

Are sexual offense laws too harsh? And do they work?

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University at Buffalo Law School Professor Charles Patrick Ewing has added to his series of critically acclaimed books on some of the most unsavory but attention-grabbing aspects of the law, this time with a book questioning the legal logic and effectiveness of the country's increasingly harsh sex offense laws.

In "Justice Perverted," Ewing examines what he calls "radically reshaped" laws dealing with the country's sex offenders. These laws include ordering sex offenders to register with authorities, punishment for people possessing child pornography that "dwarfs" sentences for more violent crimes, including murder, and a federal [law](#) that requires a minimum 10-year prison sentence for those using the Internet to lure minors for sex.

All these dramatic changes in sex offender laws have come about at least partly from input from the fields of psychology, psychiatry and the social sciences, according to Ewing, whose extensive writing credits include several books on forensic psychology, which is the application of psychological principles and methods to legal issues, and how they play out in the courtroom. And Ewing's research and experience in many trials -- both nationally notorious as well as obscure -- conclude that enforcement and administration of many of these significantly more restrictive sex offense laws rely heavily the opinions of mental-health professionals.

Working from that conclusion, Ewing takes on an original and

intellectually courageous direction of answering questions about and evaluating this established legal environment:

Are these laws supported by empirical evidence, or even by well-reasoned psychological theories? Do these laws actually work? Are mental health professionals capable of reliably determining an offender's future behavior, and how best to manage it?

"All of these laws are purportedly designed to enhance public safety by reducing the incidence of sexual offending," says Ewing, whose work in forensic psychology has involved using psychology to understand legal issues such as insanity, competence to stand trial and future danger. "Not only is there no evidence that these laws have had their intended effect, but there is some evidence that some of them may in fact lead to an increased threat to society.

"The economic costs of these laws are staggering and seem indefensible at a time when other valued government programs are being cut to avoid fiscal disaster," says Ewing. "There can be little doubt that sexual offenses bring great harm to individuals and society or that we should do all that we can reasonably do to prevent them from occurring. The question is what is reasonable. It is neither reasonable nor responsible to spend billions of taxpayers' dollars on laws with no proven value."

The questions Ewing takes on in "Justice Perverted" go beyond the arcane procedures of the nation's courtrooms to issues of justice and fair treatment of all parties. Are experts capable of providing effective treatment for sex offenders, Ewing asks, for example, treatment that actually reduces the likelihood that an identified sex offender will repeat a similar offense?

Ewing is a nationally known expert on the criminal mind, a SUNY Distinguished Service Professor who has taught at the UB Law School

for 25 years. He is an expert witness who has testified or been closely involved on some of the most celebrated and often grisly criminal cases in the country.

Ewing's past accomplishments have earned him a reputation for capturing the world of courtroom drama in books both scholarly and captivating. His "Insanity, Murder, Madness and the Law" took readers inside the minds of some of the nation's most heinous murderers, including David Berkowitz, John Wayne Gacy and Andrea Yates.

His previous book, "Trials of a Forensic Psychologist," was another example of Ewing's talent to produce a work of scholarship that is informative and still retains the ability to be darkly entertaining.

"Justice Perverted" has already earned impressive kudos from law and university professionals.

"A remarkable, eye-opener of a book. Professor Ewing brings to this highly controversial subject his knowledge as both a law professor and as a practicing forensic mental health expert," according to Alan M. Goldstein, a board certified forensic psychologist and professor emeritus at John Jay College of Criminal Justice.

"'Justice Perverted' is informative, readable and should be required reading for attorneys, judges and forensic psychologists and psychiatrists working in this area. Ewing's specific recommendations for public policy reform should make all of us re-think our immediate 'gut reaction' as to how those who commit these horrific crimes should be treated."

"This book is a breath of fresh air," says Michael L. Perlin, professor of law, director of the International Mental Disability Law Reform Project and director of the Online Mental Disability Law Program, New York Law School.

"It debunks the media-driven frenzy of fear, hate mongering and utterly irrational laws that do far more harm than good. Professor Ewing writes thoughtfully, carefully and persuasively. This book should be read by all who care about -- and think about -- this topic."

Ewing, who has been frequently quoted regionally and nationally on legal issues and high-profile trials, is available for interviews on this book and other legal issues.

Provided by University at Buffalo

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