

FLORIDA ASSOCIATION FOR THE TREATMENT OF SEXUAL ABUSERS

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Legislative Proposal

2005

Chapter 948

Introduction

The Florida Association of the Treatment of Sexual Abusers (FATSA) is a state chapter of the Association of the Treatment of Sexual Abusers (ATSA), an international, multi-disciplinary professional organization whose members include the world's leading researchers on sexual violence. FATSA is comprised primarily of mental health professionals who evaluate and treat sex offenders on a daily basis. Our primary goal is community safety. As treatment providers, we have been on the front lines observing the implementation of the special probation conditions for sex offenders legislated in Chapter 948. These conditions have had a significant impact in reducing the opportunities for sex offenders to have easy access to potential victims. However, we have observed that community safety might be enhanced if certain conditions were more clearly defined. Specifically, Internet access can reinforce sexually deviant interests and provide opportunities for victimization. We propose that Internet access be restricted for sexual offenders.

948.30(1)(g) - Current wording

(g) Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

Problem:

Although FS **948.30(g)** prohibits sex offenders from using pornography, including electronic pornography, the Internet provides unlimited access to other sorts of materials that can reinforce sexual arousal to children, violence, or non-consensual sex. Beyond pornography, technology such as email, instant messaging, chat rooms, and web-cameras provide opportunities for offenders to correspond with potential victims and to network with like-minded individuals who serve to validate their offending behavior.

When used by individuals who have sexual behavior problems, the Internet can be used to sexually arouse them, fuel their sexual fantasies about children and/or violence, validate their sexual attraction to children or other unacceptable partners, and help them rationalize their behavior. Research has shown that sexual preoccupation, sexual compulsivity, attitudes tolerant of sexual assault, and access to potential victims are all risk factors that increase the likelihood that sex offenders will reoffend.

Recommendation:

ADDITION TO SPECIAL CONDITION 948.30(g):

A prohibition on any and all Internet access until the risk posed by such access can be assessed by the treatment provider, and, if appropriate, a safety plan for legitimate use has been approved by the provider and implemented.