) and 'This video affected me emotionally' (choice of response: yes, no). Participants who answered 'yes' (informative) = 20.7%; humanizing = 16.4%) or 'somewhat' (informative 34.3%; humanizing = 33.1%) to the first question were asked to provide further explanation, while those who answered 'yes' (informative = 44.3%; humanizing = 57.8%) to the second question were asked to explain the emotions they felt. Finally, using a combination of content and thematic analysis, the researchers analyzed the participants' responses.

[p. 18:] For the content analysis, the authors coded participants' responses into four categories, (1) positive, (2) negative, (3) mixed, and (4) other. Regarding the first question ('the video challenged my views on people with a sexual interest in children'), of the 140 participants who viewed the informative intervention video and reported that their views were at least somewhat challenged, 79% of comments were posi-

(Continued on page 9)

time/supportive, 8% were negative, 6% were mixed and 7% were categorized as other. Of the 138 who viewed the humanizing intervention video and reported that their views were at least somewhat challenged, 69% of the comments were positive/supportive, 8% were negative, 22% were mixed and 8% were categorized as other.



Stigma: The Emotional Appeal

Regarding the second question ('This video affected me emotionally'), of the 132 participants who viewed the informative intervention video and reported the video affecting them emotionally, 33% of comments were positive/supportive, 56% were negative, 13% were mixed and 14% were not visible. In response to the question affecting them emotionally, 48% of comments were positive/supportive, 44% were negative, 17% were mixed and 15% were categorized as other.

In terms of thematic analysis, the researchers identified a total of nine themes, which were categorized into three main response groups: *Positive/supportive views and emotional responses*, *Negative views and emotional responses* and *Mixed views and emotional responses*. The first category comprised four themes: 1) challenging stereotypes, 2) gaining perspective, 3) personalized reflections, 4) recognizing the impacts of stigma. The second category was divided into three themes: 1) minimizations and normalization, 2) personal experiences, 3) disbelief and mistrust. Finally, the third category was subcategorized into two themes: 1) difficulty reconciling emotional and cognitive responses, 2) apprehension and risk.

Regarding the first category, *Positive/supportive views and emotional responses*, the researchers report that many participants to children, or that being attracted to children precludes living a normal life. Challenging these biases induced empathy towards MAPs, and some participants expressed sadness about the difficulties MAPs encounter, including the barriers to receiving help when desired.

[p. 19:] While only a few participants reported that viewing the videos negatively impacted their viewpoints toward MAPs, 56% of the participants across the two videos reported negative emotional responses. These comments were grouped

in the second category, *Negative views and emotional responses*. Participants expressed feelings of anger, distrust, disgust, and discomfort, and reported that the material presented downplayed the risk posed by MAPs, brought back past memories of victimization, or sought to trivialize and normalize this sexual attraction.

Finally, in the third category, *Mixed views and emotional responses*, participants expressed a conflict between their emotional and rational responses following the viewing of the videos (e.g., empathy and annoyance, fear and understanding). This type of reaction was often related to a history of victimization among participants, or a desire to protect children from a potential moment of weakness from people with a sexual interest in children.

In light of these results, the researchers conclude that this type of open dialogue, involving as many people as possible from the community, is necessary to work towards reducing the stigma surrounding MAPs. The authors also propose concrete solutions to reach this goal and highlight that negative media portrayals of this population contribute to a sense of fear and hatred that needs to be addressed.

demand:
B4QR Book Review—
A Long, Dark Shadow:
MAPs Seek Recognized Humanity & Non-Abuse

Editor's Note: The following review excerpts were first printed in *ILP* edition 8:12 (December 2024) at pp. 5-6. Feedback by those who read those excerpts but no longer retain that edition and those who only heard about this review by word of mouth includes a strong plea to re-run these excerpts. Herewith the reprint, with pleasure.

Review: Walker, A., *A Long, Dark Shadow: Minor Attracted People and Their Pursuit of Dignity*, University of California Press (2021), reviewed at 1(4) *B4U-Act Quarterly Review* 4-12 (Autumn 2021)

nuanced, thoughtful discussion of people attracted to children, including the myths and misconceptions about this population, the issues they face trying to navigate this stigmatized identity, their experiences with social support, and their resilience and coping strategies. Walker provides illustrative quotes from participant interviews that highlight various themes relevant to MAP research, including identity formation for MAPs; staying closeted and coming out; strategies for coping with attraction to children; resilience to sexual offending for MAPs; and mental health problems and

care-seeking experiences. The final chapter, titled, 'You are not a monster,' describes the need to shift our stigma away from attraction to children itself and focus it only on the behavior of child sexual abuse....

[p. 5:] Walker discusses the misconception that stigmatizing MAPs protects children. They describe the experiences that he and other researchers in this area often face — being told they aren't prioritizing protecting children. Walker says it is 'standard to treat empathy toward MAPs and the safety of children as if the two concepts oppose each other so profoundly that they cannot both exist.' Walker makes this an important point in a way that is accessible to someone with little background knowledge in this area, who may already be bristling at the focus Walker's book places on MAP well-being and the need for stigma reduction. Walker also tackles the nuanced and sensitive issue of attraction to children being characterized as a sexual orientation. They describe the reasons people have for hesitating to make this characterization, emphasizing that these reservations are likely rooted in the mistaken equation of attraction and behavior. They are transparent about their positionality as a queer person; they underpopulation, but they also describe a 'meaningful understanding of others who are treated with suspicion and stigma based upon a sexual orientation that cannot be changed.'

[p. 6:] Walker draws from the work of sociologist Richard Troiden, who described stages of identity formation among members of sexual minority groups. Walker states that not all members of sexual minority groups go through all the stages; rather, the stages reflect general patterns seen in research with gay and lesbian individuals as well as Walker's own research with MAPs. These stages include sensitization, in which the person perceives they are different in some way from their peers but does not yet connect these differences to their sexuality; identity confusion, in which a person begins to connect these differences to their sexuality but experiences dissonance in assuming the label (e.g., 'gay,' or in this case, 'attracted to children'); identity assumption, in which a person begins to self-identify with the label; and commitment, in which a person becomes comfortable with the label and research with sexual minorities, but they also thoughtfully discuss the unique challenges and considerations associated with navigating the identity of being attracted to children.

In the chapter titled 'Leading a double life,' Walker describes their participants' experiences with revealing their attraction to family and friends as well as their reasons for disclosing or choosing not to disclose their attraction. Walker describes that for their participants, and many other MAPs, being attracted to children meant having a

secret from almost everyone important in their lives. Walker describes 'coming out' as a continuum — a process in which people come out to the people in their lives in different stages and must continually come out to new acquaintances. Like other sexual minorities, MAPs must carefully balance the risks and benefits of coming out against the risks and benefits of staying closeted. Walker describes how their participants weighed these considerations, saying that staying closeted did not mean an absence of hardships but merely a different set of hardships.

[p. 6-7:] Participants experienced mental health and social problems as a result of staying closeted, including anxiety, depression, social isolation, inability to seek care, and avoidance of social connections. Participants wanted to feel that they would still be loved and accepted if they were to disclose their attraction, but they also feared suspicion, judgment, disownment, and threats to their livelihood, housing, or personal safety if they were to come out to the important people in their lives. Many participants feared being immediately mistaken for a 'sex offender,' a threat to children, or a generally dangerous or evil person. The decision to come out, therefore, for Walker's these perceived risks and benefits.

[pp. 7-8:] Walker details the stressors faced by MAPs, including societal rejection (or fear of it), exposure to and internalization of hateful and stigmatizing messaging about attraction to children, and loneliness and grief over the inability to have a romantic relationship (at least, for exclusive MAPs). Walker describes the strategies their participants used to cope with these stressors, dividing them into disengagement and engagement strategies. Participants' disengagement strategies, which Walker defines as attempts to disengage with the stress resulting from stigma, included denial or wishful thinking, secrecy and selective disclosure, substance use, and social withdrawal. Walker argues that engagement strategies, or those aimed at actively working through a given stressor, are more beneficial for well-being than disengagement strategies. Participants described several engagement strategies, such as involvement in MAP communities, seeking out information about attraction to children, activism related to MAP issues, and involvement. Participants did not feel at risk of acting on their attraction and therefore did not need to develop avoidance strategies. For the remaining participants, strategies to avoid engaging with sexual behavior with children were varied and complex. Some limited interactions with children and others interacted with children in prosocial ways. Some participants sought support from MAPs or others. Some described using illegal images of children as a way to avoid contact offenses against a child. Others

(Continued on page 10)

described simply making the choice not to offend.

[p. 11:] Walker closes the book by describing the most common response among participants to the question, 'What would you say to a MAP who was just beginning to realize they were attracted to minors?' Most participants said they would share this simple but essential message: 'You are not a monster.'

On the Passing of Pope Francis

by Cyrus P. Gladden II

I am not a Catholic, but in this context that doesn't matter at all. I revere and honor all good men and women and mourn their loss to all humanity when the moment of their departure from the great fold of all of us comes.

Pope Francis left this mortal vale on East-er Sunday, April 20, 2025. He was age 88. He was a good man, although that simple statement greatly understates his character and his good works. I intend no extended eulogy here.

By time you read this, no doubt others of far greater familiarity with Pope Francis's tenure in that high office will have enumerated all of his many beneficial actions and his unprecedented use of official papal statement known as "encyclicals" to inspire all who may read them to be and act as, for lack of a better expression, better members of humanity and better stewards of all of nature and its living participants of all species.

I will describe only two of these below, but each will show their unprecedented and overdue nature, in turn showing in deep relief why Pope Francis not only honored his namesake but will forever occupy a special position as a religious leader who saw needs for advocacy and who rethought his office as an indispensable pulpit from which those two needed messages, among many other inspirations, had to be heard.

His career as a Roman Catholic cleric and elevated positions culminating as Cardinal was long and noted by his level of compassion, exceptional even among Christian leaders. Upon his selection as Pope, his choice of the name of Saint Francis, especially renowned for his own exceptional compassion, was particularly fitting. Virtually every official and unofficial action he took as Pope had at least some aspect that sought to better the condition of all members of his faith and at least as further possible, the condition of all humanity everywhere irrespective of faith.

Pope Francis was in all things both idealistic and realistic. When reform within the Roman Catholic church was needed, he did not hesitate to demand it and to enforce those demands without delay. He strove to inspire others to adopt views and to take actions that better things for everyone and even for the world itself as a geophysical planet and the home to the nature that sustains all humans and every other living being. Because of this unceasing inspira-

tional activism, it is not excessive that in the context of our modern time at least, we all could refer to him as the "Best Pope Ever."

One of Pope Francis's encyclicals I mention above concerns the desperate need for actions by everyone to preserve nature and in particular the climate everywhere by arresting actions everywhere by all who seek monetary profit at the expense of the unbelievably fragile stasis that keeps the climate of the planet within clement bounds everywhere. Only by such disruption of greedy practices can human and animal life everywhere continue to survive and thrive. Those who are well informed already know that this is not just a good idea. It is indispensable if existence on this small, blue world is to avoid becoming an unlivable hell for all of its inhabitants, both human and other.

That peril is now the certain future without the strongest possible averting action. Hence, Pope Francis realized that, as an existential matter, it is now the divinely demanded duty of every human on the planet to take all such averting actions, both on a personal level and in the most resolute cooperation with all others everywhere.

Because failure to do so effectively harms and will eventually destroy all of the Deity's great creation by which the Earth has been blessed, this is a commandment that is a corollary to that of Jesus of Nazareth (whether one sees him as deity, prophet or sage) in calling on all to love others as oneself. This applies in that "others" includes not just all humanity, but all beings and their needed surroundings everywhere that we survey. Pope Francis saw this as concerning which failure is not an option. That is the reason underlying this urgent encyclical and its call for immediate remedial action of the strongest character by all. This we cannot forget and cannot delay.

The other of Pope Francis's most profound encyclicals concerns the need – now more than ever before – for universal brotherhood among all humans without regard for any of the many superficial differences that we often fall victim to believing have any significance whatsoever. Physically, humans come in a spectacularly broad array of external physical appearances, none of which have anything to do with our behaviors either individually or collectively.

We speak in hundreds of different languages, yet we have the ability to communicate with and, even on deeper levels, to understand each other fully. We live our lives in ways that often differ to some degree from our neighbors, near and far, yet we seek to understand these differences and to respect those who live by them and to accommodate these differences as part of the great and necessary tapestry of humanity encompassing everyone everywhere.

We meet in organizations, such as the great United Nations and countless others that strive to ensure human rights and basic human necessities for all and to provide forums for discussion, sometimes even heated debate, but always to such common causes that all participants are united in devotion toward. We derive from all this that it is the nature of humanity to love all human-kind in universal brotherhood and to cherish

our nature that makes this possible as the creation of everyone everywhere that binds us all to each other in common welfare and universal common interests.

The thoughts of Pope Francis are deeply insightful on this topic of the need for universal brotherhood. Here are some particularly clarifying excerpts from this encyclical:

"Our world is trapped in a strange contradiction: we believe that we can 'ensure stability and peace through a false sense of security sustained by a mentality of fear and mistrust. ...Once more, we encounter 'the temptation to build a culture of walls, to raise walls, walls in the heart, walls on the land, in order to prevent this encounter with other cultures, with other people. And those who raise walls will end up as slaves within the very walls they have built.

...Technology is constantly advancing, yet how wonderful it would be if the growth of scientific and technological innovation could come with more equality and social inclusion. How wonderful it would be, even as we discover faraway planets, to rediscover the needs of the brothers and sisters who orbit around us.

If only we might keep in mind all those elderly persons who died for lack of respirators, partly as a result of the dismantling, year after year, of healthcare systems. If only this immense sorrow may not prove useless, but enable us to take a step forward towards a new style of life.

Freedom thus becomes an illusion that we are peddled, easily confused with the ability to navigate the internet. The process of building fraternity, be it local or universal, can only be undertaken by spirits that are free and open to authentic encounters.

...[A] community can be rebuilt by men and women who identify with the vulnerability of others, who reject the creation of a society of exclusion, and act instead as neighbors, lifting up and rehabilitating the fallen for the sake of the common good. At the same time, it warns us about the attitude of those who think only of themselves and fail to shoulder the inevitable responsibilities of life as it is.

...[W]e were created for a fulfillment that can only be found in love. We cannot be indifferent to suffering; we cannot allow anyone to go through life as an outcast. Instead, we should feel indignant, challenged to emerge from our comfortable isolation and to be changed by our contact with human suffering. That is the meaning of dignity."

The failure from moment to moment to find it within ourselves to act in accordance with this undeniable overall plan for everyone everywhere is neither a viable philosophical alternative known as hate, nor is it a counterpoint to good called evil that a small sliver of humanity choose as a would-be pole star for their behavior as to others. Instead, both hate and evil are simply emotional-breakdown states that need to be seen anew as psychic dysfunctions that deny the obvious: merely that the sufferers have lost sight of their ability to personally access the myriad benefits of that great mantle of boundless brotherhood with all humanity. Those who

sense such states of hate and fear of 'otherness' and manipulate groups and populations of humans to take divisive or otherwise harmful actions do the greatest disservice to human brotherliness and must be denounced for that destructive action. There is only one world we can inhabit, and universal cooperative brotherhood is required.

When this frame of emotional repulsion spreads and ferments into hate, an entire society can be shredded by such perceptions of irresolvable and putatively intolerable differences. From things such as this, entire cultures can collapse, leaving all of their inhabitants with little safety and almost no sense of brotherly love. This is a mournful and hopeless way to attempt to live. It is one of the very worst things that can happen to humanity.

Pope Francis, a truly exceptional person to serve in his post, held deep in his heart a great allegiance to the fabric of human society and its need for a sense of universal brotherhood with even the most divergent members of society.

In short, it is clear from his thoughts in this encyclical, whose title, "Fratelli Tutti," translates to "Brothers All," that Francis was greatly concerned, as was Dionne Warwick more than a half century ago, that "What the world needs now, is love, sweet love, no, not just for some, but for everyone." Rather than merely being just a dose of smarm, this sentiment, it has turned out, is extraordinarily prophetic and, in our time, of unparalleled importance to the welfare of every human on the planet.

This explains why Francis departed from the typical historical role of encyclicals as addressing only members of the Roman Catholic faith and sometimes only certain subsets of people within that faith, such as priests and other church office holders. In this case, Francis chose to address, not even just all Christians, but in fact *all humans everywhere*, regardless of their creeds or beliefs.

The importance of compassion, understanding, and the sense of all of being in this together that can be called universal brotherhood, is indeed that universal, and even larger, since the entire future of humanity depends upon it. Thank you, and God-speed, Francis!



the Legal Pad

Editor: Cyrus P. Gladden II

Editorial Advisory Board:

Peter Lonergan

Ray Semler

Rodger Robb

Michael Benson