A PERFECT CAUSE
AMERICA'S DISABILITY & ELDER RIGHTS ADVOCATES

Predators in America's Nursing Homes

Registered Sex Offenders Residing in Nursing Homes
2005 Report

Documented & Reported by the Nursing Home Watchdog Group
A Perfect Cause
A 501(c) (3), Not For Profit Corporation

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Introduction

It has been a year, since A Perfect Cause released its initial findings regarding Predators in America's Nursing Homes. Unfortunately, the problem of predators residing in long-term care facilities has grown dramatically. Even worse, A Perfect Cause has documented more rapes, assaults, arrests, and even one murder in long-term care facilities committed by residents with criminal records.

Appeals to the President of the United States, most state governors, as well as far too many state legislators and regulatory officials have fallen on deaf ears.

On the positive side, since releasing our findings in July 2004, four U.S. Congressional leaders appealed to the Government Accountability Office (GAO) for an in-depth federal investigation. The appeal by Congressman Henry Waxman, Senator Chuck Grassley, Congresswoman Betty McCollum, and now former Congressman Brad Carson was made in August 2004. The GAO accepted their request, in September 2004. The GAO anticipates completion of its investigation by year's end.

As well, there has been isolated movement in a few states to address the clear and present danger of predators residing in long-term care facilities. Yet other states choose to offer lip service or deny the risks imposed on those who can no longer protect themselves.

Illinois recently passed what appears to be the most forward thinking legislation to address the issue. Oklahoma choose to ignore the offenses uncovered by A Perfect Cause, yet passed legislation requiring law enforcement to notify and post notices if a registered sex offender or violent offender is residing in the nursing home. Unfortunately, the state of Oklahoma continues to ignore risks posed by inmates, parolees, and violent offenders found incompetent to stand trial who are placed into long-term care facilities by state and county agencies. As for the state's violent offender list, only 29 violent offenders are listed and eight of these violent offenders have no known address.

A Perfect Cause also uncovered New Jersey's policy regarding child molesters residing in nursing homes. In New Jersey, Tier 3 (High Risk) and Tier 2 (Moderate Risk) Sex Offenders, who are child molesters, are downgraded to Tier 1 (Low Risk) whenever they are moved into nursing homes. Low Risk sex offenders are not posted on the state's sex offender registry website and only law enforcement officials have access to records for these offenders. The apparent logic is that a child molester is not near their normal prey while living in a nursing home; therefore they do not pose a risk to the and disabled elderly.

A Perfect Cause's 2005 Report, clearly demonstrates the risks of housing criminal offenders with vulnerable adults. The number of registered sex offenders has grown from 380 last July, to 800 that have been located since the group initiated investigations in April 2004. In addition, this report documents over 20 cases of rape, assault, murder, and other crimes committed by criminal offenders while residing in long-term care facilities.

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The Beginning

The Predators in America's Nursing Homes – Registered Sex Offenders Residing In Nursing Homes analysis began with a phone call from Ziva Branstetter, Special Projects Editor of the Tulsa World, in mid-April 2004. Ms. Branstetter was seeking a comment from A Perfect Cause to the Tulsa World's investigative findings, which uncovered violent offenders found incompetent to stand trial, being placed in Oklahoma nursing homes and other long-term care facilities by order of district court judges.

After voicing shock and concern, A Perfect Cause immediately began investigations of its own. During the course of these investigations, other groups of predators were identified as residing in nursing homes and other long-term care facilities.

These groups include:

- Registered Sex Offenders
- Sex Offenders, who are not required to register
- Prison & County Jail Inmates
- Parolees
- Violent Offenders Found Incompetent to Stand Trial (see above)
- Convicted Felons

Many of these predators are warehoused in nursing homes by order or direction of state and county agencies including:

- Department of Human Services
- Department of Corrections
- County Sheriffs
- District Attorneys
- District Court Judges

For the purpose of this analysis, A Perfect Cause chose to identify registered sex offenders, residing in America's nursing homes.

A Perfect Cause began searching online sex offender registries in late April 2004 and concluded its first search on June 16, 2004. Offenders' addresses on these state registry websites were matched against a database of Medicare and / or Medicaid approved nursing homes downloaded from the Medicare.gov website, in late April 2004.

A Perfect Cause has continued to screen sex offender registries, including Massachusetts and California when their registries went online after A Perfect Cause's findings were first posted. The screening process has continued, with the final screens completed in July 2005.

Due to the nature of many of the online registries, A Perfect Cause does not guarantee that each offender is currently residing in the named facility. However, based on the sex offender registry data, each offender is either a current or previous resident of the nursing home facility.

The organization will attempt to identify other predators residing in nursing homes, by submitting more requests to all state governors and the President of the United States for assistance.

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Who Is In Harm's Way?

The number of citizens placed in harm's way, by warehousing predators in nursing homes is significant. Those most at risk include:

- Facilities' residents
- Staff and their children
- Visiting family members and friends, with their children
- Children from civic, church, and school groups -
  who visit and perform for long-term care residents
- Residents in neighborhoods near these facilities

Predators are often placed in these facilities without the knowledge of the residents, staff, visitors, and neighbors.

Many of these predators have committed crimes of opportunity against the most vulnerable citizens in our society – people with disabilities, the elderly, and children - who are physically incapable of fending off physical assaults, who have difficulty communicating, and who can be intimidated not to report these assaults.

In addition to several cases of murder, rape, and assault of residents by predators residing in nursing homes, two cases document the rape and sexual assault of a Rhode Island assisted living facility's housekeeper and a three-year-old girl who was visiting family in a Texas nursing home.

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What The Study Does Not Include

This study's data does not include violent offenders found incompetent to stand trial, prison and county jail inmates, parolees, violent offenders who have plea bargained release to nursing homes, and convicted felons. However, 22 cited cases of murder, rape, assault, and other offenses committed by residents with criminal histories are documented in this report.

Likely many more predators are residing in nursing homes and other long-term care facilities, than are uncovered in this analysis.

Most states do not list all sex offenders online. Those states with online registries typically post only the highest risk, aggravated, and /or habitual offenders.

Most sex offenders are not required to register unless they have been convicted or released from incarceration, parole, or probation since the 1990's.

Many sex offenders list PO Boxes as their residential addresses, while others have absconded or their whereabouts are unknown to law enforcement, despite requirements for their registration. For example on July 29, 2005; 1,396 out of Oklahoma's 5,194 registered sex offenders are delinquent or are in non-compliance with the state's sex offender registration act.

Many offenders listed addresses with one street number and / or within the same hundred block of a nursing home – these offenders were not included in this analysis. However, A Perfect Cause did confirm three Arkansas offenders residing in nursing homes who listed addresses in the same hundred block of a nursing home.

This analysis does not include sex offenders residing in Assisted Living Facilities, Residential Care Centers, and Intermediate Care Facilities for the Mentally Retarded (ICFMR) – with the exception of Oklahoma and a handful of Illinois facilities warehousing sex offenders.

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Findings

A Perfect Cause has located 800 Registered Sex Offenders living in nursing homes, in 36 states since the group initiated its on-going investigations in April 2004. 795 offenders were residents, while five were employees of long-term care facilities. States with the highest total number of registered sex offenders living in nursing homes are Texas with 124 offenders, Illinois with 121, California with 106, Ohio with 102, and Florida with 58.

637 offenders are currently residing in long-term care facilities. States with the highest number of offenders currently residing in nursing homes are Texas with 100 offenders, California with 95, Ohio with 89, Illinois with 76, Missouri with 38, and Florida with 37. Two offenders were also located as employees in Massachusetts and Virginia facilities.

In July 2004's report, A Perfect Cause located 380 Registered Sex Offenders residing in 289 nursing homes, in 37 states. States with the highest number of registered sex offenders in nursing homes are Texas with 70 offenders, Illinois with 57, Ohio with 39 plus three offenders listing two nursing homes as work addresses, Missouri with 35 offenders, and Florida with 30.

States with No Registered Sex Offenders In Nursing Homes

- ✓ Alabama
- ✓ North Dakota
- ✓ Pennsylvania
- ✓ Wyoming

There is no assurance that these states do not have any registered sex offenders or other criminal offenders residing or working in long-term care facilities. There were no registered sex offenders who were posted on the states' sex offender registry websites with addresses that matched nursing homes.

States Not Included in Study

- ✓ Hawaii
- ✓ Maine
- ✓ Minnesota
- ✓ Nevada
- ✓ Rhode Island
- ✓ South Dakota
- ✓ Vermont
- ✓ Washington
- ✓ West Virginia
- ✓ Wisconsin
- ✓ District of Columbia

These states do not have online sex offender registries or their sex offender registries do not list a complete address for the offender.
Note:

- *MA was not online during initial 2004 data capture*
  - *4 Residents / 1 Employee located in Nov. 2004*
- *CA was not online during initial 2004 data capture –*
  - *66 Residents / 0 Employees located in Dec. 2004*
- *OR is not online - Screened from hardcopy of offender registry*
  - *4 Residents / 0 Employees Located in Mar. 2005*

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Findings

About the Offenders
The natural assumption is – these offenders are so old or disabled they are no longer a threat to others. Data in the study does not support this argument.

2005 – Out of 756 offenders with dates of birth and / or ages posted on the sex offender sites, 341 of the offenders (45.2%) are under 60 years of age. 496 (65.8%) are under 70 years of age. The two youngest offenders living in nursing homes were 19 years of age.

47 out of 49 offenders in their 80's and 90's, were convicted above the age of 59. Ten were convicted in their 80's, with the two oldest being approximately 85 when last convicted.

76.4% of the offenders, out of 305 with ages and dates of conviction listed, were convicted within the past 14 years.

A Perfect Cause has also documented 12 of the inactive offenders (who were previously residing in nursing homes) are currently incarcerated. Six others are listed as absconded or with no known address.

2004 - Of the 346 registered sex offenders with dates of birth and /or ages listed in their profiles, 154 offenders (44.5%) are under 60 years of age. 227 offenders (65.6%) are under 70 years of age.

2004 - Of the six offenders in their 90's, four predators most recent offenses or convictions occurred in their 80's. Three Ohio offenders listed two nursing homes as their places of employment.

2004 -Of the 380-registered sex offenders identified in the analysis, 244 listed age ranges of victims or distinguished if the victims were adults or minors. 25 victims were classified as adults. Two offenders, whose victims were 65 and 77 year old females, reside in Texas nursing homes. One offender in a Florida nursing home's victim is identified as "elder/disabled." Most states did not list the ages of their adult victims.

Recidivism Rates
What is the risk? Recidivism rates are listed below for Oklahoma and California, along with an additional study.

Most of the reported recidivism rates are for relatively short periods of time. It appears that as time progresses, the likelihood to re-offend increases.

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STATISTICS
States with Registered Sex Offenders in Nursing Homes

Listed Alphabetically

		Residents				Employees		
State	Total	June 2005	June 2004	Interim		Total	June 2004	June 2005
AK	4	4	3					
AR	3	3	3					
AZ	6	5	2					
CA	106	95	0	66				
CO	2	1	2					
CT	11	10	6					
DE	4	4	2					
FL	58	37	30					
GA	13	12	5					
IA	9	8	3					
ID	5	3	3					
IL	121	76	57					
IN	9	7	6					
KS	12	9	11					
KY	3	3	3					
LA	13	10	10					
MA	5	5	0	4		1		1
MD	4	4	1					
MI	22	17	15					
MO	38	38	35					
MS	3	3	1					
MT	5	3	2					
NC	12	11	9					
NE	5	3	3					
NH	3	2	3					
NJ	2	1	1					
NM	10	10	10					
NY	10	10	3					
OH	102	89	39			3	3	0
OK	38	26	19					
OR	4	4	0	4				
SC	2	2	2					
TN	1	1	0					
TX	124	100	70					
UT	11	7	9					
VA	15	14	12			1		1
Totals	795	637	380	74		5	3	2

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STATISTICS
States with Registered Sex Offenders in Nursing Homes

Ranked By Total Offenders

Residents Rank	State	Total
1	TX	124
2	IL	121
3	CA	106
4	OH	102
5	FL	58
6	MO	38
7	OK	38
8	MI	22
9	VA	15
10	GA	13
11	LA	13
12	KS	12
13	NC	12
14	CT	11
15	UT	11
16	NM	10
17	NY	10
18	IA	9
19	IN	9
20	AZ	6
21	ID	5
22	MA	5
23	MT	5
24	NE	5
25	AK	4
26	DE	4
27	MD	4
28	OR	4
29	AR	3
30	KY	3
31	MS	3
32	NH	3
33	CO	2
34	NJ	2
35	SC	2
36	TN	1
	Totals	795

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STATISTICS
States with Registered Sex Offenders in Nursing Homes

Ranked By Active Offenders

Residents		
Rank	State	June 2005
1	TX	100
2	CA	95
3	OH	89
4	IL	76
5	MO	38
6	FL	37
7	OK	26
8	MI	17
9	VA	14
10	GA	12
11	NC	11
12	CT	10
13	LA	10
14	NM	10
15	NY	10
16	KS	9
17	IA	8
18	IN	7
19	UT	7
20	MA	5
21	AZ	5
22	AK	4
23	DE	4
24	MD	4
25	OR	4
26	AR	3
27	ID	3
28	KY	3
29	MS	3
30	MT	3
31	NE	3
32	NH	2
33	SC	2
34	CO	1
35	NJ	1
36	TN	1
	Totals	637

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STATISTICS

States with Registered Sex Offenders in Nursing Homes

Ranked By Percentage of Increase

Residents				
Rank	State	June 2005	June 2004*	%
1	MD	4	1	300%
2	NY	10	3	233%
3	MS	3	1	200%
4	IA	8	3	167%
5	AZ	5	2	150%
6	GA	12	5	140%
7	OH	89	39	128%
8	DE	4	2	100%
9	TN	1	0	100%
10	CT	10	6	67%
11	MA	5	4	25%
12	MT	3	2	50%
13	CA	95	66	44%
14	TX	100	70	43%
15	OK	26	19	37%
16	AK	4	3	33%
17	IL	76	57	33%
18	FL	37	30	23%
19	NC	11	9	22%
20	IN	7	6	17%
21	VA	14	12	17%
22	MI	17	15	13%
23	MO	38	35	9%
24	AR	3	3	0%
25	ID	3	3	0%
26	KY	3	3	0%
27	LA	10	10	0%
28	NE	3	3	0%
29	NJ	1	1	0%
30	NM	10	10	0%
31	OR	4	4	0%
32	SC	2	2	0%
33	KS	9	11	-18%
34	UT	7	9	-22%
35	NH	2	3	-33%
36	CO	1	2	-50%
	Totals	637	454	40%

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STATISTICS
Registered Sex Offender Age Breakdown

Ages	#	%	Teens/50's vs 60's-90's	
Teens	2	0.3%		
20's	25	3.3%		
30's	54	7.2%		
40's	123	16.3%		
50's	137	18.2%	341	45.2%
60's	155	20.6%		
70's	145	19.2%		
80's	98	13.0%		
90's	15	2.0%	413	54.8%
Totals	754	100.0%	754	100.0%

* 754 Out of 800 Records Obtained Documented Ages

Years Since Conviction

Range	#	%	Running Total / %	
0 - 4	41	13.4%	41	13.4%
5 - 9	97	31.8%	138	45.2%
10 - 14	95	31.1%	233	76.4%
15 - 19	41	13.4%	274	89.8%
20 - 29	27	8.9%	301	98.7%
30 - 39	2	0.7%	303	99.3%
40 - 49	1	0.3%	304	99.7%
50 - 59	1	0.3%	305	100.0%
Totals	305	100.0%		

* Only 305 Out of 800 Records Obtained Documented Conviction Dates and Ages

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STATISTICS
Inactive Offenders

Status	#
Incarcerated	12
Absconded / Unk Address	6
Change of Address	66
PO Box / Not Listed	64
Deceased	12
Address Not Disclosed	2
	162

* In-Active Offenders are Offenders Whose Addresses Are No Longer Listed At The Long-Term Care Facility
* Note: Database Tracks Offenders If They Relocate to Other Long-Term Care Facilities When Relocated, Status At The Previous Facility Is Listed As In-Active

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STATISTICS
Offenders in Their 80's & 90's with Age of Last Conviction

Offenders' Ages	Age @ Conviction	Offenders' Ages	Age @ Conviction
80	69	85	71
80	70	85	71
80	71	85	78
80	71	85	78
80	72	85	80
80	72	85	81
80	72	86	44
81	69	86	67
81	69	86	74
81	73	86	76
81	73	86	76
81	76	86	83
81	76	87	70
81	77	87	71
82	56	88	79
82	66	88	79
82	70	89	85
82	72	90	83
83	73	91	74
83	79	91	77
84	70	91	82
84	73	91	83
84	80	91	84
85	65	95	85
85	68		

* 47 of 49 Offenders Convicted Above the Age of 59

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STATISTICS

Formerly in Nursing Homes, Now Incarcerated

#	Offender	Last Long-Term Care Facility Located	City	State	Age
1	JENNINGS, LARRY CHARLES	SIERRA VISTA	HIGHLAND	CA	43
2	WILLIS, CECIL LORENZO	BONIFAY NURSING AND REHAB CENTER	BONIFAY	FL	77
3	BOOTH, DALE E.	SUMNER CARE AND REHAB CENTER	SUMNER	IL	58
4	EVANS, FRANADO R	PERSHING ESTATES	DECATUR	IL	41
5	FOSHEE, SHERRELL E.	CARDINAL HEALTH CARE	ENERGY	IL	74
6	HUNT, MORRIS	EMERALD PARK HEALTH CARE CTR	EVERGREEN PARK	IL	59
7	MOORE, ORLANDO	COUNTRYSIDE HEALTHCARE CENTER	DOLTON	IL	67
8	OLIVER, LARRY	CALIFORNIA GARDENS N & REHAB C	CHICAGO	IL	50
9	WOODRUM, BOBBY	WINSTON MANOR CNV & NURSING	CHICAGO	IL	64
10	McDANIEL, BILLY RAY	GREEN PARK NURSING & REHAB CENTER	TULSA	OK	68
11	MORRIS, JAMES HESTON	PINE HILL NURSING AND REHAB	JEFFERSON	TX	65
12	ORTEGA, GREGORIO JAMES	PALO DURO NURSING AND REHAB	AMARILLO	TX	51

Formerly in Nursing Homes, Location Now Unknown

#	Offender	Last Long-Term Care Facility Located	City	State	Age
1	GRIFFIN, HIAWATHA	SOUTH SHORE NUR & REHAB CENTER	CHICAGO	IL	62
2	POWERS, HAYDEN L	SHARON HEALTH CARE ELMS	PEORIA	IL	66
3	SPURR, JOHN T	EMERALD PARK HEALTH CARE CTR	EVERGREEN PARK	IL	57
4	MAFFETT, DANNY	EDNA LEE'S RESIDENTIAL CARE	VINITA	OK	56
5	WARNER, JOHN JAMES	OAKRIDGE NURSING HOME - ICFMR	WEWOKA	OK	49
6	DAVILA, ANTONIO VILLARREAL	LYNNHAVEN NURSING CENTER	CORPUS CHRISTI	TX	68

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Conventional Wisdom?

Only Old Registered Sex Offenders Live in Nursing Homes

- ✓ **FALSE**

  Based on A Perfect Cause's July 2005 analysis, 45.2% of the 756 offenders with ages listed in sex offender registries are under 60 years of age.

  In the group's 2004 analysis, 44.5% of the 346 offenders with listed ages were under 60 years of age.

  Two 19-year-old sex offenders have been located as nursing home residents.

  See "Registered Sex Offender Age Breakdown" above under STATISTICS

Elderly Sex Offenders Are Not A Threat

- ✓ **FALSE**

  Based on the data analysis, 47 of 49 Registered Sex Offenders, with listed ages and dates of conviction, were convicted above the age of 59.

  Ten of the 49 were convicted in their 80's. Two were convicted at 85 years of age.

  Two cases cited below, Edwards and King, document two offenders at 83 and 86 years of age respectively who assaulted other nursing home residents.

  See "Registered Sex Offender Age Breakdown" above under STATISTICS

Disabled / Infirm Offenders Are Safe

- ✓ **FALSE**

  Four cited cases below dispute this statement.

  - Mirl D. King — Reno, NV — May 2000
  - Ivey Edwards — Jacksonville, FL — July 2002
  - Samuel Irving — New York, NY — May 2004
  - John Enos — Norwood, MA — Feb 2005

Child Molesters Do Not Pose a Threat to Old People

- ✓ **FALSE**

  Three cited cases below dispute this statement.

  - Mirl D. King — Reno, NV — May 2000
  - Ivey Edwards — Jacksonville, FL — July 2002
  - John Enos — Norwood, MA — Feb 2005

Its Only Registered Sex Offenders Who Pose a Risk

- ✓ **FALSE**

  Five cited cases below dispute this statement.

  - Billy Ray McDaniel — Oklahoma City, OK — Sept 2002
  - Samuel Irving — New York, NY — May 2004
  - Hedrick (Chgs Dropped) — Oklahoma City, OK — July 2004
  - Patrick Wilhoite — Richardson, TX — May 2001
  - Ronald J. Leddy — Central Falls, RI — June 2005

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RECIDIVISM RATES

Webster's Dictionary defines "recidivism" as a tendency to relapse into a previous condition or mode of behavior; esp.: relapse into criminal behavior. This may be thought of as the rate or percentage of offenders who are committed to the custody of the Department of Corrections for another offense within a specified period of time. Different states use different tracking periods varying from 1 to 20 years as reported by the Corrections Yearbook. Oklahoma uses the standard reporting period of three years, as seen below.

Offense Category	# Released	# Returned	% Returned
Unauthorized Use of Motor Vehicle	1522	621	40.8
Burglary II	7397	2890	39.1
Burglary I	821	314	38.3
Larceny	9557	3525	36.9
DUI - 2nd Offense	8891	3212	36.1
Murder I	182	65	35.7
Forgery	2529	882	34.9
Escape	2747	951	34.6
Robbery	3001	1035	34.5
Bogus Check	1341	414	30.9
Weapons	1950	558	28.6
Bribery	7	2	28.6
Possession/Obtaining Drugs	7473	2125	28.4
Assault	3133	848	27.1
Other Non-Violent Crimes	1637	429	26.2
Fraud	1239	307	24.8
Arson	439	106	24.2
Distribution of Drugs	8775	2066	23.5
Embezzlement	804	188	23.4
Other Violent Crimes	1081	234	21.7
Rape	1269	262	20.7
Gambling	20	4	20.0
Manslaughter	846	167	19.7
Kidnapping	162	31	19.1
Murder II	271	51	18.8
Sex Offenses (not including rape)	2143	362	16.9
Drug Trafficking	426	33	7.8
(Unknown Offenses at time of prison release not included)			

Represents Oklahoma offenders released from Jan. 1, 1985 – June 30, 1999.

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California Recidivism Rates w/in 1 & 2 Years for Male Felons
Released from Prison for First Time in 2001
By Principal Commitment Offense Published Mar 2004

		One Year		Two Years	
Principal Commitment Offense	**# Paroled**	**#**	**%**	**#**	**%**
Murder First (new law)	-	-	0.0%	-	0.0%
Murder Second (new law)	3	-	0.0%	-	0.0%
Manslaughter	342	85	24.9%	130	38.0%
Vehicular Manslaughter	106	19	17.9%	33	31.1%
Robbery	2,807	1,156	41.2%	1,605	57.2%
Assault/Deadly WP	2,370	959	40.5%	1,281	54.1%
Attempted Murder First	4	1	25.0%	1	25.0%
Attempted Murder Second	193	48	24.9%	74	38.3%
Other Assault/Battery	3,366	1,466	43.6%	1,961	58.3%
Rape	245	72	29.4%	96	39.2%
Lewd Act With Child	978	224	22.9%	301	30.8%
Oral Copulation	100	37	37.0%	51	51.0%
Sodomy	33	6	18.2%	9	27.3%
Sexual Penetration with Object	53	11	20.8%	15	28.3%
Other Sex	864	421	48.7%	526	60.9%
Kidnapping	146	36	24.7%	58	39.7%
Burglary First	1,743	794	45.6%	1,049	60.2%
Burglary Second	2,766	1,410	51.0%	1,799	65.0%
Grand Theft	1,319	587	44.5%	731	55.4%
Petty Theft With Prior	2,651	1,460	55.1%	1,810	68.3%
Receiving Stolen Property	1,394	747	53.6%	927	66.5%
Vehicle Theft	2,253	1,305	57.9%	1,583	70.3%
Forgery/Fraud	925	363	39.2%	488	52.8%
Other Property	240	106	44.2%	132	55.0%
CS Possession	9,672	4,813	49.8%	6,173	63.8%
CS Possession for Sale	5,230	1,643	31.4%	2,263	43.3%
CS Sales	1,954	577	29.5%	774	39.6%
CS Manufacturing	1,270	271	21.3%	411	32.4%
CS Other	249	125	50.2%	159	63.9%
Hashish Possession	26	6	23.1%	11	42.3%
Marijuana Possession for Sale	649	214	33.0%	293	45.2%
Marijuana Sale	298	104	34.9%	142	47.7%
Marijuana Other	85	20	23.5%	30	35.3%
Escape	60	29	48.3%	37	61.7%
Driving Under Influence	1,512	391	25.9%	586	38.8%
Arson	131	48	36.6%	68	51.9%
Possession Weapon	1,861	901	48.4%	1,196	64.3%
Other Offenses	1,374	579	42.1%	776	56.5%
TOTAL	49,272	21,034	42.7%	27,579	56.0%

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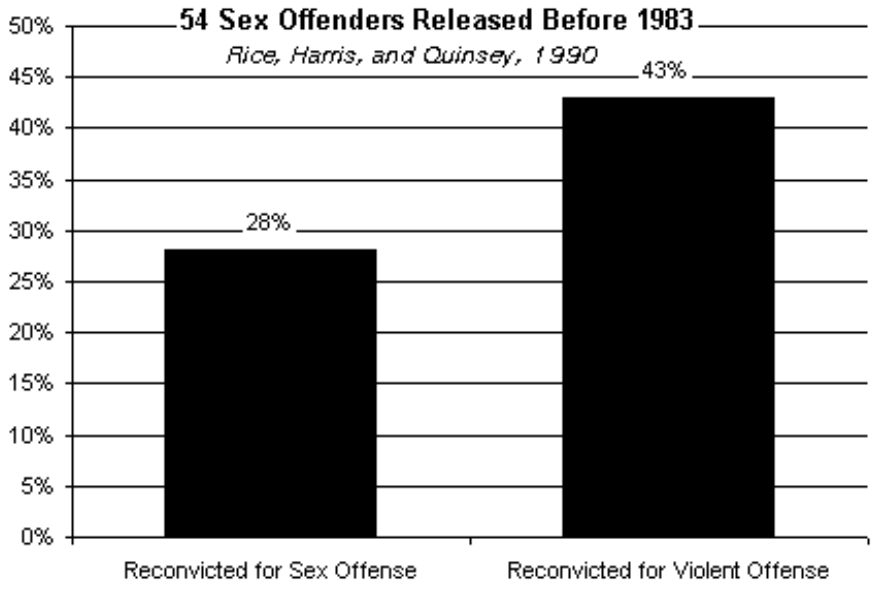
RECIDIVISM RATES

Rapists

There has been considerable research on the recidivism of rapists across various institutional and community-based settings and with varying periods of follow-up. A follow-up study of sex offenders released from a maximum-security psychiatric institution in California found that 10 of the 57 rapists (19 percent) studied were reconvicted of a rape within five years, most of which occurred during the first year of the follow-up period (Sturgeon and Taylor, 1980). These same authors reported that among 68 sex offenders not found to be mentally disordered who were paroled in 1973, 19 (28 percent) were reconvicted for a sex offense within five years.

In a study of 231 sex offenders placed on probation in Philadelphia between 1966 and 1969, 11 percent were rearrested for a sex offense and 57 percent were rearrested for any offense (Romero and Williams, 1985). Rice, Harris, and Quinsey (1990) conducted a more recent study of 54 rapists who were released from prison before 1983. After four years, 28 percent had a reconviction for a sex offense and 43 percent had a conviction for a violent offense.



In their summary of the research on the recidivism of rapists, Quinsey, Lalumiere, Rice, and Harris (1995) noted that the significant variation in recidivism across studies of rapists is likely due to differences in the types of offenders involved (e.g., institutionalized offenders, mentally disordered offenders, or probationers) or in the length of the follow-up period. They further noted that throughout these studies, the proportion of offenders who had a prior sex offense was similar to the proportion that had a subsequent sex offense.

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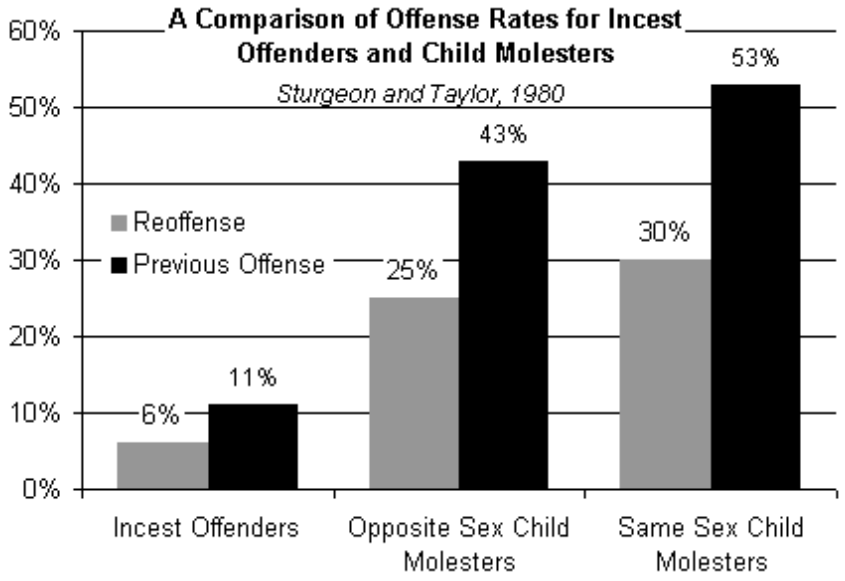
RECIDIVISM RATES

Child Molesters

Studies of the recidivism of child molesters reveal specific patterns of reoffending across victim types and offender characteristics. A study involving mentally disordered sex offenders compared same-sex and opposite-sex child molesters and incest offenders. Results of this five-year follow-up study found that same-sex child molesters had the highest rate of previous sex offenses (53 percent), as well as the highest reconviction rate for sex crimes (30 percent). In comparison, 43 percent of opposite-sex child molesters had prior sex offenses and a reconviction rate for sex crimes of 25 percent, and incest offenders had prior convictions at a rate of 11 percent and a reconviction rate of 6 percent (Sturgeon and Taylor, 1980). Interestingly, the recidivism rate for same-sex child molesters for other crimes against persons was also quite high, with 26 percent having reconvictions for these offenses. Similarly, a number of other studies have found that child molesters have relatively high rates of nonsexual offenses (Quinsey, 1984).



Several studies have involved follow-up of extra-familial child molesters. One such study (Barbaree and Marshall, 1988) included both official and unofficial measures of recidivism (reconviction, new charge, or unofficial record). Using both types of measures, researchers found that 43 percent of these offenders (convicted of sex offenses involving victims under the age of 16 years) sexually reoffended within a four-year follow-up period. In contrast to other studies of child molesters, this study found no difference in recidivism between opposite-sex and same-sex offenders.

In a more recent study (Rice, Quinsey, and Harris, 1991), extra-familial child molesters were followed for an average of six years. During that time, 31 percent had a reconviction for a second sexual offense.

Source: Recidivism of Sex Offenders - Center for Sex Offender Management
Silver Spring, MD 20910
Phone: (301) 589-9383
Internet: www.csom.org

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Cited Cases – Murder, Rapes, Assaults, & Arrests

Florida
Edwards, Ivey
83 Year Old Sex Offender / multiple criminal offenses, including fondling a child
July 2002
Accused of raping a 77-year-old female nursing home resident in Jacksonville, FL
Police & Court Records
http://www.aperfectcause.org/PDF_APC/NV-MirlDKing-06121913.pdf

Illinois
Sharp, Larry
54-Year-Old Convicted Rapist
May 2005
Allegedly groped 77-year-old woman in Homewood, IL nursing home
Chicago Sun Times – May 12, 2005
http://www.aperfectcause.org/artman/publish/article_1122.asp

Kolze, Thomas
61-Year-Old Convicted Child Molester
Late 2003
Reported touched the thighs and arms of an Alzheimer's patient, touched the chest of another woman with dementia.
Chicago Sun Times – April 24, 2005
http://www.aperfectcause.org/artman/publish/article_1077.asp

Wallace, Karey D.
35-Year-Old Sex Offender
Reportedly tried to rob a vide store near the nursing home
Chicago Sun Times – April 24, 2005
http://www.aperfectcause.org/artman/publish/article_1077.asp

Oliver, Larry
50-Year-Old Sex Offender
2004
Arrested for drug possession
Chicago Sun Times – April 24, 2005
http://www.aperfectcause.org/artman/publish/article_1077.asp

Cothrain, James
57-Year-Old
April 2005
Arrested on warrant for obstructing a court order for criminal damage to property
Daily Southdown – April 9, 2005
http://www.aperfectcause.org/artman/publish/article_1059.asp

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Cited Cases – Murder, Rapes, Assaults, & Arrests

Illinois - Continued
Williams, Jerry L.
49-Year-Old
April 2005
Arrested on warrant for violation of conditional release on domestic battery charges
Daily Southdown – April 9, 2005
http://www.aperfectcause.org/artman/publish/article_1059.asp

Young, Maurice
46-Year-Old
April 2005
Arrested on warrant for battery and failing to register as a child sex offender
Daily Southdown – April 9, 2005
http://www.aperfectcause.org/artman/publish/article_1059.asp

Barber, Tyrone
54-Year-Old
April 2005
Arrested for failing to register as a child sex offender
Daily Southdown – April 9, 2005
http://www.aperfectcause.org/artman/publish/article_1059.asp

Louisiana
Sylvester, Robert Jr.
48-Year-Old with Convictions for Armed Robbery and Burglary – On Parole
Booked for the aggravated rape of a mentally handicapped female in her 30's. Both resided in the nursing home.
The Times Picayune – December 2004
http://www.aperfectcause.org/artman/publish/article_790.asp

Massachusetts
Enos, John
68-Year-Old Level 3 (High Risk) Registered Sex Offender
February 2005
Charged with raping is 90-year-old male roommate in a Norwood, MA nursing home
Note: A Perfect Cause located this offender, residing in the nursing home in Nov. 2004
The Boston Globe - February 10, 2005
http://www.aperfectcause.org/artman/publish/article_961.asp
A Perfect Cause – Predators Search System
http://aperfectcause.org/ussolu/offenderdata.asp?s_offender=ENOS%2C+JOHN+A%2E&ussolistDir=&ID=20

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Cited Cases – Murder, Rapes, Assaults, & Arrests

Minnesota
WK
44-Year-Old Level 2 Sex Offender – Admitted to nursing home from, Minnesota Correctional Facility
Charged in 1997 with 1st & 2nd Degree Criminal Sexual Conduct Against A Vulnerable Adult
February 2004
Developed "friendship" with unsuspecting resident, found in resident's room
Press Release – MN Attorney General Mike Hatch - May 26, 2004
http://www.aperfectcause.org/artman/publish/article_24.asp

JA
26-Year-Old Level 2 Sex Offender under Department of Corrections jurisdiction, Pedophile
August 2003
JA's Husky dog put is mouth on the food of other residents
Fall 2003
Fondled private parts of 43-year-old female with mental retardation, borderline intelligence, and schizophrenia. Penetrated female resident's vagina causing bleeding, had sexually explicit photo of same resident.
Note – Nursing home's management thought the relationship was cute.
Press Release – MN Attorney General Mike Hatch - May 26, 2004
http://www.aperfectcause.org/artman/publish/article_24.asp

AS
54-Year-Old Sex Offender - Admitted to nursing home from, Minnesota Correctional Facility
History of oral sex involving a minor
Fondled the breasts of a female resident, who was unable to make informed sexual decisions
Note: Nursing home staff treated this incident as "consensual sex."
Press Release – MN Attorney General Mike Hatch - May 26, 2004
http://www.aperfectcause.org/artman/publish/article_24.asp

Unidentified
Alleged Murderer
Kidnapped a vulnerable female resident from the facility, was missing for four days, left her on the streets. There was no report
Star Tribune – May 27, 2004
http://www.aperfectcause.org/artman/publish/article_25.asp

Nevada
King, Mirl D.
86-Year-Old Convicted Child Molester
May 2000
Reported to have sexually assaulted 2 female residents within a 2 ½ hour period
Police & Court Records
http://www.aperfectcause.org/PDF_APC/NV-MirlDKing-06121913.pdf

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Cited Cases – Murder, Rapes, Assaults, & Arrests

New York
Irving, Samuel
43-Year-Old with Drug, Weapons, and Robbery Convictions – Double Amputee
May 2004
Confessed to raping and beating a 78-year-old invalid in a Brooklyn nursing home where both lived.
New York Daily News – May 9, 2004
http://www.aperfectcause.org/artman/publish/article_18.asp
Later attempted to hire a hit man to "whack" the victim, staffer who caught him, and the prosecutor
New York Post – June 23, 2004
http://www.aperfectcause.org/artman/publish/article_48.asp

Oklahoma
Barefoot, Bryan
31-Year-Old Sex Offender
June 2002 – April 2003
Promiscuous sexual behavior (usually chooses young low functioning females who cannot talk well enough to tell on him. Initiated a group session of sexual interaction with several males and one of the lower functioning females. Takes things that don't belong to him. Bullies those weaker than himself.
Tulsa World – May 9, 2004
http://www.aperfectcause.org/artman/publish/article_16.asp
Police & Court Records
http://www.aperfectcause.org/PDF_APC/OK-BryanEBarefoot-04101970.pdf

McDaniel, Billy Ray
65-Year-Old previously convicted of Unauthorized Use of a Motor Vehicle, Larceny of Merchandise, and Attempted Burglary II
September 2002
Sexually battered an 89-year-old female nursing home resident. 21 days later was interviewed by the police investigator at another nursing home.
Police & Court Records
http://www.aperfectcause.org/PDF_APC/OK-McDanielBillyRay-12011936.pdf
Update
Violated 5 year suspended sentence and sex offender registration requirements, was located by Fox News in Tulsa and A Perfect Cause in an Tulsa nursing home, while he was listed with "no known address" on the Dept. of Corrections Sex Offender Registry website. He is listed as an Aggravated Sex Offender.
FOX 23 News – May 9, 2005
http://www.aperfectcause.org/artman/publish/article_1114.asp
Tulsa World – May 10, 2005
http://www.aperfectcause.org/artman/publish/article_1111.asp

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Cited Cases – Murder, Rapes, Assaults, & Arrests

Oklahoma -Continued
Hedrick, Kenneth Lee – Charges Dropped
40-Year-Old previously convicted of Possession of a Controlled Dangerous Substance (methamphetamine) and Failure to Stop at a Road Block
July 2004
Arrested for raping a 77-year-old female who was also residing in an Oklahoma City nursing home
The Oklahoman – July 22, 2004
http://www.aperfectcause.org/artman/publish/article_74.asp
Police & Court Records
http://www.aperfectcause.org/PDF_APC/OK-HedrickKennethLee-01021964.pdf

Rhode Island
Leddy, Ronald J.
43-Year-Old Criminal History includes convictions for Robbery, Stolen Cars, Possession of a Pistol, Assault with the Intent to Commit a Felony, and Escape.
June 2005
Accused of murder and rape, while residing in an assisted living facility. Murder victim was a 35-year old daughter of a retired police detective. The facility's housekeeper was the rape victim.
The Pawtucket Times – June 11, 2005
http://www.aperfectcause.org/artman/publish/article_1173.asp

Texas
Wilhoite, Patrick
65-Year-Old with previous convictions for Larceny
May 2001
Convicted of sexually molesting a three year girl who was visiting family in the nursing home
KVTV – CBS 11 News – March 2, 2005
http://www.aperfectcause.org/artman/publish/article_1000.asp

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A PERFECT CAUSE
AMERICA'S DISABILITY & ELDER RIGHTS ADVOCATES

Famous & Infamous Quotes

"This is incomprehensible. How could you put sex offenders in a locked ward with vulnerable adults?" "It defies imagination. I'm absolutely dumbfounded that this could go on in this state and that government agencies were involved."

Minnesota Attorney General Mike Hatch
Star Tribune
May 27, 2004
http://www.aperfectcause.org/artman/publish/article_25.asp

"This was better then just letting them out into the community or having them live under a bridge." 'W.K. was himself a "vulnerable adult" and that "even vulnerable adults have relationships."'

Minnesota Corrections Commissioner Joan Fabian
Star Tribune
May 27, 2004
http://www.aperfectcause.org/artman/publish/article_25.asp

"Elderly sex offenders in nursing homes are a low-risk group. Sex drive declines with age. Though there are exceptions to the rule, men like those in Carlton Manor are not likely to offend again in old age." At least 10 of Carlton Manor's sex offenders are 59 or older.

"I would be more concerned about people who weren't ID'd as sex offenders living next to you than somebody identified living in a secured nursing home.''

Dr. Wesley Maram – psychologist - Sex Offender Solutions, in CA
The Columbus Dispatch
July 16, 2004
http://www.aperfectcause.org/artman/publish/article_297.asp

"The guys we have here are well-behaved. The ones who have been in prison are grateful to be here.''

Carlton Manor Administrator Drew Vogel
The Columbus Dispatch - July 16, 2004
http://www.aperfectcause.org/artman/publish/article_297.asp

"If they're in a controlled environment, as far as access to the public, it would be better than not.''

Fayette County Deputy Sheriff Robert Russell
The Columbus Dispatch - July 16, 2004
http://www.aperfectcause.org/artman/publish/article_297.asp

A PERFECT CAUSE
AMERICA'S DISABILITY & ELDER RIGHTS ADVOCATES

Famous & Infamous Quotes

'Would not support a ban on sex offenders being placed in nursing homes because "they are not the only folks who present these problems for us in nursing homes." Crutcher said Alzheimer's patients and other nursing home residents can also become sexually aggressive.'

'Regulations are in place allowing the state to ensure the safety of all residents in nursing homes and other facilities inspected by the department.'

Oklahoma Department of Health, Commissioner Dr. Mike Crutcher
Tulsa World
May 11, 2004
http://www.aperfectcause.org/artman/publish/article_21.asp

'(Oklahoma State Secretary of Health, Terry) Cline and health officials also reviewed nursing home assault records for the past three years and found that no registered sex offenders had committed assaults on fellow residents during that period of time. The assailants were either nursing home employees or more frequently, other residents without criminal records.'

Press Release – Oklahoma Governor Brad Henry – January 27, 2005
http://www.aperfectcause.org/artman/publish/article_936.asp

'Some senators also questioned whether a crime someone committed decades ago should be held against them.'

The Advocate – June 17, 2005
http://www.aperfectcause.org/artman/publish/article_1179.asp

"I think the concerns are somewhat exaggerated. The bill in no way releases anytime a felon or anybody into a nursing home."

"People who are dying from an incurable illness, who are not a danger, who can't commit crimes anymore due to their physical situation, the Post Prison Transfer Board needs to have the ability to put them somewhere, to allow them to be maybe detained somewhere else so that person can get appropriate medical care."

Arkansas State Representative – Will Bond
Arkansas News Bureau – March 5, 2005
http://www.aperfectcause.org/artman/publish/article_1022.asp

"Said… he did not previously see Enos as a threat. "He was bedridden. This is not someone who is going to be roaming around. He's in tough shape and lost part of his foot.

Comments made about John Enos (see Cited Cases – above)
Officer Robert Baker - Norwood, MA Police Department (handles sex registry issues)
The Boston Globe – February 10, 2005
http://www.aperfectcause.org/artman/publish/article_961.asp

"It is inconceivable how anyone would think it is appropriate to place these predators among the most vulnerable adults in our society, our disabled and elderly loved ones, who often cannot physically protect themselves or report what has happened to them."

"When you put predators in with the prey, somebody's going to get bit."

Wes Bledsoe – President, A Perfect Cause

A Violation of Resident Rights / Regulations

According to the Code of Federal Regulations, Title 42, Subpart B Requirements for Long Term Care Facilities, Part 483.15 Quality of life – A facility must care for its residents in a manner and in an environment that promotes maintenance or enhancement of each resident's quality of life.

(e) Accommodation of needs. A resident has the right to - (1) Reside and receive services in the facility with reasonable accommodation of individual needs and preferences, except when the health or safety of the individual or other residents would be endangered; and

(f) Activities. – (1) The facility must provide for an ongoing program of activities designed to meet, in accordance with the comprehensive assessment, the interests and the physical, mental, and psychosocial well-being of each resident.

(h) Environment. The facility must provide - (1) A safe, clean, comfortable, and homelike environment, allowing the resident to use his or her personal belongings to the extent possible

Warehousing predators in nursing homes appears to violate these regulations.

Does reasonable accommodation include living with predators?

Can these predators endanger the health and safety of other residents?

Are these facilities providing the services that meet the physical, mental, and psychosocial well-being of residents by placing predators in the same facility?

What activities and assessments are provided for offenders to meet their physical, mental, and psychosocial needs?

Is locking a registered sex offender under 60 years of age on the Alzheimer's ward of a nursing home meeting that offender's needs?

Do nursing homes with predators offer safe and homelike environments?

How long would most families choose to live with a violent offender or sex offender in their home?

How many families have locked their doors and used security alarms for years, to keep criminals outside of their homes? Yet, how many long-term care residents are forced to live with criminal offenders, under the same roof, with no locked door between them, simply because they are disabled or elderly and require assistance with their activities of daily living?

Do the disabled and elderly have the right to live in a residence without criminal offenders?

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Proposed Action Steps
By Residents and Families

1. Check A Perfect Cause's Predators' Search System

   Residents and families are encouraged to access and check A Perfect Cause's website and Predators Search System at www.APerfectCause.org. We are tracking violent offenders across the nation who are living and working long-term care facilities.

   Due to limited access to information about offenders and residents, A Perfect Cause cannot assure you that all violent offenders and / or nursing homes have been screened.

2. Ask the Long-Term Care Facility's Administrator these Questions

   • Do you have any sex offenders as residents in this facility?
   • Will you allow sex offenders as residents in the future?
   • Do you have any prison inmates or parolees as residents in this facility?
   • Will you allow prison inmates or parolees as residents in the future?
   • Do you have any jail inmates as residents in this facility?
   • Will you allow jail inmates as residents in the future?
   • Do you have any violent offenders found incompetent to stand trial as residents in this facility?
   • Will you allow violent offenders found incompetent to stand trial as residents in the future?
   • Do you have any convicted felons in this facility?
   • Will you allow convicted felons as residents in the future?
   • Do you have any residents who sexually or physically assault other residents in this facility?
   • Will you allow any residents who sexually or physically assault other residents in the facility, in the future?
   • If yes to any of the above, what special training and security have you implemented to care for these offenders and to safeguard other residents?
   • If you do admit them in the future, will you notify residents, families, and visitors?
   • How will you notify residents, families, and visitors?

3. Use Video Monitoring where Applicable

   Many states allow for one party consent video monitoring. If your state allows this type of security, it is your right to use video monitoring with the permission of the resident and / or the resident's legal representative.

   Video monitoring can protect residents, staff, and visitors as a preventive measure.

   It can also document criminal activities, abuse, and neglect allowing the residents' families, staff, regulatory agencies, and law enforcement to effectively and swiftly respond before these actions are repeated.

   Families cannot be present 24 hours a day, seven days a week to monitor their loved ones. Facilities are not adequately staffed to monitor the activities of residents and while many facilities have "lock-down" or "secure" units, residents continue experience rape, assault, neglect, and abuse in America's nursing homes.

4. Move Your Loved One to a Facility Without Violent Offenders

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AMERICA'S DISABILITY & ELDER RIGHTS ADVOCATES

Proposed Action Steps
For Regulatory Officials and Legislators

1. Immediately conduct public hearings and investigations as into the placement of predators into long-term care facilities by state and county agencies.

2.a. Immediately put an end to the practice of placing any and all of the above offenders into long-term care facilities with non-offenders.

2.b. In the interim, require all state and county agencies who are placing any of the above offenders into long-term care facilities to report such placement to the state regulatory agency.

3. Require long-term care facilities to immediately report all cases of rape, sexual and physical assault to law enforcement and to the state's long-term care regulatory agency.

4. Require the state long-term care regulatory agency to track all incidents of rapes, sexual and physical assaults in long-term care facilities. This includes attaching a copy of law enforcement's incident report to the file.

5. Require the state long-term care regulatory agency to track all assailants who rape, sexually and / or physically assault other residents, staff, and / or visitors. As part of this process, require a national criminal background check on all assailants.

6. Require national criminal background checks on all staff.

7. Require national criminal background checks on all residents. This will screen the offenders from non-offenders. Consider apartment complexes that require not only credit checks, but criminal background checks as well. These complexes wish to keep undesirable tenants out, while protecting the peace and safety of other residents.

Further, these apartment complexes provide a key to their residents, to locks on their doors, and these residents allow whomever they choose to come and go as they please. In a nursing home, the residents do not receive a key. Their doors are open 24 hours a day, seven days a week, to whomever is in the facility.

8. Post visible notices on all entrances of long-term care facilities housing offenders, stating there is a violent offender on the premises.

9. Establish separate long-term care facilities for residents who are violent offenders. Do not mix offenders with non-offenders. Require specialized training and security in these facilities. Offer higher reimbursement rates to operators who wish to contact for this business.

This is also an economical benefit for those facilities housing non-offenders. They will not endure workers compensation claims from staff offended or affected by offenders, as well the facilities will not be sued for failing to protect residents from rapes, sexual and / or physical assaults.

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About A Perfect Cause

A Perfect Cause, is a 501 (c) (3) not-for-profit organization, serving as America's disability and elder rights advocates. The organization's mission is to end needless suffering and preventable deaths, while protecting the rights of people with disabilities and our elders for quality healthcare and long-term care services.

The organization was founded in the spring of 2001, by Wes Bledsoe in honor of his grandmother, Eunice Allen, an Oklahoma City nursing home victim and the thousands of other nursing home victims who needlessly suffer and die from preventable causes, each year.

The organizations key goals are:

- To create Awareness of America's long-term care crisis, of resources for consumers searching for long-term care solutions, and to change our consciousness of how we perceive people with disabilities and our elders.

- To call for Accountability by long-term care owners and operators, governors, legislators, regulatory officials, law enforcement and prosecutors, healthcare providers, residents' families, and concerned citizens.

- To Inform the public about conditions in long-term care facilities so they can make informed consumer choices.

- To Educate consumers about the nursing home environment, preventable causes of death, and other care giving solutions.

- To Intervene on behalf of long-term care residents and families in crisis.

A Perfect Cause's ongoing investigations and analysis of Predators in America's Nursing Homes, is solely funded through private contributions.

To contact A Perfect Cause call 405.228.0513, email info@APerfectCause.org, or visit the A Perfect Cause website at www.APerfectCause.org.

"When You Put Predators In With The Prey, Somebody's Going to Get Bit!"