

AMERICA IN PERIL

America Dirtiest Secret: How Sex Offenders Became the Scapegoat

PART III

By Hung Nam Tran

In the early 1990's when there was an outbreak of high profile sex cases including the kidnapping and murdering of young children across the United States, public outcry against some of these most heinous crimes reached to every local, state and federal jurisdictions. Responding to these despicable acts against the most vulnerable members of society, many state legislatures passed numerous laws restricting where sex offenders may live, work, school, gather or locate. Many local jurisdictions banned sex offenders living in their communities and required those who had past criminal sex offenses to register with the police where they live or work, when they move; go to school, buying or selling a car. Some even required to wear electronic monitoring or bracelet for the rest of their lives even if they do have any more probation or parole time left. Federal laws require sex offenders to notify the local police in any particular province they planned to visit, vacation or stay at places other than their residences. That is not all, about 20 states began civil commitment procedures to re-incarcerate sex offenders as soon as they about to be released from prison even if they had finished their time.

Washington took the lead in this procedure followed by Kansas and many other states such as Arizona, California, Colorado, Connecticut, Florida, Illinois, Iowa, Massachusetts, Minnesota, Nebraska, New Jersey, New Mexico, Oregon, Tennessee, Texas, Utah, and of course Wisconsin. Many legislatures automatically see these sex crimes were committed by sex offenders and therefore there must be a moratorium to stop sex offenders from being released from prisons. Lost in this hysteria was the fact that most of those vicious attacks on young children for sexual purposes in the community were not committed by sex offenders whom were released from prisons rather by individuals which deviant sexual appetite who had never got convicted of any crimes. All of it was not matter, many of these state legislators intended to pass restrictions on sex offenders who were on parole or even those had been released from prison based on their past sex crimes not because the majority of these people will recommit sex offenses but because blaming convicted sex offenders for current sex crimes in the community make much more sense to the public. Of course, there are isolated incidents where sex offenders on parole or shortly after released from prison committed another sex crimes but those incidents are quite exceptional not the norm.

According the U. S. Department of Justice, Bureau of Statistics which had tracked sex offenders recommitting rate over a period of thirty (30) years in over 15 states found that sex offenders released from prison committed a total of 3.5% of all

new sex crimes within 3 years after their release.¹ At the same time, new offenders or those who had not been convicted or arrested for any sex crimes responsible for 6 out of 7 sex crimes occurred in the community each year. Most sex crimes are the result of relationships gone awry or inappropriate relations between adult and children. It is no mystery that experts such as researchers and criminologists always known that victim and offender characteristics are often acquaintance rather than stranger. Abduction of children is a rare phenomenon but they get the most attention. As the result, more laws and techniques are being devoted for catching and preventing sex crimes with stranger than in the home where sex crimes almost always occurred. The most prevalent sex crimes are committed by friends, family members or acquaintances in which the victims and offenders known each other for years.

Such facts were not matter and it buried with political extremisms. Many legislatures and the general public justified in demanding a stop to these brutalities of young children, yet, they seem to focus in areas where sex crimes rarely occurred and ignored the essence of danger against children. Thus, sex offenders become to political hot potatoes in which politicians used to get elected by erroneously proclaiming that they can make their community safe by keeping sex offenders behind bars.

The problem with this theory is that sex offenders just like most other inmates have indeterminate sentences. After they served their sentences, prison officials had no choice but to release them back to the community. Conservatives and "tough on crime" politicians were outraged at this concept and they determined to put an end to any sex offenders to be release back to the communities regardless whether those ex-felons had completely served their times. In 1994, Wisconsin Governor Tommy Thompson issued an executive order to all department of corrections personnel to use whatever means necessary to stop sex offenders from going back to their communities even after they had reached their mandatory release date. Many prison officials took this opportunity to deny sex offenders across the board the right to have their risk classification reduced, arbitrary prevent them from getting any good time credit even if they had a good history of good behavior compared with others violent prisoners, parole was denied without proper justification and their mandatory releases were denied without any good cause. Although such action was arbitrary and capricious, the Wisconsin courts were no avenue of relief for prisoners. Many sex offenders complained that they should be released when they had completed their sentences but the courts are filled with partisan conservatives and refused to uphold the constitutional mandate. Jurisdiction after jurisdiction, ruled re-incarcerating individuals after they had already completed their prison terms is constitution under the guise that the law intended to treat these sex offenders rather punish them even though those recently released ex-offenders were being put right back to the exact prison they just had been released. On that basis, they upheld the law passed by the legislature against any constitutional scrutiny. In fact, many

¹ U. S. Dept. of Justice, Bureau of Statistics, "Recidivism of Sex Offenders Released from Prison in 1994" (NCJ -198281)

conservative judges even campaign on the slogan of "judicial restraints" as a good trait. Basically, they believe the making of a good conservative judge is staying out the way of the legislature and the executive branch. Ironically, the judicial branch created by the Founding Fathers designed to check other branches of government from encroaching on the constitution and it is the duty of the judges to strike down any laws that ran counter to our constitutional heritage for the Constitution is the highest law of the land. So when conservative judges operate on the platform of judicial restraints, they are basically saying, "We are not going to interfere with the law regardless of what the constitution permitted such law of not". Such conservative ideology is the very erosion of liberty especially when judges declared their duties are to stand by and let these things happened.

In holding the civil commitment law against sex offenders constitutional, Justice Jeanine Geske, currently a law professor at Marquette University in Milwaukee, Wisconsin, a catholic institution, rationalized that re-imprisonment of sex offenders after they had served their sentences were for the purpose of treatment and the law was not intended to punish, therefore, is constitutional. Such argument is completely hogwash. If treatment for sex offenders is the purpose then why the judicial system didn't imposed a condition of probation and force such individuals into treatment prior to incarcerating them. Wisconsin judges certainly have the power to do so. Yet, judges sentenced convicted men to prison and only when they had completely finished their sentences then all of a sudden they needed treatment. What about those who had already completed treatment while they were in prison? Why are they being forced to return back to prison as a mean of treatment? And why they are not given the opportunity to participate in treatment programs while in the communities? The answer to these questions remained unanswered by the Court or prison officials because there is no such thing as treatment unless the person is mentally ill. Yet, mental ill individuals are exonerated of their responsibility by the system and immediately sent to mental institution after discovering their mental illnesses while those who committed offenses against society wantonly, willingly and intentionally are not considered mentally ill but evil and ordered to prisons. Then why of all sudden when after these individuals had completely served prisons terms the system then force them to take treatment in the very same prison they had just existed? If they are really mentally ill why not sent them to prison in the first place. Judges often take a harden stand against criminals and view those seeking treatment for mental illness after committing their crimes as gaming the system so they can avoid prisons. Yet, after these individual completely served their sentences these very same judges such as Janine Geske stated they need treatment because they are mentally ill. Oddly, sex offenders only become mentally ill right after they scheduled for release from prison but not prior or while serving prison terms. Another word, mental illness commences at the state time line and not occurs during a mental or psychotic episode within the individual's mind.

Geske's reasoned that prison officials' decisions are based on experiences and only they know best. She then ruled that courts are not qualified to second guess the professional judgment of prison officials. Many prison officials saw this signal as an approval for them to do whatever they want, thus, sex offenders not only allowed to be deprived of every constitutional rights granted to them by their forefathers but they also became the scapegoat for every political pundits and politicians who wanted easy elections. Given this freedom to assault the constitution due to judicial fiats, many legislatures started to pass laws incarcerate individuals who they believed might be hurting society in the future. This fit in with many conservative politicians mentality of "tough on crime" stand and they also saw this as an opportunity to advance their own agendas and self-serving promotions during election time. As the result, civil commitment not only a mean to place sex offender behind bars but clearing a way for politicians to demonstrate to their constituents how caring they are for the community. As long as they getting re-elected beating the drumbeat against sex offenders then why would they be changing the tune? And who would vote against lying politicians who would proclaim their votes were actually making community safe if they picked on sex offenders?

But are communities safer by re-incarcerated sex offenders who had already served their sentences? If the concern is that these sex offenders once released will be recommitted another crime then why not re-incarcerated all kidnappers, murderers, child killers, robbers, thieves, gang members, mafia, drunk drivers, etc... Wouldn't the community feel much safer then? After all, conservative judges had already given a green light to these types of practices then why society not implements these policies?

How did these judges were able to validate such unconstitutional, immoral and political wrongs? To imply that they ignore the constitution to justified political means is just plain too simple. What they did was created an entangle web of lies, rationalizations and double speak twisted on legal jargons design specifically so few individuals would understand. Like their Republicans machinery counterpart, they marketed such ideal as protection of public and provide a mean to treat the sexual deviates. They used the term "sexual predators" to whipped the public into a frenzy, loathsome hatred and astounding fear, thus, any decisions made by them can be rationalized as reasonable, realistic and even handed. Most of those committed at Sand Ridge and other institutions throughout the United States are hardly sexual predators. The term "sexual predator", according to the American Psychiatric Association defines an individual seeking a stranger victim for the purpose of victimization. Overwhelming majority of individuals incarcerating at Sand Ridge do not fit this definition because most involve sexual conducts committed are either unconsent (by legal definition) due to age differences or simply sexual conducts involved within a sexual relationships which had gone awry. A very selective few are actually seeking out stranger victims. In fact, a large portion of juveniles incarcerated at Sand Ridge facility were for sexual experiences with one another. Wisconsin law prohibited any sexual acts with anyone under the age of 18 so when two children have sexual relationships with one another they then become victims and perpetrators

simultaneously. As the result, they are prosecuted under the law for having sexual contact with a minor or each other then committed under the same law and serving time together. Ironically, these types of prosecutions are usually only limited to boys. Even young boys as young as six are frequently targeted.² Rarely female sex offenders prosecuted for having sexual contact with these boys. In fact, society even applauded these behaviors when younger males having sexual relations with older females rather than looking at those boys are victims of sexual assault. As these young boys grew up and learned such inappropriate behavior as they acted out with another younger child, they then become "sexual predators" as get punish by society not once but twice. Overwhelming majority of sex offenders committed Sand Ridge fell into this categories. Interestingly, if female victims acting out against young children they are rarely will get punish while male children are prosecuted relentless by females prosecutors and other feminists as the sole problem of what went wrong with men.

This social inequality has been promulgated by feminist fanatics as war against women but the reality of it is, this is a war against men. Women are still seeing themselves the overwhelming majority as victims of sex crimes. Yet, data collected by the federal government demonstrated the majority of sex offenses are committed by females and not males. It is a common knowledge that sex crimes are mostly under reported and for every reported sex crimes there are three under reported ones. The problems laid in the refusal of law enforcement officials to prosecute crimes that are committed by females because this society wants to believe that women are not capable of committing atrocities as men. Thus, blaming men as the sexual perverts are much more attenuable then points such fingers at females. Government data has shown the most dangerous perpetrators in child homicide cases are overwhelmingly females. Yet, society often thinks male child killers and rapists are the menace so laws such as "Amber alert" arise for that reason while ignoring dangerous phenomenon and safety of the most vulnerable. When parental kidnappings involved, society arouses to look for the fathers as the perpetrators or think it must be some sexual monsters snatching up young victims. Although these cases are rare, the media such as Nancy Grace or Jane Mitchell Velázquez of HLN often whipped their stories as if these crimes are entertainment. Women who killed children such as an at home mom who shot her thirty year old son and her sixteen year old daughter while they are doing homework and her husband at war deemed not as a killer but mentally ill or suffered from Post Traumatic Stress Disorder. Or a woman while filming an episode on Dr. Phil, pour hot sauce on the child's mouth and put him under scalding water for lying to her deemed under stress. What about these innocent children? Nothing at all made about them unless it was a man perpetrator then society got into an uproar and demanding lifetime incarceration. For example, when four women in Fond du Lac, Wisconsin tied up a man to a bed and glued his penis to his stomach, the prosecutors only charged only one of these women with misdemeanor and

² See Wisconsin State Journal on May 1, 2011 article

the rest were dismissed. Imagine if four men tied up a woman in bed then glued her vagina together, would the men get away with it? Of course not! Why is it that women are more valuable than men?

For many readers, sex offenders deserved what coming to them. Fair enough, their crimes certainly are despicable but what about those who raped and killed children. Interestingly, most state laws only targets sex offenders but child killers are not subjected to civil commitment act. Wisconsin law only requires those who committed sex crimes to be re-incarcerated after they completed prison sentences and not those who take a life of a child or any one else for that matter. And for sex offenders once committed under Wisconsin Sexually Violence Person Act, it is for an indefinite confinement without parole. Ironically, if an assailant raped a child then killed her, more likely than not, he would received a much more lenient sentence for the killing with parole then if he just touch her inappropriately. Neither of these dangerous scenario killers would be subjected to the Wisconsin Sexually Violence Person Act. It is no wonder among the criminals underworld, the word is that don't just rape but kill the victim too for most prosecutors more likely than not charging a person with a crime of murder than sex assaults. In another word, a much less sentence. Irrational as it sound, judges respect killers than sex offenders. Even defense attorneys rather advocate for a killer than a sex offenders.

Another factor which sex offenders brought upon themselves was due to their passive nature and reluctant to fight back. The overwhelming myth is that sex offenders are very deviant, aggressive and secretive. However, the opposite is true and it is a well documented known fact by those working with sex offenders. Sex offenders who are mentally ill with high psychopathic traits and rapists tend to be more aggressive than child molesters or juvenile sex offenders. This is more in keeping with their mental illness and psychotic episode rather than the nature of sex assaults itself. Since the courts and working professionals often attribute such traits to the sex crimes or individuals, few studies ever being done focusing on the nature of mental illness. The sexual psychopath lacks the ability to think rationally. They often have little empathy toward their victims and incapacity to differentiate between right and wrong because they lack normal intelligence, moral convictions, and without a conscience. Even the sex offender who have a conscience but choose the evil deed taking advantage of another person sexually plagued with another form of mental illness. These types of sex offenders are extremely selfish and have little regards to other people feelings even though they aware that their actions would hurt someone because they often afflicted with Antisocial Personality Disorders. These are "sociopaths" and not "psychopaths". The remaining group is the typical sexual offenders begin realized their mistakes from the past and choose to repent themselves once exposed. Many feel shamed and degraded by society constant stigmas, thus, few if any ever wanted to expose themselves by speaking against society's mistreatment. For this reasons, politicians and tough on crimes mentality freely perpetuate the notion sex offenders as a whole are highly dangerous recidivists when

data and researches had shown the exactly the opposite. It is the most horrific, gruesome or sadistic sex cases get the most attention. These sensational cases whipped up by the media often involved individual "psychopath" or "sociopath". By grouping all sex offenders into one frightening group, hysteria and frenzy then take place while reason and rationale went out the window. The lack of advocacy even by the group who suffered the most repression based on their past offenses giving rise to the cry of hatred, revenge and detestation where the voices of sleazy politicians like Wisconsin state senator Alberta Darling, professor Janine Geske and Wisconsin Supreme Court Justices Michael Gableman or Patience Roggensack ruled the day.

For many, there is no justification whatsoever to distinguish a sexual psychopath or sociopath from a typical sex offender. And locking them all up for the rest of their lives is a good thing. It is common knowledge that society is not locking up all sex offenders indefinitely but only those that the system considers the most dangerous. But without any standards, guideline or adherence to proper method of selecting which dangerous offenders to lock up and which ones are to let go, society is actually creating a dangerous game of Russian roulette by not questioning or demanding the system to validate such decisions. The result of this indifference is that more nondangerous ex-felons including juvenile offenders are being locked up at Sand Ridge and other facilities throughout the nation while dangerous "sexual psychopaths and sociopaths" are unwittingly letting go freely into society to strike again.

It does not matter if society cares or not cares about the reasons why sex offenders are being used as scapegoats but without sorting out which one is the dangerous and which one is not is to risk many more innocent victims unnecessarily. Dangerous sexual deviates are already running the street without supervision. And it does not matter whether they have supervision, treatment or harsh laws. A person who has no conscience and wish to do evil to others will have no problem to strike again. However, those who make mistakes from the past do not automatically become dangerous to society in the future. Rather, it is the sexual psychopaths and sociopaths no matter how well intentioned, they lack the ability to know right from wrong and posed the most challenge to society. We cannot treat people who lack conscience, ethics or values. But as society, we must have the moral courage to free nondangerous sex offenders from further incarceration after they served their time even if we seek prevention of future crimes. It is imperative that society as a whole must select a proper method to weed out a dangerous sexual deviate from a nondangerous sex offender. Otherwise, innocents will be punished while dangerous sex offenders such as the psychopaths or sociopaths are freely striking again. Would you risk the life of another child or another innocent victim by refusal to have a proper standard of screening? But we are doing it now because prejudice has made us blind.



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5 PERCENT OF SEX OFFENDERS REARRESTED FOR ANOTHER SEX CRIME WITHIN 3 YEARS OF PRISON RELEASE

WASHINGTON, D.C. -- Within 3 years following their 1994 state prison release, 5.3 percent of sex offenders (men who had committed rape or sexual assault) were rearrested for another sex crime, the Justice Department's Bureau of Justice Statistics (BJS) announced today. If all crimes are included, 43 percent of sex offenders were rearrested for various offenses.

Sex offenders were less likely than non-sex offenders to be rearrested for any offense — 43 percent of sex offenders versus 68 percent of non-sex offenders. But sex offenders were about four times more likely than non-sex offenders to be arrested for another sex crime after their discharge from prison — 5.3 percent of sex offenders versus 1.3 percent of non-sex offenders.

Sex offenders with the highest rate of rearrest for another sex offense were those who had a history of prior arrests for various crimes. While 3.3 percent of sex offenders with one prior arrest were arrested for another sex crime after their release, that percentage more than doubled (7.4 percent) for those with 16 or more prior arrests for different types of crimes. Of the released sex offenders who allegedly committed another sex crime, 40 percent perpetrated the new offense within a year or less from their prison discharge.

Of the almost 9,700 sex offenders released in 1994, nearly 4,300 were identified as child molesters. An estimated 3.3 percent of the 4,300 released child molesters were rearrested for another sex crime against a child within 3 years. Most of the children they were alleged to have molested after leaving prison were age 13 or younger.

Other BJS surveys have shown that 70 percent of all men in prison for a sex crime were men whose victim was a child. In almost half of the child-victim cases, the child was the prisoner's own son or daughter or other relative.

The average sentence imposed on the 9,700 sex offenders was 8 years and, on average, 3 1/2 years of those 8 years were actually served prior to release. The average sentence imposed on the 4,300 child molesters was approximately 7 years and, on average, child molesters were released after serving 3 of the 7 years.

Of the released sex offenders, 3.5 percent were reconvicted for a sex crime within the 3-year follow-up period, 24 percent were reconvicted for any new offense and 38.6 percent were returned to prison, either because they received another prison sentence or because of a parole violation.

Of the 9,700 sex offenders, 67 percent were white males and 32 percent were black males. The percentage rearrested for another sex crime after their release was 5.3 percent of white males and 5.6 percent of black males.

a unique class aimed at helping them protect their voices. **PAGE G1**

Section changes today

To our readers: Today's Wisconsin State Journal includes an eight-page special section on the 30th annual Crazylegs race. That means some of our regular sections have been moved around.

For today only, obituaries can be found in the back of the C section (Local). Sunday Business has moved from the F section to the B section, and the Crazylegs special section has a home in the F section.

— John Smalley, editor

WHEN SPIRITUAL WORSHIP STYLE, HAVE an added reason to rejoice. The historically black church on the city's South Side is celebrating its 100th anniversary this month with a series of special events.

Over the years, the church has been a beacon for the spiritually hungry and a moral guidepost for the larger community. Its pastors and members have been at the forefront of social justice and civil rights issues, from housing and em-

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WEB EXTRA

Video: Behind the scenes with Mt. Zion's popular gospel choir.

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respect.



timates. Last month, Walker told the State Journal he instead decided to try to modify the law after hearing from business leaders across the state that it could be "livable" with some changes.

One of those changes would allow a combined group — if any of its individual companies suffered losses before 2009 — to claim up to 5 percent of those losses to reduce taxes for the entire group.

Currently, only losses suffered by member companies in 2009 or later can be taken into account by the group.

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Case asks: Can 6-year-old commit sexual assault?

A judge will decide whether a boy's behavior was childhood curiosity or a criminal act.

BY SANDY CULLEN

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Grant County authorities have accused a 6-year-old boy of first-degree sexual as-

delinquency petition, the equivalent of a criminal complaint for juveniles. Instead, prosecutors included the allegations in a petition seeking protection or services for the boy. Such petitions are typically used by parents or authorities to identify children under 10 who need services to change inappropriate behavior.

If a judge finds the boy committed a delinquent act, the court can order he and his family receive services such as counseling

or other treatment.

A second petition accusing the boy of disorderly conduct alleges that last summer he repeatedly grabbed the breasts of two teenage baby sitters, took off his clothes and rubbed himself on their legs and tried to kiss them.

The boy's lawyer, Stephen Eisenberg of Madison, called the allegations "crazy"

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LAST SESSION, WE HEARLY ABOUT THE BT
ing loophole and made sure that the largest
multistate corporations were paying their
fair share and not shifting the burden to

cial responsibilities during
while cutting tax assistance for low-in-
come people.

who are truly in need of assistance at the
er who ignoring the facts or simply misin-
formed," he said.

Doctor

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and said he has never heard of a 6-year-old being accused of sexual assault. The boy is now 7.

At a court hearing last week, Grant County District Attorney Lisa Riniker said the case "isn't about punishing (the boy); it's about making sure he gets the help he needs."

Riniker and county Social Services Director Fred Naatz declined to comment on the case outside of court, citing confidentiality rules.

Richland County Circuit Court Judge Edward Leineweber, who is handling the case, said during the hearing the case presents a thorny legal problem.

"You're going to have to prove a criminal act. If he was 2, would we be here?" he asked the prosecutor. "How are we going to figure out what side of the line (the boy) falls on?"

Eisenberg said the boy, who has a developmental disorder for which he is receiving treatment, likely is below the maturity level of a typical 6- or 7-year-old.

The boy has been evaluated by two psychiatrists who found he lacks the sexual awareness for his alleged actions to have been sexually motivated, Eisenberg said.

Dispute over what happened

Earlier this month, the judge granted a State Journal request for access to juvenile court records and proceedings in the case. State law prohibits identifying the children or families involved.

According to the petition for protection or services filed Nov. 12, the girl's mother found her daughter in the boy's yard "with her skirt and underpants around her ankles"

and the boy sitting underneath her, penetrating her with his finger. The petition alleges the boy "did have sexual intercourse with a child under the age of 12."

State law defines sexual intercourse, in part, as "intrusion, however slight, of any part of a person's body."

The girl told her mother they were playing "butt doctor" and told authorities the boy only touched her on the outside of her body, court documents state. A third child, a 5-year-old boy, also was with them, but he did not touch her inappropriately, the girl said.

Judge Leineweber refused to dismiss the petitions, saying the relevant part of the sexual assault allegation is the mother's observations.

The boy needed only to have penetrated the girl and known she was under a certain age, he wrote, adding, "Even the most immature 6-year-old could appreciate these two concepts."

Last week, Leineweber found probable cause to proceed with the petitions and ordered a competency evaluation to determine if the boy can understand the allegations and assist in his defense.

But Leineweber also questioned how it could be determined that the 6-year-old was capable of committing a criminal act.

Riniker said she made that determination using her discretion as a prosecutor. She also said she has more information about the boy's actions than she included in the complaint.

"I'm not so sure that's how it should work," Leineweber replied.

Eisenberg told the judge small-town furor "just exploded this thing that never should have gotten off the ground," saying, "it's over the top and it really is absurd."

He said the boy had several enemies and other procedures for a medical problem before the incident with the girl. He also questioned whether the girl's mother could actually see if penetration occurred, as well as the accounts of the baby sitters.

Sexual exploration normal in young

Dr. Lucy Berliner, director of Harborview Center for Sexual Assault and Traumatic Stress in Seattle, Wash., said it is "completely outside" accepted medical practice to characterize a 6-year-old's actions as sexual assault.

Berliner, responding after the State Journal described the allegations, called the charge "very unusual" and

equated it to charging a 6-year-old with physical assault for hitting another child.

"Sexual exploration, curiosity and play among children is common," Berliner said. "Even if there was an attempt to penetrate, it's still a 6-year-old doing it."

If a child has no history of other behavioral problems, just talking to him and making sure there are no other issues that need to be addressed would be an appropriate response, she said.

But Mike Walsh, Dane County deputy district attorney in charge of juvenile cases, said even very young children can engage in "extreme victimizing behaviors." The youngest child Walsh brought a petition against for sexual assault was an 8-year-old boy who repeatedly raped his 5-year-old sister.

In most cases, however, police deal with the families involved and the matters never reach court, he said. In some cases, if he believes the child needs treatment beyond what a family obtained on its own, he would pursue the matter in court.

In the Grant County case, Walsh said, the boy's alleged actions reflect sexualized behavior more advanced than his level of development.

Families tried alternate solutions


In a letter to the State Journal, the boy's parents said they have taken "all steps necessary to make sure our 6-year-old has received all the services he needs."

They said they forwarded that information — along with written confirmation from the boy's school and day care providers that he has never engaged in inappropriate conduct at those facilities — to the district attorney's office and the Grant County Department of Social Services.

Yet both insisted on pursuing court action, they wrote. They said authorities even raised the prospect that the boy be evaluated as a potential sexual predator and suggested he not be allowed to have any unsupervised contact with children.

The girl's parents said they initially sought to settle the dispute without involving the authorities but were unsatisfied with the response by the boy's family.

"From the beginning, it was our hope and our goal to work this out between the families and to talk and figure out what was happening privately," the girl's father told the State Journal. "We were not given that opportunity by the (boy's) family."

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