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News

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THE BATTALION

Wednesday, November 21, 2001

Scores of sex offenders may go free in Florida

WEST PALM BEACH, Fla. (AP) — Scores of rapists and child molesters could go free in Florida because of challenges to a state law that allows them to be kept behind bars indefinitely, even after they have served their sentences.

Around the country, similar state laws are also being tested, and one such case is now before the U.S. Supreme Court.

A child molester in Florida has already been released because of a recent state appeals court ruling, and perhaps 200 others could get out of prison because of the decision, too.

At issue is the Jimmy Ryce Act. Under the law, when the prison sentence of a violent sexual offender is about to end, prosecutors can ask for a civil trial to decide whether the offender is likely to strike again and should be kept locked up until a doctor determines he is no longer a threat.

The 1998 law was named after a 9-year-old Florida boy who was abducted, raped and murdered in 1995. His killer has been sentenced to death.

The problem is this: Scores of offenders who have completed their sentences but are still awaiting their civil trials are being held behind bars in the meantime based on evidence from prosecutors that they would be a danger to society.

Earlier this month, however, a state appeals court in Lakeland ruled that such pre-trial evidence must be given under oath.

On Monday, Thomas Hurte, 21, was freed in Palm Beach County on the basis of that ruling. He had completed a 3 1/2-year sentence in January for having sex with two girls, ages 13 and 11, and was being kept in prison, pending his civil trial, based on evidence that was not given under oath.

Palm Beach Assistant Public Defender Ken Johnson, who represented Hurte, said keeping offenders in custody for months without sworn evidence violates their rights. Some offenders wait as long as 1 1/2 years for a civil trial, he said.

More than 200 offenders in Florida awaiting civil trials are covered by the Nov. 16 ruling.

Johnson said. Defense attorneys have filed requests for release of at least 60 of them.

Assistant Florida Attorney General Richard Polin, in charge of defending the state, said the state plans to file appeals court rulings. He said before any of the inmates are free, prosecutors should have the opportunity to submit statements from psychologists.

In 1997, the U.S. Supreme Court upheld a similar law, ruling that states may keep violent sex offenders behind their prison terms if the high court is now reviewing the issue.

The latest issue being reviewed by the high court is whether states can prove that offenders are a danger to society and clearly control their behavior. The Kansas Supreme Court said in 1997 that states must show an utter lack of control, but the state attorney general argues that that hurdle is too high.

More than 1,200 sex offenders are confined in 18 states. Laws have survived many challenges and Florida is withstanding the latest attack, Polin said.

CASTILLO

Continued from Page 1

freshman the privilege of walking, not running, in the residence halls.

Four years and six positions at *The Battalion* later, Castillo will sit at the desk of the editor in chief of *The Battalion* in Spring 2002. The Student Media Board, this month, nominated Castillo for the position and Provost Dr. Ronald Douglas appointed Castillo Monday.

"I'm not surprised that he aspired for the top job, and I'm not surprised that he got it," said Ron George, advisor for *The Battalion*. "Mariano has stuck it out long enough to now be the commanding officer. He's probably taken a lot of heat from both *The Battalion* staff and his Corps buddies, but he was courageous enough to not only stay, but apply and gain the paper's top position."

Castillo will inherit the desk from junior journalism and management major Brady Creel when classes begin for the Spring 2002 semester. Castillo is serving as Creel's managing editor this fall.

Creel, George said, has brought the paper to its strongest news level. Castillo will only continue Creel's high standard of journalism, he said.

The position of editor in chief is a reward for years of writing and editing features, news stories and opinion columns, Castillo said.

"I always concentrated on doing my job this semester, but editor in chief was one of my long-term goals at the back of my mind." Castillo said. "It's something you earn at the end of the four years of hard work."

Castillo's main goal is to keep *The Battalion* readers as its top priority. This includes being trust with other student leaders that will make *Battalion* more accessible to them and articles that tell all sides of the story, he said.

"We are a student paper, and that gives us room to do so many things and to take risks bigger papers can't," Castillo said. "We always be professional, but I'm not afraid to show that college attitude."

Readers will continue to see well-written stories that cover what students care about what they should care about, he said.

"*The Battalion* needs to make people think to inform people — but also get them to read and debate," Castillo said. "This is a paper and we're all students here to learn."

George said being editor in chief is a dedication to the newspaper that becomes sacrificial.

"This job is hard and it will test him as everyone else who's had the job," George said. "For someone who knows how hard it is, he wants to do it takes courage. Mariano cares about this newspaper."

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