

November 9th, 2023

Contact Information

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Ad: www.Prisonpenpals.com/277888.html

Definitions (Part 1)

Term	Definition
Due Process	Fair treatment through the normal judicial system, especially as a citizens entitlement. Fundamental principle of justice. ("the law which hears before it condemns; which proceeds upon inquiry, and renders judgment only after trial")
NY Const. Art. IV § 8	No rule or regulation made by any state department, board, bureau, officer, authority, commission, except such as relates to the organization or internal management of a state department, board, bureau, officer, authority, or commission shall be effective until it is filed in the office of the department of state.
NY Exec Law § 102 (1)(a)	No code, rule, or regulation shall become effective until it is filed with the Secretary of state, unless a later date is required by statute or is specified by such code, rule or regulation.

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Background/Definitions (Part 2)

Arrested: November 2004

Civilly confined: December 2008 to Present

Law: New York State Mental Hygiene Law, Article 10
(NY MHL § 10.01 - 10.17)

Term	Definition
CNYPC	Central New York Psychiatric Center
STARC-Dakview	The secure Treatment and Rehabilitation Center
Mental Abnormality	A congenital or acquired condition, disease or disorder that affects the emotional, cognitive, or volitional capacity of a person in a manner that predisposes him or her to the commission of conduct constituting a sex offense and that results in that person having serious difficulty in controlling such conduct.
Dangerous sex offender requiring Confinement	A person who is a detained sex offender suffering from a mental abnormality involving such a strong predisposition to commit sex offenses, and such an inability to control behavior, that the person is likely to be a danger to others and to commit sex offenses if not confined to a secure treatment facility.
Secure Treatment Facility	A facility or a portion of a facility, designated by the Commissioner, that may include a facility located on the grounds of a correctional facility, that is staffed with personnel from the office of mental health or the office of mental retardation and developmental disabilities for the purpose of providing care and treatment to persons confined under Article 10.
Commissioner	The Commissioner of mental health or the Commissioner of mental retardation and developmental disabilities.
Sex offender requiring Civil management	A detained sex offender who suffers from a mental abnormality. A sex offender

	requiring civil management can, as determined by procedures set forth in Article 10, to be either (1) a dangerous sex offender requiring confinement or (2) a sex offender requiring strict and intensive supervision.
Sex offender requiring strict and intensive supervision	A detained sex offender who suffers from a mental abnormality but is not a dangerous sex offender requiring confinement.
SIST	Strict and Intensive supervision and Treatment.
NYS OMH	New York State Office of Mental Health
NY Const. Art. IV § 8	New York Constitution, Article 4, Section 8
NY Exec. Law § 102	New York Executive Law, Section 102

ADVOCACY

CURE-SORT
P.O. Box 1022
Norman, OK, 73070
cure-sort.org

NARSOL
P.O. Box 36123
Albuquerque, NM, 87176
narsol.org

ACSOL
2110 K St.
Sacramento, CA, 95816
all4consolaws.org

WAR
8 The Green
Suite 8219
Dover, DE, 19901
womenagainstregistry.org

GROUPS

Prison Families Alliance
7250 S. Durango Dr.
Ste. 130-237
Las Vegas, NV, 89113
prisonfamiliesalliance.org

Sex Offender Solutions and Education Network
2211 C.R. 400
Tobias, NE, 68453
sasen.org / oncefallen.com

Society for the Advancement of Sexual Health (SASH)
P.O. Box 916
Acworth, GA, 30101
sash.net

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This post is going to give some bullet points on me, this facility, it's practices and conditions. Any suggestions on how to get assistance and/or to give assistance with any of the following please contact me by snail mail (see previous posts for address).

Now to the bullets:

- 1.) there is not and has not been a oversight organization/group the whole time I have been at the facility (2008-Present),
- 2.) there is no access to email and/or tablets at the facility for residents, even though all NYS prisoners/inmates have access to both,
- 3.) On 4/22/21 the facility (CNYPC) split and all residents were discharged (on paper) from CNYPC and admitted to STARC-Oakview,
- 4.) both NY Const. Art. IV §8 and NY Exec. Law §102 have not been followed when it comes to policies, procedures, practices, rules ~~and~~ rule book, etc... for CNYPC and STARC-Oakview. NOR have any policies, procedures, practices, rules, rule book, etc... for STARC-Oakview been created and/or provided to residents to date. (If any have been created, I nor any other resident has seen them or been given them). Due to both NY Const. Art. IV §8 and NY Exec. Law §102 not being followed any such policies, procedures, practices, rules, rule book, etc... said to be in place at CNYPC and/or STARC-Oakview are NOT valid,
- 5.) the Law Library at the facility is a joke, it is a computer that is updated approx. every 4 months and even when it is "updated" it is still months behind and limited, NYS prisoners get/have better resources,
- 6.) annual reviews are supposed to be yearly (12 months) but most times they whined up being 16-18 (or more) months apart,
- 7.) there is NO Due Process at the facility, if staff say a resident did/said something wrong they are automatically guilty and are given a "Loss of Privilege" (punishment) without ever getting a chance to defend their self (hearing, video/audio, witnesses, etc...), even prisoners get a hearing when accused of something,
- 8.) I am both a sexual abuse victim and offender but not until January 2023 was I given a Trauma group/therapy. I requested it and have been recommended for it by many independent evaluators for it for years but did not get it until 2023,
- 9.) I have requested individual therapy for years and been recommended for it by many independent evaluators for years but to date still have not been given them,
- 10.) I have a single Sexual Felony on my record and have been at the facility for almost 15 years to date,

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11.) prior to audio/video at the facility I and other residents were continually assaulted by staff, there was even one time where 10 (ten) staff assaulted me and I got charged with supposedly injuring a staff members hand, nothing happened to the staff that assaulted me or other residents over the years, even after filing complaints and contacting the NYS Police,

12.) over the past 5 years I have been recommended for release on S.I.S.T, but to date I am still here,

13.) at annuals my past keeps being brought up, this is 2023 but things as far back as 2002 are continually used against me, it has even been almost 20 years since my crime happening, (how is that fair/just?)

14.) I am classified as a "juvenile/adolescent sex offender" by multiple independent evaluators and the facility is not designed to treat me properly due to that,

15.) I have been doing "treatment" so long I have Treatment Fatigue,

16.) the facility has gone through approx. 7 Executive Directors since 2008,

17.) approx. 75-80% facility residents are gay, bisexual or transgender (Please See: UCLA School of Law, Williams Institute's Oct. 2020 report entitled "Civil Commitment of people convicted of sex offenses in the United States" www.williamsinstitute.law.ucla.edu),

18.) I and other residents haven't taken and completed groups 3-4 times (or more) but continue to be forced to take them again and again as there are no new groups. Some groups are just re-named and make to look like new groups,

19.) treatment providers change so often that meaningful/therapeutic relationships can't be had/made, I personally have had approx. 70 different treatment providers since 2008

20.) I currently get 6 hours of groups a week, the minimum amount of hours a week is supposed to be 10 (ten) according to experts in the field of sex offender therapy, individual therapy is also recommended as part of sex offender therapy by experts in the field of sex offender therapy,

21.) the facility gets approx. \$720,000.00 a year per resident but if you look at the conditions, food, provided items you would never believe it, the money can't be being used for the residents or their treatment,

22.) the law (NY MHL Article 10) maintains that residents are civilians in a hospital/treatment center receiving treatment but in fact the residents are treated worse than prisoners,

23.) phone calls cost residents anywhere from .13¢ to .23¢ a minute

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due to the phone contract the facility has forced residents (against their many complaints over the years) to be part of, NYS inmates/prisoners only pay approx, \$1.50 for a 30 minute call (approx .054 a minute),

24.) STARC - Oakview/NY MHL Article 10 destroys most residents supports, family ties, etc... with their actions/disactions which cause some residents to give up and/or upon release (if ever happens) with no help to stay home,

25.) I and other residents were able to take a plea for their crime but then upon their release from prison they all of a sudden have a "mental abnormality", did I/they mysteriously gain a mental disorder during our time in prison that made us more dangerous and/or unable to control ourselves? We shouldn't have been able to take a plea because if we have a mental abnormality/disorder now we had it at the time of the plea and by NY MHL Article 10 standards are not mentally competent,

26.) New York State Mental Hygiene Law Article 10 is a Life Sentence for most caught in it.

*If you have any questions/comments please contact me at: John Peana

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