

August 1, 2008

Civilly committed sex offenders lose another rehabilitation tool. The ability to obtain a college education will be gone next year. The hardliners in politics apparently would rather throw away the key and house those persons whom are civilly committed for the rest of their lives, at huge costs, instead of spending a much smaller amount of money to educate and rehabilitate this group.

The hardliners targeted prisoners in the 1990s, and took away the ability to obtain a college education from prison inmates. They then spent the next ten years complaining about the high recidivism rates.

A little-noticed provision approved by the House and Senate yesterday makes certain offenders ineligible for Pell Grants starting July 1, 2009. President Bush is expected to sign it into law as part of a broader higher education bill.

Critics of this bill say it will cut off the possibility of higher education to offenders who are trying to rehabilitate themselves.

Opponents to this bill, including civil rights advocates, claim individual abuses of the Pell Grant program should have been dealt with, not a dismantling of the program for an entire class of citizens.

Those who are civilly committed complain that they supposedly still have their civil rights, and in fact, many of them are registered voters. Yet, society continues to punish them. The words of congressman Keller, and others like him, support the civil detainees claims that their detention is punitive - not civil.

"Today, the most insane wasteful spending program in America comes to an end," Rep. Ric Keller, a Florida Republican, said on the House floor on Thursday before his plan won approval.

Keller cited the AP report that some of the offenders were putting the financial aid to questionable use by buying clothes, DVD players and music CDS - sometimes after they dropped their classes.

The Associated Press reported in March that dozens of rapists and child molesters, including some in Wisconsin, have taken classes at taxpayer expense while confined by the courts to treatment centers. Critics say they are exploiting a loophole to receive Pell Grants, which are meant for low-income students.

In California, 125 patients at Coalinga State Hospital are receiving Pell Grants to take correspondence courses through Coastline Community College. The school doesn't know how many of the grant recipients are committed sex offenders, who take up two-thirds of the mental hospital's 1,500 beds, Coastline spokeswoman Michelle Ma said.

"We're certainly watching to see what impact this is going to have," she said. "We don't know if

this is going to hurt our enrollment."

Some of the provisions of the Bill:

(E) in paragraph (7) (as designated by subparagraph (B)), by inserting before the period the following: `or who is subject to an involuntary civil commitment upon completion of a period of incarceration for a forcible or nonforcible sexual offense (as determined in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program)'; and

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`(e) Student Eligibility- An incarcerated individual who has obtained a secondary school diploma or its recognized equivalent shall be eligible for participation in a program receiving a grant under this section if such individual--

`(1) is eligible to be released within seven years (including an incarcerated individual who is eligible for parole within such time);

`(2) is 35 years of age or younger; and

`(3) has not been convicted of--

`(A) a `criminal offense against a victim who is a minor' or a `sexually violent offense', as such terms are defined in the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. 14071 et seq.); or

`(B) murder, as described in section 1111 of title 18, United States Code.

`(f) Length of Participation- A State correctional education agency receiving a grant under this section shall provide educational and related services to each participating incarcerated individual for a period not to exceed seven years, not more than two years of which may be devoted to study in a graduate education degree program or to coursework to prepare such individuals to take college level courses. Educational and related services shall start during the period of incarceration in prison or prerelease, and the related services may continue for not more than two years after release from confinement.

`(g) Education Delivery Systems- State correctional education agencies and cooperating institutions shall, to the extent practicable, use high-tech applications in developing programs to meet the requirements and goals of this section.

`(h) Allocation of Funds- From the funds appropriated pursuant to subsection (i) for each fiscal year, the Secretary shall allot to each State an amount that bears the same relationship to such funds as the total number of students eligible under subsection (e) in such State bears to the total number of such students in all States.