



Improving Public Safety Through Sex Offender Registry Reform

Bradley L. McCartt, Deputy-in-Charge ESCARS Unit
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In 1947, in response to the notorious Black Dahlia case, California was the first state to adopt sex offender registration. The registry was set up as a crime solving tool to keep track of known sex offenders by creating a list of suspects for when new crimes occurred. Since that time, no significant changes have ever been made to California's registration laws. Along with Alabama, Florida and South Carolina, California is one of only four states with across-the-board lifetime registration. This one-size-fits-all approach has created an unmanageable registry of over 104,000 offenders (1 in 400 Californians is on it).

The majority of these offenders are low-risk and many committed minor offenses decades ago and have never re-offended. Yet, they have the same registration requirements as a serial child molester or rapist and their annual registration takes up the same amount of time as a high-risk offender. Because of this, law enforcement estimates that up to 60% of their sex offender management resources are spent on the paperwork for low to no-risk offenders. This could translate to police officers sitting at a desk filling out registration forms instead of on the street doing compliance checks and monitoring high-risk offenders such as those deemed to be sexually violent predators.

Additionally, the current size of the registry defeats the purpose for which it was created. The sex offender registry is meant to be an investigative tool to assist law enforcement in crime solving and prevention. Under the current registry, finding a potential suspect is like trying to find a needle in the world's largest haystack. Most sexual assaults are not committed by strangers, but by someone known to the victim, such as a family member. Furthermore, research has shown that registration does not reduce recidivism or prevent new sex crimes.

Prosecuting sexual assault cases can be challenging, and having only one option, lifetime registration, can be a hurdle to meaningful plea bargaining. Often, victims make the decision not to testify or parents make the decision that the court proceedings would be too traumatic for their child. Also, cases may face additional challenges due to lack of evidence or delayed reporting of the crime. This frequently places prosecutors in the position of trying to reach a plea agreement. The deal breaker for most defendants is not the length of their sentence, but instead, the consequence of lifetime registration. Because of this, prosecutors are often forced to plead their

cases out to non-registrable offenses that do not adequately represent the sexual conduct of the defendant. For example, lewd act on a child (PC 288(a)) may be plead out as a child endangerment (PC 273a). Besides lacking any indication of sexual behavior, this charge deprives law enforcement the opportunity to monitor the offender during the crucial first ten years following their release; the time period when they are most likely to reoffend. It also prevents prosecutors, in any future sexual assault case against that defendant, from proceeding under California's habitual sex offender law which carries a life sentence.

Because this 70-year-old system is no longer effective, the Los Angeles County District Attorney's Office along with the California Sex Offender Management Board (CASOMB) created a new system which better addresses not only the purpose of the registry but also incorporates the knowledge we now have regarding sex offender recidivism. This new system became Senate Bill 384 which Governor Jerry Brown has signed into law and which goes into effect on January 1, 2021. The bill, carried by Senator Scott Weiner (D-San Francisco), received diverse support. It was co-sponsored by the California Coalition Against Sexual Assault (CALCASA), the American Civil Liberties Union (ACLU) and Equality California. It was supported by law enforcement, as well as the California District Attorneys Association (CDA), and the Alameda County District Attorney's Office.

This new law sets up a charge and risk-based three-tiered sex offender registration system. The first tier (10 years) will include low-risk offenders who have committed misdemeanors, such as indecent exposure and other non-violent, non-serious offenses. The second tier (20 years) will include non-violent felonies while the third tier (lifetime) will include forcible rape and any forcible offense against a child, as well as sexually violent predators, repeat serious offenders, and those receiving a high-risk score on the State Authorized Risk Assessment Tool (Static 99-R).

While the new law provides a path for removal from the registry, there are several safety measures in place to ensure that only the appropriate offenders are granted relief. First, the term of registration does not begin to run until such time that the offender is released from custody after serving his/her entire sentence. Any subsequent time in custody tolls the registration period and any conviction for failure to register extends the period. Subsequent sex offense convictions can move the offender into the lifetime tier. In order to be removed from the registry, at the end of the registration term, the offender must petition the court and serve both the local law enforcement agency, as well as District Attorney's Office. Law enforcement will check the offender's conviction record as well as registration history to ensure that they qualify for removal. The offender will also have to complete a new SARATSO/Static 99-R to have their risk of re-offense evaluated. The District Attorney's Office will review the petition and underlying conviction to reach a decision about whether to oppose it and request a hearing. If a judge agrees that registration should be extended, they may do so for up to five years without a re-hearing.

The new law will also reform juvenile registration, an important step in improving our juvenile justice system. In a joint statement, CALCASA and the Center on Youth Registration Reform said: "With Governor Brown's signature on SB 384, California takes a significant step toward an

important goal: ending the abusive policy of putting children on the sex offender registry. As part of a larger bill enacted to reform the law around California's sex offender registry, it will make it possible for minor children tried in juvenile court to petition for removal from the sex offender registry within 5 to 10 years, and no longer subject them to being on the registry for life."

While passing this controversial legislation was a monumental task, the result of improving public safety in California and better serving the victims of sexual assault made it a mountain well worth climbing.

CAPSAC to present at the 32nd San Diego International Conference on Child and Family Maltreatment -

Essentials of a Multidisciplinary Team Approach: Benefits and Challenges

Each member of the healthcare, child protective service and criminal justice communities has a responsibility to provide timely and appropriate responses when a child is a victim of abuse. This institute is ideal for all professionals entering, returning, or refreshing their knowledge in the field of child maltreatment. Using a case-study format, a multidisciplinary team of presenters will provide the essentials of identifying, reporting, documenting and communicating effectively their concerns of abuse and neglect. Topics include background on the MDT approach, physical and sexual abuse, forensic interviewing, psychological impact of childhood trauma, prosecution, legal advocacy and evidence-based approaches to child protection.

Date & Time: Pre-Conference Institute F, Monday, January 29, 2018, 8:00 am to 4:30 pm

Fee: \$200

Location: Nautilus 5

Register online at sandiegoconference.org. You may also register onsite.

Panel Presenters:

Colleen Friend, Ph.D., LCSW, teaches at CSULA where she is the Director of the Child Abuse and Family Violence Institute. She is also a trainer for the Los Angeles University Consortium for Children and Families. She is the Chair of the California Social Work Hall of Distinction, and encourages everyone to visit its website: www.SocialWorkHallOfDistinction.org. This past year she was recognized with APSAC's Outstanding Professional Award.

Rachel Gilgoff, M.D., FAAP is a board-certified child abuse pediatrician who has worked at the Center for Child Protection at UCSF Benioff Children's Hospital Oakland since completing her fellowship training in 2007. She is on the Office of Emergency Services Children's Justice Act Task Force, a multi-disciplinary team disseminating funding to agencies helping victims of crime, and is also chair of the Child Abuse Prevention and Education Committee of Chapter 1 AAP.

Shelley Hamilton, LCSW is Manager, Center for Child Protection at the UCSF Benioff Children's Hospital in Oakland where she has worked since 1997 and oversees all of the administrative and clinical services for the department including grant management.

Bradley McCartt, BA, BFA, JD joined the Los Angeles District Attorney's Office in 1995 and specializes in the prosecution of sex crimes and child abuse as well as sex offender registration law and sex offender recidivism. He is currently assigned as the Deputy in Charge of the ESCARS Unit in the Family Violence Division.

Julie Robbins, MSW, ACSW, LCSW has been practicing psychotherapy, consultation and training for over 30 years in San Francisco. She has expertise in all areas of family violence, including partner battering, incest, child abuse and child maltreatment, and is adjunct faculty at JFK University and Alliant University.

From the president

Dear CAPSAC Members,

It's my pleasure to wish you a happy and healthy New Year and invite you to our **CAPSAC Reception** on January 29, 2018 from 4:30 to 6:30 pm in the Executive 4 meeting area at the 32nd San Diego International Conference on Child and Family Maltreatment. Since we began holding this popular reception several years ago, five major organizations (APSAC, AVA, NCA, IPSCAN and The Ray E. Helfer Society) have joined us offering our members a wonderful networking opportunity. We also will be presenting the Annual CAPSAC Paul Crissey Graduate Student Research Award. The reception is open to CAPSAC members and non-members, so please bring along your colleagues for light refreshments. I will be happy to answer questions they may have about CAPSAC membership.

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The reception will follow the CAPSAC Pre-conference Institute F: **Essentials of a Multidisciplinary Team Approach: Benefits and Challenges**. This highly regarded training is described above, and I encourage you and your colleagues to attend.

Following the reception, all CAPSAC members are invited to attend the **CAPSAC Annual General Membership Meeting** where we will hear from APSAC President Tricia Gardner and hold officer elections and other business. The CAPSAC Board of Directors always welcomes and appreciates your ideas, suggestions and comments.

On February 22 in Los Angeles, Dr. Cheryl Lanktree will be presenting ***Treatment of Complex Trauma in Children and their Families: An Integrative Approach***. You can read more about this excellent advanced program on page 8 of this issue.

The Consultant has added a new section this year where recent activities and accomplishments of our CAPSAC members will be announced. Please see page 10 for news from CAPSAC members Gail Goodman, Ph.D. and Diana Faugno, MSN, RN, CPN.

I'm also extremely pleased to remind you that APSAC has reduced its annual membership fees for students to \$30. Please help us get the word out to students. Thank you and see you January 29!

Susan Hardie

You're cordially invited to attend the...

CAPSAC, APSAC, AVA, NCA, ISPCAN and the Ray E. Helfer Society Reception Monday, January 29, 2018, 4:30 pm - 6:30 pm at the 32nd San Diego International Conference on Child and Family Maltreatment

Please join leaders of the Academy on Violence and Abuse (AVA), the American Professional Society on the Abuse of Children (APSAC), the California Chapter of APSAC (CAPSAC), the National Children's Alliance (NCA), the International Society on the Prevention of Child Abuse and Neglect (ISPCAN) and The Ray E. Helfer Society, publisher of *The Quarterly Update*, for the latest updates about our exciting organizations.

Enjoy the Paul Crissey Research poster session and Award presentation while networking with colleagues in the field. Light appetizers with cash bar. We'll be in Executive 4 meeting area.

CAPSAC members are invited to join the CAPSAC Board of Directors for the CAPSAC Annual General Membership Meeting following the reception.

*And the Award goes to...***Julia Hernandez of UC Berkeley to receive the Paul Crissey Graduate Student Research Award from CAPSAC**

CAPSAC is pleased to announce that Julia Hernandez, a graduate student of the UC Berkeley School of Social Welfare is the recipient of the Paul Crissey Graduate Student Research Award for her study *A family approach to child maltreatment: Engaging fathers in the child welfare system*. A summary of her study proposal will be published in the Spring 2018 issue of *The Consultant*.

Ms. Hernandez will be presented with the award on January 29th at the CAPSAC Reception at the San Diego International Conference on Child and Family Maltreatment where she will also have a poster session of her research.

*Call for Applications for the...***Paul Crissey Graduate Student Research Grant****to be awarded January 2019 by****The California Professional Society on the Abuse of Children (CAPSAC)**

The California Professional Society on the Abuse of Children (CAPSAC) annually awards a grant of \$500 for outstanding research in the field of child maltreatment. The recipient will also receive a one-year membership to APSAC (American Professional Society on the Abuse of Children) and CAPSAC.

The American Professional Society on the Abuse of Children (apsac.org), founded in 1987, is a nonprofit national organization focused on meeting the needs of professionals engaged in all aspects of services for maltreated children and their families. Especially important to APSAC is the dissemination of state-of-the-art practice in all professional disciplines related to child abuse and neglect.

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CAPSAC aims to provide additional support to California professionals working in the field of child abuse through training, consultation, advocacy and networking.

Applicants must:

1. Be a graduate student within one year (before or after) of completion of a Master's or Doctorate degree from an accredited California educational program;
2. Submit a one thousand word summary of the research in progress or completed study in the field of child maltreatment. The study title should be on the first page of the summary. Identifying information (name, address, telephone number, title of study and academic institution) should be sent in a separate file that will not be sent to the reviewers;
3. Submit one or two letters of recommendation from faculty members or academic readers who are familiar with your research;
4. Be available to receive the award and present a poster of the study at the CAPSAC reception at the 2019 San Diego International Conference on Child and Family Maltreatment. (Travel expenses will be paid not to exceed \$300.00). Alternatively, be available to receive the award and present an overview of the study at a CAPSAC meeting or a CAPSAC training event in 2019.
5. Agree to the publication of the submitted summary in the CAPSAC newsletter, *The Consultant*.

Deadlines: All materials must be received by **November 1, 2018**.

Send submissions to:

CAPSAC Research Award Committee, c/o Toni Cavanagh Johnson, Ph.D. at toni@tcavjohn.com

If you have any questions, contact Research Award Committee Chair: Toni Cavanagh Johnson, Ph.D. at toni@tcavjohn.com/ +1(626) 817-2142.

Register now for CAPSAC training Feb.22, 2018

Treatment of Complex Trauma in Children and their Families: An Integrative Approach

This workshop describes the evidence-based treatment model, *Integrative Treatment of Complex Trauma for Children (ITCT-C)* focusing on play/expressive therapy for trauma and relational/attachment processing, and mindfulness techniques for affect regulation.

Treatment interventions for complex trauma in children often overlook the integration of interventions for both children and their caretakers to address not only the multiple trauma exposures but also the relational/attachment history and current attachment issues that contribute to the impact of complex trauma exposures. This workshop will present interventions for six to twelve year olds, included in the recently published book by Drs. Cheryl Lanktree and John Briere, *Treating Complex Trauma in Children and their Families: An Integrative Approach* (visit us.sagepub.com) based on their evidence-based treatment model, *Integrative Treatment of Complex Trauma for Children (ITCT-C)* that allows for the customization of treatment based on the needs of the child and his/her family. These interventions will focus on three related components of ITCT-C: Relational/Attachment Processing and Cognitive/Emotional Processing using play and expressive therapy activities, and Affect Regulation/Distress Reduction using mindfulness and play/expressive techniques. Specific interventions for child clients and their caretakers will be highlighted with particular emphasis on cultural factors and ways to provide systemic support for families with limited resources. This workshop will also include a discussion of supervision and self-care strategies for clinicians confronting the particular challenges of working with children and families experiencing complex trauma.

This training is designed for practicing clinicians and Master's level students and above, and will help professionals:

1. Identify two core components of Integrative Treatment of Complex Trauma for Children (ITCT-C).
2. Describe interventions of ITCT-C that focus on trauma and attachment/relational processing with traumatized children aged six to twelve years.
3. List at least three ways that interventions with caretakers can enhance attachment relationships with their traumatized children and trauma processing.
4. Identify three ITCT-C interventions to increase affect regulation skills in traumatized children, including the use of mindfulness-based techniques.

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Presenter:

Cheryl Lanktree, Ph.D., Private Practice and Professional Education, Research Assistant Professor, Department of Psychiatry and Behavioral Sciences, Keck School of Medicine, University of Southern California, Project Director, USC-Adolescent Trauma Training Center (USC-ATTC), National Child Traumatic Stress Network.

Date: Feb. 22, 2018, 9:00 am to 3:00 pm.

Location: CSULA, Ballroom

Fee: \$30 CAPSAC members and graduate students; \$45 Non-members; \$50 onsite. Includes continental breakfast and lunch.

CEUs: Will be available for an additional fee onsite. Course meets qualifications for 5 hours of continuing education credit for LMFTs and LCSWs as required by the California Board of Behavioral Sciences (provider #128510).

Registration: Make check payable to CAPSAC and mail to CAPSAC Treasurer, Beatrice Schumacher, 1485 Linda Vista Ave., Pasadena, CA 91103.

For further information contact byorker@calstatela.edu

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Editors of *The Consultant* include Susan Hardie, Angela Bissada, Colleen Friend and Toni C. Johnson.

News from our CAPSAC members!

We heard from CAPSAC members Gail Goodman and Diana Faugno who shared their recent work and publications.

From Gail Goodman, Ph.D.

Saywitz, K. J., Lyon, T., & Goodman, G. S. (2017). When interviewing children: A review and update. In J. Conte & B. Klika (Eds.), *APSAC handbook on child maltreatment* (pp. 310-329). Newbury Park, CA: Sage.

Goldfarb, D., Goodman, G. S., Larson, R. P., Gonzalez, A., & Eisen, M. L. (2017). Putting children's memory and suggestibility in their place: An analysis considering person, topic, and context. In H. Otgaar & M. L. Howe (Eds.), *Finding the truth in the courtroom: Dealing with deception, lies, and memories* (pp. 137-162). New York, NY: Oxford University Press.

Bederian-Gardner, D., Goldfarb, D., & Goodman, G. S. (in press). Empathy's relation to the appraisal of emotional child witnesses. *Applied Cognitive Psychology*.

Bederian-Gardner, D., Hobbs, S. D., Ogle, C. M., Goodman, G. S. et al. (in press). Instability in the lives of foster and nonfoster youth: Attachment insecurities and mental health outcomes. *Children and Youth Services Review*.

Chae, Y., Goodman, M., Goodman, G. S., Troxel, N., McWilliams, K., Thompson, R. A., Shaver, P. R., & Widaman, K. F. (in press). How children remember the Strange Situation Procedure. *Journal of Experimental Child Psychology*.

Johnson, J. L., Goodman, G. S., & Mundy, P. (Eds.). (in press). *The Wiley handbook on memory, Autism Spectrum Disorder, and the law*. London, UK: Wiley.

Johnson, J., Hobbs, S. D., Chae, Y., Goodman, G. S., Shestowsky, D., & Block, S. D. (in press). "I didn't do that!" Adults' evaluations of children's true and false reports and denials. *Journal of Interpersonal Violence*.

From Diana Faugno, MSN, RN, CPN

<https://stmlearning.com/child-abuse-quick-reference-third-edition.html>

<https://stmlearning.com/manual-nonfatal-strangulation-assessment.html>

We'd like to hear from you! Please submit your announcements, activities or publications for the Spring 2018 issue of *The Consultant* to suehardie@aol.com.

MUNCHAUSEN BY PROXY UPDATE

Beatrice Yorker, JD, RN, MS, FAAN

The APSAC MBP Taskforce is pleased to announce that APSAC approved the Practice Guidelines for Munchausen by Proxy at their last Board Meeting. They also voted to make all APSAC Guidelines available to the public at no charge! There is a sign-on page that requests contact information to access all Guidelines so that APSAC can count how many members and non-members are viewing them and will help APSAC recruit non-members who are using these professional resources. To access the Guidelines, visit apsac.org and click on the Resources tab.

Michael Weber, a member of the APSAC Taskforce, was instrumental during the investigation of this case covered in the news media:

<http://www.star-telegram.com/news/local/community/dallas/article190822664.html>

[With accused 'Munchausen mom' facing charges, dad finally gains custody of son
www.star-telegram.com](http://www.star-telegram.com)

Kaylene Bowen is accused of medical child abuse, often known as Munchausen syndrome by proxy, a disorder in which a caregiver exaggerates or creates medical symptoms in another, usually to gain attention.

Here is the link to an interview with Bea Yorker regarding this case

<http://www.snappytv.com/tc/6652273>

There have been three episodes of Dr. Phil in 2017 and a 20/20 episode in 2018 devoted to Munchausen by Proxy child abuse, including in-depth coverage of the Gypsy Blanchard case. This has led to increased requests for experts who can evaluate, determine whether abuse is occurring and intervene in these cases. APSAC will be forming a referral list of experts during their Taskforce meeting on Sunday, January 28th in San Diego.

The first issue of the APSAC Advisor in 2018 will be devoted to Munchausen by Proxy, Medical Child Abuse.

For questions or training requests, email Bea Yorker at Byorker@calstatela.edu

Save the date...

**CAPSAC is cosponsor of
The 36th Annual Child Abuse Prevention Council Symposium**

Friday, April 27, 2018 at Villa Ragusa in Downtown Campbell, CA

Registration begins in February 2018.

Keynote Speaker

**Dr. Colleen Friend, Director, Cal State LA Child Abuse and Family Violence Institute
(CAPSAC Board member)**

*Understanding Interviewing from the Victim's Point of View - Helping Child Abuse Victims
Make Sense of their Experiences*

This presentation will address why victims may not initially disclose traumatic experiences, may not give a full account, or why the details may not emerge in a linear style. As interviewers and professional helpers, we need to understand how trauma impacts memory and how we can adjust our interventions to facilitate healing and obtain whatever disclosure may be available.

Plenary Session:

Assessing and Treating Juveniles with Sexual Behavior Problems with David D. Love, LMFT
(CAPSAC member)

For further information visit sccgov.org

Follow CAPSAC on Facebook!

<https://www.facebook.com/CaliforniaAPSAC>

Now available!

The APSAC Handbook on Child Maltreatment, Fourth Edition

Edited by J. Bart Klika and Jon Conte

The Fourth Edition of this best-selling handbook provides readers with the most up-to-date theory, research, and best practices in the field of child abuse and neglect. Edited by leading experts, the book covers all aspects of child maltreatment, from physical abuse to sexual abuse and neglect, focusing on etiology, consequences, investigation, treatment and systems. Updates include new content on assessment and mental health interventions, prevention, and global perspectives. Comprehensive and easy to read, the handbook will serve as an invaluable resource for students and professionals—both emerging and seasoned—across disciplines, all part of the same movement dedicated to improving the lives of maltreated children.

To order, visit apsac.com.

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