

June 27, 2014

Re: Committee Issue; Re-entry Task Force

Dear Senate & House Members of the Law and Justice Interim Committee,

The Reentry program that is being discussed needs to be inclusive of all.

The mind- set must change to bar offenders who have been convicted of a sex-related offense from participating in reentry programs. Bills exclude those convicted of non-production child pornography possession and treat all sex offenders as a homogeneous group. This misperception results in expensive minimally effective laws and overcrowding of the prison population at great cost to taxpayers.

These offenders would benefit from reentry programming, and that their participation could improve public safety and reduce recidivism rates.

My name is Patty Grubb, and this is our story and why I am here today:

In May, 2009, at 6:45 a.m., I heard my husband yell to get out of the shower. "The F.B.I. is here with their guns drawn." I was unbelieving; I got out of the shower, threw cloths on and walked out of my bedroom to F.B.I. streaming up the stairs to search through the house as quickly as possible, securing each room. I moved out slowly looking around the living room and sat on the fire place hearth. I was in disbelief. I looked at my husband who sat across from me, with his head in his hands, and my oldest special needs son, sitting in a recliner across the room from me. I was so confused, wondering what was happening. I knew that it had to be something to do with my youngest son. I wasn't sure if it was drugs...I couldn't fathom any reason for all of it. This type of thing is unheard of in the town that we live in, so I thought.

I was handed a search warrant by an F.B.I. agent, and in the warrant, were articles describing the reason for the search. They listed child porn. I just couldn't believe it, my first reaction was that child porn means little children, why in the world would my son be in any way involved with children? It was a bad dream; I just couldn't wrap my head around what was happening.

The only people home at the time, were those I have listed. I was desperate to speak to my youngest son, who had already left for work about 5 minutes prior to the F.B.I. arriving. I wanted so badly to speak to him, to let him know that we loved him and to confirm to him that we knew who he was and that we weren't passing judgment; that everything would be ok.

I knew when my first son was born with disabilities, that it was our job as parents to know who our kids were as individuals. Some people never know their children, I know from the very depth of my core who our children are and that they are good, kind hearted souls. They would never hurt anyone. I know when I look at their faces or hear their voices, how they are feeling, or if something is wrong.

I knew that this was a mistake and that if my youngest son had gotten involved with something illegal, he had done so without the knowledge that it was illegal...without the knowledge that his involvement could possibly have harmed or exploited others.

Now that we have been through the system, and the courts have learned who my son is, a young man that ventured into file sharing due to curiosity and nothing more. This doesn't matter however, because

Federal Judges hands are tied, and cases are not prosecuted on an individual basis, decisions are based on what a prosecutor decides. Our son must serve a sentence in Federal Prison.

Our son, in January, 2011, was charged and convicted with viewing child porn and will be incarcerated for a federal mandatory five year minimum sentence and labeled as a sex offender for the remainder of his life. **“The courts view of our son, was of someone in his late teens, early twenties who, like so many young men, are immature, lack judgment and perspective as well as experience and get involved with the internet to utilize its peer-to-peer networks, often for music, but then get into porn and it’s just a sorry case.”** My son will have to tell all potential employers that he has been federally convicted and that he is a registered sex offender. He will have to do the same when searching for a safe place to live.

“The Congress of the United States has concerned itself over a long period of time with the development of the Internet; it seems to be a worsening problem as opposed to a diminishing one. And that, I think, is a reflection of access and the people, the younger generation, as Dr. Scolottie described our son, people who have skills with computers, access--and their connections with reality are digital and they’re not related to the harm this has actually caused to children who are victimized in the making of that kind of pornography”. **Hon Judge Donald Molloy**

I am asking that we work together to educate , we have a lack of timely education that has left many families standing by, helpless, as a system has labeled, judged, and taken children, parents and siblings out of the family unit. I am asking that you give individuals like my son a second chance in life, a second chance to work on their God given abilities and become contributing citizens to their communities.

Thank you for your time.

Sincerely,
Patricia L. Grubb

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These Programs that are being discussed need to be inclusive of all

The mind- set must change to bar offenders who have been convicted of a sex-related offense from participating in reentry programs. Bills exclude those convicted of non-production child pornography possession and treat all sex offenders as a homogeneous group. This misperception results in expensive minimally effective laws and overcrowding of the prison population at great cost to taxpayers.

These offenders would benefit from reentry programming, and that their participation could improve public safety and reduce recidivism rates.

Successful reentry means:

- Public safety

- Smarter use of taxpayer dollars
- Stronger communities and families

Solution:

Education and awarenessEnhance public understanding

Focus on prevention

Safe re-entry

The FACTS of sexual Abuse

- Sexual abuse is NOT inflicted by strangers
- Most abuse does not happen to children in parks, playgrounds, school bus stops or any place children congregate
- Most sexual abuse will NOT happen as a result of a stranger abduction
- Most sexual abuse is NOT inflicted by someone who is already caught and labeled a sex offender
- We will NOT be safe if we rely on the sex offender registry
- Residency restrictions DO NOT keep us safe

The Facts of Sex Offender Policies

- Current sex offender management policies are NOT effective at preventing new offenses
- Current policies are NOT grounded in empirical evidence
- Current policies DO NOT use resources effectively
- We will be NOT be safe if we rely on the sex offender registry
- Residency restrictions DO NOT keep us safe
- Treatment does work when applied timely and determined by RNR (Risk Needs Responsivity method)

What We Need To Know

WHO ARE SEX OFFENDERS?

WHERE ARE THEY?

WHO CAN BECOME A SEX OFFENDER?

What we do know

Sex Offenders can be anyone who is convicted of a sex offense or has committed an offense not reported or detected. They can be young or old. They can be friends, family, co-worker or stranger.

They can be anywhere. In your home, school, park, local store or work.

Anyone can become an offender by making a bad choice knowing or unknowingly.

Awareness prevention

Educational Modules Age/Grade Appropriate

Target Elementary Students

Good Touch Bad Touch (Lauren Book)

Target Middle School Students

Sexuality awareness and Responsibility
Who is a sex offender?
What are appropriate behaviors towards self and others?
What are the dangers of the internet?
Sexting
Consent

Target high school Students

Sexuality Awareness and Responsibility
Who is a sex offender?
PSA See: <http://montanarsol.org/>
Romeo & Juliet
What is consensual and who can consent
What are the dangers of the internet?

Partner with Dept. of Children and Families (DCF) & Dept. of Juvenile Justice (DJJ)

Target at Risk Families

Provide counseling to include:
How to identify inappropriate behaviors by others towards their children
Strategies for raising safe children
Dangers of the internet
How to identify signs of potential abuse
Behavioral changes in their children

Partner with Dept. of Education (ED) and School Groups

Target PTA's, other Parent Groups and Churches

Provide information to include:
Inappropriate behaviors by others towards their children
Strategies for raising safe children
Dangers of the internet
How to identify signs of potential abuse
Behavioral changes in their children awareness

Partner with Victim Advocates

Include victims in the Criminal Justice process
E.G. RESTORE and COSA community based
Support victims to survivors
Enable the courts to determine eligibility by specific criteria: actuarial risk assessment, first-time offenders, low-risk (RESTORE) and high risk (COSA)

Partner with DOC and DOJ

Administer Pretrial Diversion Program for low Risk Offenders

Placement recommended by the court
Pending charges reviewed by the court after program completion
For charges/sanction/sentencing
(As appropriate) (RESTORE)

Pretrial Diversion Intervention

Risk Assessment
Identify first time offenders
Low risk offender
Amendable to treatment

Partner with DOC Probation

Transitional Community Housing
Upon Release, All citizens required to register will be placed in a 3-6month transitional housing environment
(Longer Term if Sexually Violent Predator or determined Higher Level of Risk)

Provide Reentry assistance:

To register, to get required ID, provide educational awareness of Compliance Requirements
Provide Assistance to identify and secure stable housing, to identify and secure employment
Provide Assistance for placement to a treatment provider if required
Provide assistance to appropriate reconnection with family and community
Support through Community programs:
RESTORE
COSA

Partner with Probation

Effective Re-entry
Upon the effective completion of step down transitional housing
Move to home
Maintain probation as appropriate
Probation supports effective reinforcement
Home visits as appropriate
Ongoing treatment as appropriate