

# THE DAILY RECORD

LAW, REAL ESTATE, FINANCE AND GENERAL INTELLIGENCE SINCE 1908

## Legal Currents

### Youth obsession and offenders

*This column, featured every Monday, tackles timely issues important to the local legal community.*

**BY NICOLE BLACK**

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**O**urs is a culture obsessed with youth.

Men use any number of techniques to disguise receding hairlines, including ridiculous looking comb-overs, hair transplants and creams that reduce the rate of hair loss.

Women spend inordinate amounts of money on “wrinkle-reducing” lotions and make up.

Hormonal treatments linked to breast cancer and little blue pills are deemed the answer to lost youth and waning sexual desire. People color their hair, allow chemical substances to be injected into their bodies and undergo painful cosmetic surgery — all in a desperate attempt to reclaim lost youthfulness.

The mainstream media does little to quell this national obsession. Youth is glorified and sexualized in every medium — magazines, the Internet, music, movies and television. Nearly-naked Twiggy-esque models who appear to be just entering their teens are splashed across the covers of magazines. In her infamous first video, then-17-year-old Britney Spears pranced around the halls of a high school with pink bows in her plaited hair while wearing a rather revealing plaid skirt school uniform. The oft-sued and enormously popular “Girls Gone Wild” franchise releases videos entitled “Girls Gone Wild: My 18th Birthday” and “Girls Gone Wild: Daddy’s Little Girls.”

Just last week, the most e-mailed and viewed image in the news section of Yahoo.com was that of the bikini-clad Louisiana contestant in the Miss Teen USA beauty pageant, Logan Brook Travis, a 15-year-old girl.

Is it any wonder some adults develop unhealthy sexual proclivities toward children?

Simply admitting the obsession is sufficient to incur society’s wrath and apparently invites the imposition of arguably illegal restraining orders, as in the case of Jack McClellan in California. McClellan, a self-professed pedophile with no criminal record, first attracted national attention when he published a now defunct blog that included pictures of children taken in public locales and advised readers of the obvious fact that girls tend to congregate in places such as public libraries and playgrounds.

In early August, two California lawyers sought an injunction against McClellan, and a Los Angeles Superior Court judge subsequently granted a

temporary restraining order barring McClellan from contacting, photographing or videotaping children under 18 years of age without parental consent, or loitering within 30 feet of areas where children congregate. Just last week he was arrested and jailed for violating the order after he was seen with a camera near a daycare located on the UCLA campus.

A man jailed because he expressed publicly his reprehensible thoughts? I don’t condone his beliefs, nor do I agree with them. But where do you draw the line? Should we jail movie critics who recommend the movie “Lolita?”

Those who do more than simply parrot our societal obsession with youth and actually act on their desires are permanently branded sex offenders by the courts. They are the new pariahs of our culture, forbidden to live freely amongst us.

At the local level, in Schenectady, attorney Melanie Trimble on behalf of the the New York Civil Liberties Union, and three capital area lawyers (Terry Kindlon, Kathy Manley and David Giacalone), sent a letter threatening to file a lawsuit against Schenectady County as a result of its newly-enacted sex offender residency law.

The law prevents every level of registered sex offenders from residing within 2,000 feet of public parks, pools, playgrounds, schools and other childcare facilities. Registered offenders whose current homes were within range of one of

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the specified areas were required to vacate their homes as of Oct.1.

After receiving the NYCLU letter, which, in part, objected to the new law as an unconstitutional *ex post facto* punishment, the county announced it would rescind the section mandating relocation and revise the remaining provisions.

Earlier this month in Georgia, a homeless sex offender who served his time in prison was sentenced to life in prison simply because he failed to register his non-existent address with state officials. In essence, he was imprisoned simply because he was homeless.

As a mother, I am disgusted and deeply disturbed by any form of child abuse and will do everything within my power

to protect my children from predators. But I cannot ignore the conflicting messages with which our culture is bombarded regarding the connection between sexual desire and youthfulness.

Our youth-obsessed culture created and supports these undesirable desires. To permanently demonize those who simply parrot which they see constantly in the media, or to permanently imprison those who are unable to restrain themselves from acting on the desires and ideals actively espoused by our culture is, in my opinion, nothing short of hypocritical.

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