

## Letter from Stephen Metcalf, Gardner, MA, Jan. 2, 2008

RE: Ineffectiveness of Mental Health and Sex Offender Treatment under DOC, Parole Board and Public Safety Supervision

To Whom it May Concern:

I am writing to illustrate and document with facts that the Department of Correction and legitimate sex offender and mental health treatment are mutually exclusive.

I have the benefit and unique opportunity of having seen and experienced this situation from both sides. For ten years prior to my imprisonment I was a DOC employee. I am intimately familiar with the thinking employed by the bureaucracy from my personal experience. On the other hand, for the past 14 years, less a time of about 5 years out on parole, I have been a prisoner.

Prior to entering the system as a prisoner and while still employed for the DOC I was fortunate to experience "professional comprehensive sex offender and family therapy" at a licensed and certified private counseling firm. Their staff consisted of professionals with significant sex offender and family therapy treatment experience.

Thereafter, upon my incarceration and as a prisoner during the years 1996, 1997 and 1998 I was able to benefit from a private comprehensive confidential individual and group treatment plan both offered and provided by the DOC which I completed, thereafter being paroled.

Sex offender therapy and mental health treatment will not work if a confidential bond is not established and maintained at the highest ethical standards, with experienced staff, between patient and therapist.

In 2002, the DOC awarded their sex offender treatment program contract to a fraudulent "paper firm" that called itself "Forensic Health Services, Inc." At the time, the Director of the prior program, Dr. Barbara Schwartz opined that "Forensic Health Services, Inc. was a law suit waiting to happen."

From incorporation papers filed with the Massachusetts Secretary of States Office, Forensic Health Services, Inc. is incorporated "To transact or carry on all and any of the business of **managing and administering mental health care and medical services but specifically not the actual provision of medical treatment and psychiatric treatment that would otherwise require the specific approval of the registered boards of medicine and psychiatry.**" In other words they do not provide ethical licensed mental health or sex offender treatment. The question that begs to be asked is exactly what kind of treatment is the DOC paying Forensic Health Services, Inc. to provide?

In January of 2007 I initiated a civil law suit against the DOC and Forensic Services, Inc. and five of their staff, in docket number MICV2007-00174-A in Middlesex Superior Court. I allege fraud, lies, false reports, disingenuous reports, misrepresentation and serious ethical violations against FHS, Inc. including federal civil rights violations against me under the Americans with Disability Act and the Rehabilitation Act. All these violations occurred under the direct supervision of the DOC with their full and informed knowledge. The Commissioner of Correction Kathleen Dennehy as well as Deputy Superintendent of Programs and Treatment Mr. Joseph Murphy at the Massachusetts Treatment Center were fully aware of my allegations as were their staff. I know they knew of these serious ethical and

civil rights violations because I sent them detailed letters making the allegations known and requested their intervention and investigation. Furthermore, I sent letters to the new Governor Deval Patrick and the new Secretary of Public Safety Kevin Burke, both of whom never acknowledged receiving my allegations and both of whom never replied to me.

In October of 2007, as a direct result of the legal stonewalling tactics of the DOC and FHS, Inc. as it related to my first civil law suit, I initiated yet another second civil law suit against FHS, Inc. and the Massachusetts Parole Board and staff, docket number MICV2007-3365-A, in Middlesex Superior Court. This time, as a result of legal research I had conducted, I alleged violations under the Racketeer Influenced and Corrupt Organization Act, commonly called RICO.

It is apparent, even with the promises of the new Governor Deval Patrick, that FHS, Inc. the DOC and the Parole Board, all agencies under the Secretary of Public Safety Kevin Burke, are acting in criminal cooperation, essentially tag teaming each other in the fabrication of false reports, false therapy and counseling records and they all work to create a situation of "presumptive prejudice do to harmful cumulative effect", where FHS, Inc. is less concerned with providing ethical licensed mental health counseling and sex offender treatment than providing their DOC, Parole Board and Public Safety "keepers" happy with false and misleading information upon which the DOC and Parole Board rest in their decision making process.

It is no surprise to me that confronted with the civil law suites that I filed that 5 of the original defendants have all gone into hiding and no longer work at their original position within the DOC or FHS, Inc. It is even more ironic considering the fact that at least one defendant Dr. Nancy Connolly, when confronted with a similar civil law suit in 1993, pulled up anchor and set sail for parts unknown even then, only returning years later when the coast was clear.

The Massachusetts Legislature must be made aware that this situation represents nothing more than a "faux" theraputic revolving door, given "faux" authenticity by "faux" counseling firms like the fraudulent Forensic Health Services, Inc., that are bilking the DOC out of millions of dollars that could be better used for programs that provide education and training for the future.

My two civil law suits include hundreds of documents and references to illegal activities that are denying prisoners their basic human and civil rights and this is just the tip of the proverbial iceberg.

The real unvarnished truth of the matter is this. The DOC is mandated to try to determine the sexual danger~~x~~ousness of all inmates convicted and in prison on sex offenses. All the prisoners know this already or they are told or they soon learn something is amiss after a few hours of "therapy" with

FHS, Inc.'s "faux" and inexperienced "therapists".

Therefore, knowing that FHS, Inc. is trying to find out and report to the District Attorney on your potential dangerousness, and recognizing that they operate below the ethical standards afforded patients in traditional psychotherapy environments, ie. confidentiality, most prisoners learn quickly how to play a game of cat and mouse.

Prisoners give FHS, Inc. just enough non-incriminating information about themselves to present the illusion of "cooperation" to avoid being "terminated" while FHS, Inc. fills in the blanks with misleading, disingenuous and false information in an attempt to please their DOC, Parole Board, District Attorney and Public Safety keepers.

I have witnessed FHS, Inc. staff threatening prisoners with civil committment for life if they do not give the "faux" therapist the information they believe is being withheld by a technique of threatening "termination" after which, they state, will result in certain civil committment action by the District Attorney.

Time and time again, people like me, who happen to be prisoners (only for a time) have rung the warning bell, raised the storm flags, tried anything to get someones attention about the illegal and/or unethical situation that FHS, Inc. and/or prison mental health perpetrates on an under educated and vulnerable prisoner population.

Statistics are bandied about by ignorant or intentionally deceptive people that consist of false "factoids" by patronizing politicians and special interest groups, false statistics being used to justify any law that further punishes an evil perverted sex offender. Yet they ignore the fact that over 90% of all sex offenses go unreported or are committed by people who will never ever be revealed, least of all charged for a crime. Just ask any city or town police chief how many DSS reports cross their desks alleging sex offenses that for one reason or another are not prosecuted.

In addition to the confidentiality issues raised above both prison mental health and sex offender treatment fail to address the very serious and differing distinctions between different crimes, treating all sex offenders as predatory pedophiles.

In reality, this group accounts for a statistically insignificant percentage of sex offenders but receives virtually 100% of the press, and almost all the hoopla by special interest groups and their patronizing political allies.

The TV show "To Catch a Predator" spent months entrapping individuals in sex stings all across the country. Of the hundreds of people enticed into their illegal web only 2 could be classified as "registered sex offenders". The University of New Hampshire published a study that was reported in "Rolling Stone Magazine" regarding Internet predators. They concluded that there were less than 1,500 people at any one time on the Internet that could be classified as Internet predators. Ironically, they concluded that

that there were tens of thousands of people, law enforcement or otherwise, at any one time trying to catch those 1,500+ people considered Internet predators. A further irony was the revelation by the show's star "catcher" that he made up the fact that there were 50,000 people acting as Internet predators. His figure was simply pulled out of the air, a phantom vapor, designed to add urgency to the programs premise but it was a bold faced lie.

As a result of this false "factoid" the press and their political allies, to this day, use this figure as fact. Viewed in another way, there are hundreds of millions of Internet users online at any given time of which about 1,500+ are potential Internet predators.

Where should our mental health and sex offender treatment dollars be spent? Should "public safety" which facts have proven, are chasing a phantom boogie man be funded for the sake of a statistically insignificant number of potential Internet predators where simply unplugging the connection solves the immediate problem or should we divert sex offender treatment and mental health dollars to the real issues?

Consider the public grooming that took place to establish and fund the Commonwealth's "Amber Alert" system. The records show that the "Center for Missing and Exploited Children" sold this system exclusively as the only way to protect children from being abducted by predatory pedophiles. Since the system became operational it has been used to announce registrations for vehicles driven by the parent in domestic and probate disputes regarding their children. It has been used to congratulate the Red Sox and New England Patriots for World Series and Super Bowl championships. It has never been used to catch a predatorial pedophile sex offender who may have kidnapped a child.

Public safety and mental health do not mix. The two areas are mutually exclusive. The whole issue of therapy for sex offenders is best served by licensed ethical professionals without DOC and/or public safety involvement. Ironically, public safety is enhanced when licensed ethical professional sex offender and mental health treatment is available and used.

Any program that tries to mix the two under the banner of the DOC is a doomed program, destined to fail because the powers that be in public safety can not help but abuse their funding or authority when it comes to providing confidential, ethical, professional therapy and sex offender treatment.

Sincerely yours,

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