

Annual Conference: continued from front cover

outlines and discusses recent advances in understanding truth and deception and presents effective, non-coercive strategies for working with youth and adults.

A dozen additional workshops will be offered, on topics including the evaluation and treatment of sex offenders, community supervision strategies, risk assessment, and innovative policies and programs. The after-hours Reception on Thursday always presents a wonderful opportunity to talk with presenters and other providers from around New York and neighboring states. The Awards Luncheon on Friday will recognize a handful of professionals and programs that are doing exemplary work in the field. (If you have anyone you would like to nominate, please contact either Ken Lau at: KenJoeLau@aol.com, or Richard Hamill at: RichHamill@aol.com). The City of Corning and the surrounding Southern Tier area offer many enjoyable activities – a world class glass museum, dozens of vineyards and wine-tastings, and many more treats. *Come join us!*

New York Should Not Pass A Violent Predator Law Without Further Study

by Richard B. Krueger, M.D.

For several years Governor Pataki has submitted legislation to establish a Sexually Violent Predator (SVP) law in New York, which the Senate has passed but the Assembly has not. This year both the Senate and the Assembly have passed SVP bills (S6325 & A09282) that are now in conference. Public protection by involuntary civil commitment and treatment of dangerous sex offenders are the goals of such legislation.

SVP laws are a new version of older sexual psychopath laws that existed in two-thirds of the States from the 1930's to the 1980's but were abandoned because of cost, constitutional challenges, and ineffectiveness. Beginning in the 1990's a second generation of such laws emerged with seventeen states now having passed such legislation. Other states, however, have rejected SVP legislation and only one has passed such legislation since 1999, this focusing on juveniles only.

The Board of the New York State Association for the Treatment of Sexual Abusers (NYSATSA), a multidisciplinary professional organization of therapists, researchers, and criminal justice specialists in this area, recently developed a policy statement on civil commitment legislation

(www.nysatsa.com) and delivered it to the Legislature. ATSA has also provided commentary to the committee considering a final joint bill. ATSA suggested because of the enormous financial commitment required by such laws, the unproven efficacy of SVP statutes, and the complexity of the alternatives and issues involved, that an interdisciplinary commission should be formed to study policy options carefully.

SVP statutes are very expensive. A prison bed nationally costs \$22,650/inmate/year. By contrast, SVP laws mandate civil commitment in a secure environment and require an extensive legal apparatus and multiple treatment modalities. The New York ATSA estimated a cost of \$250,000/inmate/year as the cost for this program to the State of New York.

Most SVP programs despite, or perhaps because of, lawmaker's intentions, create a "front door" but no "back door." That is, they provide for the commitment of sexual offenders but make no provisions for their release. Since the inception of its SVP program 6 years ago, Florida, of 825 individuals committed to its treatment center, has recommended only 1 for release. New Jersey now holds upwards of 400, but has released only a small number, and could release more if there were housing and programs to discharge inmates to. The State of Washington, which has the first of the newer generation of SVP laws and which seems to have served as a template for some of the New York State legislation, has committed 220 individuals over its 16 years of operation, with only 13 having been released into the community.

Several states are reevaluating their SVP statutes. In the past month alone Florida has called for an enquiry into its SVP program; Kansas, which successfully argued on behalf of its SVP legislation before the Supreme Court in 1996 in *Kansas v. Hendricks*, has suggested longer sentencing as a safer alternative and called into question the efficacy of its SVP program; and California's 10 year old SVP law was reported to have contained loopholes that have allowed offenders to refuse treatment and be freed.

SVP statutes compete for funds with other agencies critical to public safety. This January, a New York State parole officer testified at an Assembly hearing that the Manhattan Special Offender unit had been cut in half and that current caseloads did not afford parole officers the opportunity to properly monitor sex offender parolees already in their charge.

An independent qualified multidisciplinary commission to examine the experience of the other 17 states with

SVP laws and the range of policy alternatives is needed. The New York State legislature should slow down, take its time, be smart on crime in addition to being tough on crime, and establish a commission that could thoroughly investigate the SVP option and develop a more workable and cost-effective statute than is apparent in the two bills being considered now.

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Portable Guides to Investigating Child Abuse

The Office of Juvenile Justice and Delinquency Prevention offers a series of booklets to assist service providers in various aspects of working with child abuse victims and cases. OJJDP reports that it has developed these booklets, in response to requests from law enforcement jurisdictions across the United States for guidelines on investigating child abuse and neglect. OJJDP developed a series of Portable Guides to Investigating Child Abuse. The Office has recently reprinted three titles in the series: *Interviewing Child Witnesses and Victims of Sexual Abuse*, *Criminal Investigation of Child Sexual Abuse*, and *Recognizing When a Child's Injury or Illness Is Caused by Abuse*. In all, there are currently 13 Guides in the series, each addressing a specific aspect of investigating a suspected case of child abuse or neglect. Written by recognized experts, the Guides present fundamental information in straightforward, uncomplicated language. The Guides are compact (5 by 9 inches), for easy storage in the glove compartment of a police cruiser, and concise (16 to 24 pages), for quick reference. Each Guide includes a list of supplemental readings and contact information for organizations that offer training or resources." For a complete list of the Guides, go to: <http://www.ojjdp.ncjrs.org/publications/PubResults.asp>.