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A Record of Failure at Center for Sex Offenders

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ARCADIA, Fla. — Inside a privately run treatment center here for pedophiles and rapists who have completed their prison sentences, where they are supposed to reflect on their crimes and learn to control their sexual urges, bikini posters were pinned to walls.

Two men took their shirts off, rubbed each other's backs and held hands, while others disappeared together into dormitory rooms. Some of the sex offenders appeared to be drunk from homemade "buck" liquor secretly brewed and sold here.

And some of the center's employees, who openly ignored the breaking of rules ("As long as they are happy, we let them go," one explained), reported that a high turnover rate among staff members was mostly because of female employees leaving their jobs after having had sex with the offenders.

These and other observations were included in a memorandum composed in 2004 by six employees on loan here from Pennsylvania. They had been dispatched by the Liberty Behavioral Health Corporation, which ran the facility, the Florida Civil Commitment Center, and a facility in Pennsylvania.

Nineteen states have laws that allow them to confine or restrict sex criminals beyond prison in a trend that is expanding around the country, with legislators in New York last week announcing agreement on a new civil commitment law there.

The courts have upheld the constitutionality of such laws in part because they are meant to furnish treatment where possible. Most of the states run their own centers to hold and treat such predators, generally with meager results, but at a time when private solutions are popular for prisons, toll roads and other state functions, a few have teamed with private industry.

Yet as the story of the center here in Arcadia reveals, even a \$19 million partnership between the state and a company that describes itself as "a national leader in the field of specialized sex offender treatment and management" failed to meet a central purpose: treating sex offenders so they would be well enough to return to society.

“It was like walking into a war zone,” Jared Lamantia, one of the visiting workers who signed the memorandum, recalled in an interview. “The residents in that place ran the whole facility.”

The memorandum is among thousands of pages of public and private documents about the Florida center reviewed by The New York Times, providing a rare window into the lives of civilly committed sexual predators and the people who guard and treat them. While programs like Florida’s are popular because they keep sex offenders locked away past their prison terms, they cost far more than prison — in the case of Florida, on average twice as much — with no measurable benefit beyond confinement.

For more than seven years, Liberty was in charge of almost every facet of the Florida center, where more than 500 men are held beyond their criminal sentences in a crowded former prison surrounded by cow pastures.

That ended last June in a cloud of claims and counterclaims, investigations and legislative hearings. By the end, after the state did not renew Liberty’s contract, the Florida Department of Children and Families was virtually at war with the company, with each side pinning blame on the other — the state accused of failing to properly finance the center, the company accused of failing to manage it.

“The place is a cesspool of despair and depression and drug abuse — of people being lost,” said Don Sweeney, a mental health counselor in St. Petersburg who treats some former residents of the center, reflecting on Liberty’s tenure there.

Many outside experts, even some of the center’s critics, said the state’s insufficient financing of the center made Florida as much to blame as Liberty for the many failings, many of which are common in other states. Florida spends less than \$42,000 a year per resident, one of the lowest rates in the country.

“There was no money to support that facility and to do what had to be done,” Dr. Robert Bellino, a psychiatrist who worked at the center here, said of the company. “It’s a political football. They were always turning the screws on Liberty — ‘Cut this, cut that, don’t spend this, don’t spend that.’ ”

Ambitious Private Contractors

As legislators across the nation have answered public outrage about heinous sex crimes with civil commitment laws, a bevy of companies and well-paid specialists have cropped up like constellations around the expanding demand.

Liberty Behavioral Health and Liberty Healthcare Corporation, affiliates with common ownership, have emerged as the most ambitious private contractors in the commitment center arena. As recently as last year, the affiliates had accumulated contracts worth up to \$26 million a year in California, Illinois, Pennsylvania and Florida, which was the biggest both in terms of compensation and responsibility.

Growing out of a company that provided emergency room employees to hospitals starting in the mid

1970s, Liberty Healthcare Corporation was founded in 1986 as a provider of mental health, developmental disability and primary care services. In its earliest days, it had no experience treating sex offenders and, its officials said, there was never a particular moment when company officials said to one another, “Let’s go into the sex offender business.”

Yet as Shan Jumper, Liberty’s clinical director in Illinois, tells it, after “analyzing market trends and seeing what areas they could jump into,” Liberty executives apparently recognized the potential.

By 1998, the company, which is privately held and based in Bala Cynwyd, Pa., won its first contract to provide services inside a civil commitment center, in Illinois. Rick Robinson, executive vice president and chief operating officer of Liberty Healthcare, described the move as a natural outgrowth of its work, which included creating an adolescent sex offender unit in an Arkansas hospital in 1995.

The states that have hired private companies reason that outside experts have more background in the complex realm of detaining and treating sex offenders than most public workers, and in several states where Liberty holds contracts, officials say they have been impressed with the company’s expertise.

But at the Florida center, even beyond a string of embarrassing failures — an escape, the death of an offender after a fight with another over a bag of chips, a sit-in that the state ultimately quashed with hundreds of law enforcement officers — the treatment record was poor.

In Liberty’s tenure, only one of the hundreds of men here progressed far enough in therapy to earn a recommendation from company clinicians that he be released. At various points, many residents were not attending the group therapy specifically addressing sex offending; in May 2005, 35 percent of the center’s 484 residents fell into that category.

In written responses to questions from The New York Times, as well as court depositions, legislative testimony, e-mail messages, letters and memorandums, Liberty defended its treatment record, blamed Florida as insufficiently financing its commitment program and, for years, failing to define exactly what it expected of Liberty.

Early Praise and Promise

Liberty’s early tenure in Florida won praise from independent evaluators who said the treatment program showed promise. Over the first four years the state asked for few changes, and on matters such as the treatment of mentally ill residents, had a “just do the best you can” attitude, as Susan Keenan Nayda, vice president of operations for behavioral health programs at Liberty, said in a court deposition.

But problems began to surface publicly in June 2000 in dramatic fashion when a resident escaped in a helicopter that an accomplice had landed inside the center’s perimeter. The helicopter crashed after departing with the escapee, who was caught 26 hours later in a canal with the pilot, 2 handguns and 28 rounds of ammunition. The pilot, a longtime friend, had visited the escapee 10 times in the five months

before the escape.

The bizarre incident raised worrisome questions and the first hints of a conflict over the center's combined goals of security and treatment. Too few Liberty staff members were in the yard when the escape occurred, a report by state officials found, and the center's director had ordered razor wire removed from a security fence because, he said, the wire was damaging volleyballs from a nearby court the residents used.

The report also complained about the state's role, questioning why corrections officers, who were in charge of security on the perimeter, were unarmed. Commitment centers across the country have wavered between following the legal mandate to run a therapeutic program, as laid out by the courts, and the politically acceptable alternative of a more prisonlike one.

In Florida, the conflict emerged again and again. The state's emphasis swung, at various points, toward and away from a "correctional" approach, company officials suggested. At one point, Ms. Nayda told a [Florida State](#) Senate committee that even she was not entirely sure what the center was trying to be.

"There's a little bit of confusion," Ms. Nayda said. "What is this place? Is it a prison? Is it a mental health center? A residential treatment facility where people are clients? What is it? We ask that question sometimes too. We really don't have a lot of guidance around what it is the state wants the facility to be, and we would encourage the state to look at that."

By the end of 2000, the state moved its civil commitment center from Martin County on the state's East Coast to its current home here in Arcadia, a 14-acre compound with eight dormitories and other buildings.

From there, the population rose swiftly, even as staff levels mostly stayed put. Liberty repeatedly sought more money from the state for the center's operations, for special treatment of its large severely mentally ill population and for creation of a supervised release program.

Asked to respond to Liberty's complaints about financing, Rod Hall, director of the mental health program office for the state Department of Children and Families, said, "The funding provided to operate the facility was the amount negotiated and agreed upon by Liberty prior to its signing of the contracts."

Liberty's monthly reports began suggesting that the company was feeling the crunch. The reports noted frequent troubling incidents: residents having sex, assaulting staff members and each another, hiding knives in their rooms.

Liberty also said it faced an unusual challenge in Florida, where hundreds of the center's residents are not formally committed, but awaiting trials for commitment. These "detainees," the company said, often reject treatment to focus on their legal battles.

Some critics, meanwhile, began questioning the treatment. Ted Shaw, a forensic psychologist who evaluates civilly committed sex offenders, complained that Liberty held men back in treatment as punishment for minor infractions.

Liberty officials deny the allegations, but Michael Canty, a child molester who was detained at the center but was never formally committed, concurred with Dr. Shaw, saying Liberty staff members would “harass, taunt — try to get you in trouble so you would get kicked out of treatment.”

Rising Tensions, and Violence

By the time the six workers from Liberty’s facility in Pennsylvania arrived here in 2004, tensions inside the center and with the state authorities were reaching a peak.

In April of that year, a mentally ill man jumped off the center’s roof and was injured after staff members rushed at him to get him down. In June, a resident stabbed another 12 times and the staff had residents mop up the blood, destroying evidence before outside law enforcement officials arrived, an internal report showed.

“It was basically a free-for-all prison, out of control,” said Josh Stiles, another of the visiting workers from Pennsylvania.

Liberty officials said they investigated and immediately took “appropriate actions” regarding all that their Pennsylvania employees reported. But they also said the atmosphere in the center at the time was “probably very conducive for allegations that were either unfounded or exaggerated,” and noted that a second group from the Pennsylvania facility, including its director, returned to Florida several weeks later and reported no similar problems.

Nonetheless, Lynda Sommers, a consultant hired by the state to monitor the facility over a number of years, also found it in disarray in the period after the second Pennsylvania group.

Ms. Sommers reported suspected sexual relationships between staff members and offenders, staff members who slept on the job, crumbling facilities, and vague policies on punishing troublemakers and treating the mentally ill.

Liberty’s own internal investigator, Kenneth Dudding, was also deeply critical of hiring decisions for low-level staff members, whose salaries started at a base rate of \$12.89 an hour.

“You could have worked at Wal-Mart last week, they put you in front of a computer to read policy for a few hours, then they send you to a dorm and let you go,” said Mr. Dudding, who left after clashing with Liberty’s management.

As for female security workers, Mr. Dudding said they were easily manipulated by the sex offenders. “It’s like putting candy in front of a baby,” he said.

Mr. Dudding said he ultimately called a state whistle-blower’s hot line.

The inspector general of the Department of Children and Families investigated and issued stinging reports, saying that the facility’s safety director had tried to cover up wrongdoing by tampering with evidence, that an employee was suspected of selling marijuana, and that alcohol was being made and sold there.

Liberty officials said the safety director was fired for “failure to properly function in her role” before they received the inspector general’s critique, and they said they fired the worker suspected of drug sales — on whom no contraband was found — for an unrelated reason.

Then a group of residents, angry when the fire marshal demanded that they not have so many personal items, moved into a yard. For months, the staff could not persuade them to go back to their rooms, creating a scene one law enforcement officer called “Woodstock gone amok.”

Liberty said it first asked for help from the Department of Corrections and was turned down, only to ultimately get a response the company called “excessive.” In February 2005, several hundred corrections and law enforcement officers in riot gear arrived and restored order.

That spring, Liberty’s requests to the state grew more insistent. The company asked for \$31.1 million for the next fiscal year; it received \$18.7 million, the same as the year before.

By April, having described an “alarming” set of “chronic and serious” issues at the facility, the state was preparing to end its relationship with Liberty.

New Company Takes Over

In the end, the struggle between security and treatment may help explain Liberty’s doomed tenure at the Florida center.

“I had imagined that we would be trying to do research or publish or be innovative or at least use state-of-the-art equipment,” said Dean Cauley, a former therapist at the center. “When I arrived, the equipment wasn’t being used, tests were outdated and treatment was very much secondary to maintaining security.”

Liberty officials said that treating patients had always been their company’s reason for being. Most of the company leaders, including Dr. Herbert T. Caskey, the founder, were originally clinicians, not business people.

If states wanted simply to lock up, not treat, the worst sexual predators, Kenneth Carabello, Liberty's director of regional operations for California and the western United States, said, "We'd let somebody else do this."

Despite the center's history, Don Ryce, the father of Jimmy Ryce, the 9-year-old boy whose 1995 rape and murder spurred the Florida Legislature to adopt a civil commitment law in his name three years later, said the law's "overall intention" had been accomplished.

"There are a lot of people who are confined who otherwise I guarantee you would be out there reoffending," Mr. Ryce said, though he added, "I'm not going to pretend there aren't serious problems that need to be addressed."

As Liberty departed, Florida picked another private company, the GEO Group Inc., to run the center here.

The GEO Group, once known as Wackenhut Corrections Corporation, has more than 23 years of experience running prisons. Of 63 centers GEO operates worldwide, 58 are correctional and detention facilities.

Last fall, under GEO's watch, a new glimpse of turmoil began emerging. Early one morning, a resident said he was attacked by another in his bunk. His screaming, kicking and banging on his door went unanswered for almost 15 minutes before staff members responded, other residents said.

GEO officials said workers from the company and the Department of Corrections "responded promptly" to what GEO described as a "resident upon resident" fight, an assessment echoed in a DeSoto County sheriff's report.

But some 100 residents signed a letter calling for an end to the practice of housing two residents in a single room. The center "is supposed to be a mental health facility, not a prison," the residents wrote. "We are to be treated as patients, not state convicts."

Next: The difficult science of treating sex offenders.

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