

"Tag-teaming The Already Downtrodden"

By: Anonymous

Re: The State's interest in investigating how Veterans are treated in our court houses.

Dear Reader,

~~January 20, 2010~~

In the first week of January, I seen several commercials broadcasting the State's interest in investigating how Veterans are treated in court. I appreciate the services of our Veterans, however everyone, regardless of a persons age, sex, religion or the nature of an offense should be treated equally and without exceptions.

I write this letter in hopes of shedding some light on the grave inconsistencies of our justice system in general. Somebody, found it necessary to review how Veterans are being treated, what separates a Veteran from any other group of people?

A subject sensitive to most of society and overlooked by those in power at various stages of our judicial system is the way "sex offenders" are being treated in our courts.

In the eyes of society, all sex offenses are considered heinous and deserve no sympathy. The judicial system and legislature silently agree by passing laws and stiff sentences that reflect that opinion.

Two simple confirmations of the aforementioned allegations are:

1. In the past 15 years, how many people were compensated as a result of being wrongfully imprisoned?

The answer is...6 people and NOT coincidentally all six people were sex offenders.

An illegal sentence is essentially one that either exceeds the relevant statutory maximum limits, violates a defendant's rights against double jeopardy, is ambiguous, or is internally contradictory...

2. In the past 15 years, how many illegal sentences filed with the court have been for sentences involving sex offenses?

The answer is...more than half!

What makes a Veteran, a Murderer, or a Drug Dealer any more entitled to a fair judicial process than a sex offender? The idea that Veterans may not be receiving adequate due process in our courts, should only highlight the need for concern that our courts are becoming biased. Everyone should be entitled to the same fair judicial process...the alternative suggests that if a defendant is not a Veteran, the State and you () are willing to look the other way.

In 1998 legislature passed a law mandating "Special Parole" for high-risk offenders, who initially were only people with Class A felonies or classified by the court as "Persistent Offenders". Special Parole is a form of supervision without the due process that comes with probation, allowing for the immediate reincarceration at the instant a supervising officer (thinks) a released inmate is deviating from protocol, which does not mean breaking any laws! An inmate on Special Parole can be brought back to jail without a hearing or a bond and held for the remainder of his/her sentence...with no new charges. Now in 2004, this same Bill P.A. 234 was amended to include mandatory Special Parole for sex offenders as well.

On 11-2-15 The Chronicle wrote an article titled "Parole violations are increasing" and in this article Michael P. Lawler, the Governor's legal liaison concedes there are concerns about how Special Parole is being prescribed and enforced. Two startling facts in this article were that Special Parole is currently operating with a 100% recidivism rate. Not one person in the past 18 years has ever successfully completed more than 4 years on Special Parole.

The second fact was that 58% of inmates on Special parole are returned to prison within the first year, most without any new charges.

Clearly the statistical facts being revealed and conceded by The Chronicle and Michael P. Lawler are alarming. Even more alarming is the judicial process being prescribed selectively.

Imagine for a minute that Special Parole was a Drug Company having trouble with its medication, 100% of it's clients were getting sick and 58% of it's clients have to be hospitalized. The courts maintain their momentum whispering, "give that medication to the sex offenders". I'll explain why.

The general belief is that sex offenders have one of the highest recidivism rates around-- that they get out of prison only to offend again. Surprisingly, the opposite is true. A report by the Bureau of Justice followed almost 10,000 sex offenders after their release from prison. It found that only 5.3% were rearrested for a sex crime within three years. That means 95% of those labeled "sex offender" did not reoffend...a recidivism rate lower than any other crime except murder.

Unfortunately, the "medicine" being administered after that amendment to individuals who have this scarlet label (even after incarceration), comes with a 100% recidivism rate. This judicial malfeasance is only the starting point for the never ending cascade of bias injustices.

The Department of Correction is an arm of the court which deceives the general public in its Mission Statement. The statistical facts are contradictory to the declaration. The statistics have shown the advertised statement is nothing more than a mere fundraiser, facade and charade.

Department Of Correction Mission Statement

The Department of Correction shall strive to be a global leader in progressive correctional practices and partnered re-entry initiatives to support responsive evidence-based practices aligned to law-abiding and accountable behaviors. Safety and security shall be a priority component of this responsibility as it pertains to staff, victims, citizens and offenders.

From the perspective of an offender who has absorbed and taken advantage of every opportunity the Department of Correction offers such

as...Good Intentions/Bad Choices, Domestic Violence, Alternatives to Violence, Tier 2, AA/NA, Track Sex Program, Voices and Aftercare is under the impression that he/she is reintegrating back into society healthy minded and clear of debt to society only to learn after living a productive healthy life, decades later a mere infraction regardless of what it is, remanifests the scarlet label branding that the Department of Correction's Mission Statement insinuates it had already or previously addressed and remedied through its opportunities.

In layman terms, a person labeled a sex offender by D.O.C. and branded with a level 3 "risk-score", will always be a sex offender and will always have a level 3 "risk-score" even after the person completes his/her entire sentence including the parole or probation. The Department of Correction does not provide an opportunity or a program for a "sex offender" to graduate from with the ability to lower this "risk-score" or remove the branded label of "sex offender".

Imagine for another moment that the Department of Correction was a garage and every time your car was serviced, the mechanic lost a nut or a bolt and never told you there was something missing from your car. Not only will your car never be fixed at this rate, but its potential is hindered by a mechanic with a lack of passion for accomplishment.

Fortunately, there are some exceptional mechanics and staff spread thin in and across the Department of Correction. Unfortunate, is the fact that many of the tools and support required to remain exceptional don't exist or simply are not being utilized as a regular matter of practice.

The recently appointed Commissioner Of Correction Scott Semple is a champion of reform, rehabilitation and opportunity based on some of his recent accomplishments with Governor Dannel P. Malloy and what is referred to as "The Second Chance" initiative.

The "Second Chance" initiative however does little or nothing for the very people society fears ever being released. The Commissioner Of Correction not only has the authority to lower an individuals "risk-score" but he also has at his disposal policies and risk-review procedures that are not being utilized or made available to his staff for sex offenders.

Consequently, an individual with a level 3 "risk-score" and no constructive ability to lower that score is deemed ineligible for any of the transitional opportunities awarded to offenders of every other class of offense. There are no halfway houses or programs affiliated with the Department of Correction that accept sex offenders with a "risk-score" above a 2. The very individuals that face the most challenges have the least amount of transitional opportunities and support... essentially ending their sentences fiscally challenged and homeless.

In conclusion, would you like to stick up for the rights of somebody accused of being or labeled a sex offender, in court or after they've done their time and are highly unlikely to ever offend again? It's easy to pretend that you care about making our society and children safer, even if the evidence shows that you're doing nothing constructive at all. Since when is failure on this many levels the acceptable norm?

Finally, I would like you to imagine that you are a parent struggling to raise and instill morals in your foolish teenage child. You find sexually explicit photos in your child's phone and learn that your child has been sending and receiving sext. Devastated, shocked and in a moment of haste you grab your child's phone and shoot to the other child's home to have a word with the parents...you get pulled over by the police in route and are found in possession of your child's "child pornography". It's that simple, you are now a "sex offender" for life or you get a really expensive lawyer and your child becomes the "sex offender" for life!!! Not all sex offenses include a creepy van and duct tape. Currently there is no remedy or recipe for compassion, for someone who finds themselves in this precarious situation.

I appreciate the services available to our Veterans however, in a society riddled with imperfections and biases, the last thing the State should encourage and promote is categorizing people in terms of their judicial worth and status.

Whether we talk about the Department Of Correction or our court houses, any system, any set of laws and procedures can only be as effective as the individuals responsible for its implementation. If,

a good system is bias, it can easily become a source of harm rather than a source of benefit. This is a general truth which applies to all fields of human activity. The Department of Correction and the justice system itself may be sound, but if the people running it are unscrupulous and driven by a self-serving power to always be right, whether they are or not, the benefit of these systems will continue to be undermined. Laws should be decided and legislated by facts and reality, not by donors and the unfounded fears of society.