## Sex Offenders PIC

### 1NC Sex Offenders DA

#### The right to be forgotten allows sex offenders to censor their pasts

Davies 14 [(Madeleine, journalist) “Sex Offenders Try to Censor Google Results Following EU Privacy Ruling” Jezebel 6/9] AT

Through "right to be forgotten," the only information that merits removal are the links that are "inadequate, irrelevant or no longer relevant." Unfortunately, what's relevant and what isn't seems entirely objective. According to The Guardian, Google has received requests from convicted murderers, sex offenders and politicians with corrupt pasts. Approximately 12% of the requests come from people in connection to child pornography arrests. Google is not legally required to comply with every request, and the company has announced plans to put flags on the pages where links have been deleted to indicate censorship. As for what links stay and what links go, the company has set up an advisory committee "to issue recommendations about where the boundaries of the public interest lie in the requests." "Right to be forgotten" isn't without its critics. Wikipedia founder (and Google advisory committee member) Jimmy Wales offered: "I think the decision will have no impact on people's right to privacy, because I don't regard truthful information in court records published by court order in a newspaper to be private information. If anything, the decision is likely to simply muddle the interesting philosophical questions and make it more difficult to make real progress on privacy issues...In the case of truthful, non-defamatory information obtained legally, I think there is no possibility of any defensible 'right' to censor what other people are saying." Index on Censorship chief executive Jodie Ginsburg is concerned with the way Google will be allowed to censor without any government oversight, saying, "We remain deeply concerned about a ruling that opens the door to a censoring of the past without any proper checks and balances."

#### This forgetting allows sexual abuse and rape to proliferate.

Caplin 14 [(Beth, author) “Forgiveness is not amnesia” Jun 16] AT

Perhaps part of why the Church mishandles (and continues to mishandle) sexual abuse is because the forgiveness piece of our faith is so highly valued. We Christians figure if Jesus can forgive the people who nailed him to a cross, rape victims can forgive their abusers. My personal journey of forgiveness has taught me that forgiveness isn’t the same as letting abusers off the hook, though: it’s a decision that frees myself from being enslaved by bitterness, which gives my abuser a hell of a lot more power than he deserves. But why are perpetrators of abuse told to repent and submit to consequences in every available avenue except the law? This is where the Church continues screwing up. It’s not enough to come clean to an accountability partner. It’s not enough to resign from your position of leadership. Maybe churches with abusers in their midst figure the negative publicity will hurt attendance, sponsorship, or the cause of Christ as a whole. I know I want to believe more than anything that the conviction of the holy spirit is enough to rectify damaging behavior, but sadly, this makes Christians rather naïve. Sexual abuse is a crime that thrives on secrecy: from the victim and everyone who knows the abuse is happening. This gives power to the abuser, making him (or her) believe he/she is invincible. The recidivism rate of sexual abusers increases when “turn the other cheek” becomes synonymous with hiding from the consequences of the law. My distrust of churches as safe havens grows every time I hear forgiveness lauded as the only solution to “getting over” abuse. Not only is this completely underestimating the severity of trauma, but forgiveness doesn’t cause amnesia. Forgiveness doesn’t wipe the memory clean of PTSD and all the physical symptoms that go with it. Even years later, there’s not a day that goes by when I don’t still struggle with it.

#### The aff’s desire to “forget” is the logic at the crux of campus rape culture

Baker 14 [(Katie, buzzfeed staff) “College Campuses Are Treating Rape Like A Crime Without Criminals”] AT

In October 2012, Angie Epifano wrote an essay that went viral nationwide and detailed appalling administrative failings at Amherst College: Epifano wrote that after she was was raped by an acquaintance as a freshman, she was pressured to “forgive and forget” by the school’s sexual assault counselor, denied access to support groups, and involuntarily committed to a psychiatric ward. In response, a special oversight committee was assembled to improve the college’s ability to prevent sexual violence and eventually released a report, “Towards a Culture of Respect.” “What we all want is to eliminate sexual misconduct before it occurs,” the committee wrote in the report. But there is “no need to name specific student groups” that have been found to intimidate victims from reporting assault. The euphemism “when something goes wrong” is employed more than once, as in “…when something goes wrong and a sexual assault does occur…” This language suggests that rape occurs by happenstance, a crime without a criminal. How do you solve a problem if you refuse to identify the perpetrator? The committee has one creative suggestion for how students should socialize: a “large and seasonally permanent structure on the main quadrangle, in the middle of the freshman living space.” Specifics weren’t necessary when identifying rapists and the groups that protect them, but elaborate detail is involved in the description of an “oversized tent, containing a sound system and stage” that would be “well lit and inviting” with events “held nearly nightly, but most certainly on weekends.” Among these events could be “large-scale poetry slams, small concerts, outdoor movies, recitals, dance lessons, and the like,” and thus there would be “no need to be drunk in order to escape the Amherst Awkward feeling.” The language in the Amherst report turns rape into a passive occurrence that can be treated with equally passive policy. The target isn’t rapists, and there’s little that acknowledges the widely understood behavior of rapists. Instead Amherst, and schools like it, shift their focus to the circumstances or spaces where rape occurs. But students can’t escape rape by going to a well-lit poetry slam or a sexy condom-strewn party. Schools don’t need to help students avoid the “Amherst Awkward” feeling; they need to protect them from men who rape — who are almost always unnamed, not just as individual perpetrators, but also as a category. But until colleges would rather prosecute rapists than build tents or allow lingerie-clad students to give out condoms, attempts at “cultural change” will remain naive gestures.

#### The impact – rape culture is promoted through passivity and causes massive violence and oppression – active condemnation is key

Taslitz 99 [Andrew, Professor, Howard Unviersity School of Law, former Assistant District Attorney, Philadelphia, PA], "Condemning the Racist Personality: Why the Critics of Hate Crimes Legislation Are Wrong", Boston College Law Review, Vol. 40, May 1999] Brackets in original

Hate crimes legislation thus helps to dismantle group-based status hierarchies that are inconsistent with the egalitarian spirit of our modern constitutional culture.u" A similar objection has long been made by feminists who challenge our "rape culture." 121According to Emilie Buchwald, a rape culture "is a complex of beliefs that encourage male sexual aggression and supports violence against women. It, is a society where violence is seen as sexy and sexuality as violent." 122A significant number of surveys reveal that nearly one-half of all men admit they would commit rape if they thought they could get away with it.'2" Moreover, the most common motivation for date rape is the prestige young men achieve among their peers for frequent sex, whether consensual or not. 124Other rapists confess their desire to assert dominance or control over, or revenge upon, women. 125Rapists' motives thus reflect widespread, common views among many men that sexual aggression, to the point of emotional terrorism or even violence, is a mark of masculinity. 126 Moreover, the fear of rape leads many women to dress modestly, 'avoid public spaces at night without the company of a man, and gen- erally seek male protection.P27 This limits women's freedom of movement and expression, inducing them to comply with patriarchal standards for proper behavior.' 28But, "[w] henever one group is made to feel dependent on another group, and this dependency is not reciprocal, then there is a strong comparative benefit to the group that is not in the dependent position." 129A dependent group is seen as weaker and, therefore, of less value. 13" Because a rape culture makes women de- pendent on men for protection, but not vice-versa, women conic to be seen as weaker and less worthy than men. "Rape culture" thus consists of a climate, a freely expressed set of attitudes that fosters subordinate female social status. Philosopher Larry May has explained how holding and expressing such group-subordinating attitudes itself imposes some measure of moral responsibility on the offending speakers. A man who discusses women as "Other" promotes more prevalent, more deeply entrenched views of women as lesser beings."' Similarly, the expression of racist attitudes creates a sense of solidarity with those of similar mind.' 32As feelings of another group's lower value become more shared and more intense, the greater becomes the risk that others sharing those atti- tudes will act on them to cause harm.'" Accordingly, sexist and racist speech further promote stereotypes that help to justify such harm."4 It is this heightened riskof harm that matters to May; it is irrelevant that the harm does not conic about. 135just as a man who shoots into a crowd to see people scream is lucky if no one is hurt, so is it, for May, a matter of moral chance if sexist or racist speech does not result in rape, lynching, or lesser harms.':" 1The sexist or racist speaker is thus morally culpable for the expression of his offending attitudes, even if he intends no concrete harm.'" Of course, says May, the speaker is far less culpable than one who intentionally and directly inflicts harm,'''" The speaker may merit only shame or guilt, 'as opposed to the full moral blame that justifies criminal punishment.m But the harm that the speaker's message imposes—itsi contribution to a sexist or racist culture, or "climate"m—helps us to understand better the unique harms done by those, like hate criminals, who combine gender or racially subordinating messages with the direct, intentional infliction of concrete harm."' The subordinate groups' mere perception of an increased risk of harm may also have unsettling consequences. Sensing greater risks, minorities may step cautiously to avoid certain neighborhoods and seek not to offend majorities by "uppity behavior" or the expression of unpopular views."2These defensive behaviors limit excluded groups' political, emotional, and social lives, much in the way that feminists see rape fear as breeding female dependency and a female nature compli- ant with patriarchal notions of "proper" gendered behavior.'" ' Femi- nists and other critical theorists sense more clearly than May that, even absent increased risks of harm or the perception of such increased risks, the expression of racist and sexist attitudes constitutes subordination in and of itself. Absent such expression, a culture that under- stands one group as inferior to another could not exist.'" May also stresses that members of the dominant group who do not actively challenge such subordinating messages share moral blame for the bias-motivated harms done by other members of the dominant group. 145 First, passive tolerators benefit from the harms committed by other members of their group. For example, kind and compassionate men who would never dream of committing rape benefit when women suffer rape fear that makes them more dependent on, and accepting of, the needs of their male companions." Sonic active and passive dominant group members thus share a kind of brotherhood of oppression Second, those who mean no harm, do much to cause it. when they casually express attitudes of mistrust of female competelice or fear of black males as dangerous. Such prejudices contribute to the climate of subordination. Third, and relatedly, many of the passive are in a position to reduce the risk of harm by challenging hateful messages yet fail to do so. 149 A society that does not condemn hate crimes in law and in action makes many of us collaborators creating and perpetuat- ing rape and racist cultures. Note, finally, that May stresses the harm caused by our attitudes.''" Attitudes are predispositions to act that reveal themselves in the con- junction of our thoughts with our behavior) Only when racial hatred leads to hateful action can we be said to have a hateful predisposition. The sum total of our predispositions, however, constitutes our charac- ter. 2For the reasons noted in this Article's introduction, we are each individually responsible for our character. Therefore, for May, the group-based harms of a racist culture stein from the same source as the individual-based harms of stereotyped justice 7—the evils of racist personality.

#### Patriarchy causes extinction

Warren and Cady Professor @ Macalester U 96 (Karen,., and Duane, Professor @ Hamline, Bringing peace home: feminism, violence, and nature, 1996, p.12-13)

Operationalized, the evidence of patriarchy as a dysfunctional system is found in the behaviors to which it gives rise, (c) the unmanageability, (d) which results. For example, in the United States, current estimates are that one out of every three or four women will be raped by someone she knows; globally, rape, sexual harassment, spouse-beating, and sado-massochistic pornography are examples of behaviors practiced, sanctioned, or tolerated within patriarchy. In the realm of environmentally destructive behaviors, strip-mining, factory farming, and pollution of the air, water, and soil are instances of behaviors maintained and sanctioned within patriarchy. They, too, rest on the faulty beliefs that it is okay to “rape the earth,” that it is “man’s God-given right” to have dominion (that is domination) over the earth, that nature has only instrumental value that environmental destruction is the acceptable price we pay for “progress.” And the presumption of warism, that war is a natural, righteous, and ordinary way to impose dominion on a people or nation, goes hand in hand with patriarchy and leads to dysfunctional behaviors of nations and ultimately to international unmanageability. Much of the current “unmanageability” of contemporary life in patriarchal societies, (d) is then viewed as a consequence of a patriarchal preoccupation with activities, events, and experiences that reflect historically male-gender-identified beliefs, values, attitudes, and assumptions. Included among these real-life consequences are precisely those concerns with nuclear proliferation, war, and environmental destruction, and violence towards women, which many feminists see as the logical outgrowth of patriarchal thinking. In fact, it is often only through observing these dysfunctional behaviors—the symptoms of dysfunctionality—that one can truly see that and how patriarchy serves to maintain and perpetuate them. When patriarchy is understood as a dysfunctional system, this “unmanageability” can be seen for what it is—as a predictable and thus logical consequence of patriarchy. The theme that global environmental crises, war, and violence generally are predictable and logical consequences of sexism and patriarchal culture is pervasive in ecofeminist literature. Ecofeminist Charlene Spretnak, for instance, argues that “a militarism and warfare are continual features of a patriarchal society because they reflect and instill patriarchal values and fulfill needs of such a system. Acknowledging the context of patriarchal conceptualizations that feed militarism is a first step toward reducing their impact and preserving life on Earth.” Stated in terms of the foregoing model of patriarchy as a dysfunctional social system, the claims by Spretnak and other feminists take on a clearer meaning: Patriarchal conceptual frameworks legitimate impaired thinking (about women, national and regional conflict, the environment) which is manifested in behaviors which, if continued, will make life on earth difficult, if not impossible. It is a stark message, but it is plausible. Its plausibility lies in understanding the conceptual roots of various woman-nature-peace connections in regional, national, and global contexts.

### Patriarchy Impact calc

#### This account of violence is more accurate – war is produced by larger narratives of militarism, not concrete events which also means they have no impact

Cuomo 96 (Chris J. Cuomo 1996, “War is not just an event: Reflections on the significance of everyday violence,” 1996, Hypatia, Volume 11, No. 4, pg 1, proquest.)

Philosophical attention to war has typically appeared in the form of justifications for entering into war, and over appropriate activities within war. The spatial metaphors used to refer to war as a separate, bounded sphere indicate assumptions that war is a realm of human activity vastly removed from normal life, or a sort of happening that is appropriately conceived apart from everyday events in peaceful times. Not surprisingly, most discussions of the political and ethical dimensions of war discuss war solely as an event--an occurrence, or collection of occurrences, having clear beginnings and endings that are typically marked by formal, institutional declarations. As happenings, wars and military activities can be seen as motivated by identifiable, if complex, intentions, and directly enacted by individual and collective decision-makers and agents of states. But many of the questions about war that are of interest to feminists---including how large-scale, state-sponsored violence affects women and members of other oppressed groups; how military violence shapes gendered, raced, and nationalistic political realities and moral imaginations; what such violence consists of and why it persists; how it is related to other oppressive and violent institutions and hegemonies--cannot be adequately pursued by focusing on events. These issues are not merely a matter of good or bad intentions and identifiable decisions. In "Gender and 'Postmodern' War," Robin Schott introduces some of the ways in which war is currently best seen not as an event but as a presence (Schott 1995). Schott argues that postmodern understandings of persons, states, and politics, as well as the high-tech nature of much contemporary warfare and the preponderance of civil and nationalist wars, render an event-based conception of war inadequate, especially insofar as geer is taken into account. In this essay, I will expand upon her argument by showing that accounts of war that only focus on events are impoverished in a number of ways, and therefore feminist consideration of the political, ethical, and ontological dimensions of war and the possibilities for resistance demand a much more complicated approach. I take Schott's characterization of war as presence as a point of departure, though I am not committed to the idea that the constancy of militarism, the fact of its omnipresence in human experience, and the paucity of an event-based account of war are exclusive to contemporary postmodern or postcolonial circumstances.1Theory that does not investigate or even notice the omnipresence of militarism cannot represent or address the depth and specificity of the everyday effects of militarism on women, on people living in occupied territories, on members of military institutions, and on the environment. These effects are relevant to feminists in a number of ways because military practices and institutions help construct gendered and national identity, and because they justify the destruction of natural nonhuman entities and communities during peacetime. Lack of attention to these aspects of the business of making or preventing military violence in an extremely technologized world results in theory that cannot accommodate the connections among the constant presence of militarism, declared wars, and other closely related social phenomena, such as nationalistic glorifications of motherhood, media violence, and current ideological gravitations to military solutions for social problems. Ethical approaches that do not attend to the ways in which warfare and military practices are woven into the very fabric of life in twenty-first century technological states lead to crisis-based politics and analyses. For any feminism that aims to resist oppression and create alternative social and political options, crisis-based ethics and politics are problematic because they distract attention from the need for sustained resistance to the enmeshed, omnipresent systems of domination and oppression that so often function as givens in most people's lives. Neglecting the omnipresence of militarism allows the false belief that the absence of declared armed conflicts is peace, the polar opposite of war. It is particularly easy for those whose lives are shaped by the safety of privilege, and who do not regularly encounter the realities of militarism, to maintain this false belief. The belief that militarism is an ethical, political concern only regarding armed conflict, creates forms of resistance to militarism that are merely exercises in crisis control. Antiwar resistance is then mobilized when the "real" violence finally occurs, or when the stability of privilege is directly threatened, and at that point it is difficult not to respond in ways that make resisters drop all other political priorities. Crisis-driven attention to declarations of war might actually keep resisters complacent about and complicitous in the general presence of global militarism. Seeing war as necessarily embedded in constant military presence draws attention to the fact that horrific, state-sponsored violence is happening nearly all over, all of the time, and that it is perpetrated by military institutions and other militaristic agents of the state. Moving away from crisis-driven politics and ontologies concerning war and military violence also enables consideration of relationships among seemingly disparate phenomena, and therefore can shape more nuanced theoretical and practical forms of resistance. For example, investigating the ways in which war is part of a presence allows consideration of the relationships among the events of war and the following: how militarism is a foundational trope in the social and political imagination; how the pervasive presence and symbolism of soldiers/warriors/patriots shape meanings of gender; the ways in which threats of state-sponsored violence are a sometimes invisible/sometimes bold agent of racism, nationalism, and corporate interests; the fact that vast numbers of communities, cities, and nations are currently in the midst of excruciatingly violent circumstances. It also provides a lens for considering the relationships among the various kinds of violence that get labeled "war."

#### Structural violence is underrepresented in conventional thinking – you must include it as most important in your impact calculus

Nixon 11 Rob, Rachel Carson Professor of English, University of Wisconsin-Madison, Slow Violence and the Environmentalism of the Poor, pgs. 2-3

Three primary concerns animate this book, chief among them my conviction that we urgently need to rethink-politically, imaginatively, and theoretically-what I call "slow violence." By slow violence I mean a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all. Violence is customarily conceived as an event or action that is immediate in time, explosive and spectacular in space, and as erupting into instant sensational visibility. We need, I believe, to engage a different kind of violence, a violence that is neither spectacular nor instantaneous, but rather incremental and accretive, its calamitous repercussions playing out across a range of temporal scales. In so doing, we also need to engage the representational, narrative, and strategic challenges posed by the relative invisibility of slow violence. Climate change, the thawing cryosphere, toxic drift, biomagnification, deforestation, the radioactive aftermaths of wars, acidifying oceans, and a host of other slowly unfolding environmental catastrophes present formidable representational obstacles that can hinder our efforts to mobilize and act decisively. The long dyings-the staggered and staggeringly discounted casualties, both human and ecological that result from war's toxic aftermaths or climate change-are underrepresented in strategic planning as well as in human memory. Had Summers advocated invading Africa with weapons of mass destruction, his proposal would have fallen under conventional definitions of violence and been perceived as a military or even an imperial invasion. Advocating invading countries with mass forms of slow-motion toxicity, however, requires rethinking our accepted assumptions of violence to include slow violence. Such a rethinking requires that we complicate conventional assumptions about violence as a highly visible act that is newsworthy because it is event focused, time bound, and body bound. We need to account for how the temporal dispersion of slow violence affects the way we perceive and respond to a variety of social afflictions-from domestic abuse to posttraumatic stress and, in particular, environmental calamities. A major challenge is representational: how to devise arresting stories, images, and symbols adequate to the pervasive but elusive violence of delayed effects. Crucially, slow violence is often not just attritional but also exponential, operating as a major threat multiplier; it can fuel long-term, proliferating conflicts in situations where the conditions for sustaining life become increasingly but gradually degraded.

#### Social injustice is the root of mass-scale violence – it primes society for external violence

Scheper-Hughes 4 (Prof of Anthropology @ Cal-Berkely; Prof of Anthropology @ UPenn) (Nancy and Philippe, Introduction: Making Sense of Violence, in Violence in War and Peace, pg. 19-22)

This large and at first sight “messy” Part VII is central to this anthology’s thesis. It encompasses everything from the routinized, bureaucratized, and utterly banal violence of children dying of hunger and maternal despair in Northeast Brazil (Scheper-Hughes, Chapter 33) to elderly African Americans dying of heat stroke in Mayor Daly’s version of US apartheid in Chicago’s South Side (Klinenberg, Chapter 38) to the racialized class hatred expressed by British Victorians in their olfactory disgust of the “smelly” working classes (Orwell, Chapter 36). In these readings violence is located in the symbolic and social structures that overdetermine and allow the criminalized drug addictions, interpersonal bloodshed, and racially patterned incarcerations that characterize the US “inner city” to be normalized (Bourgois, Chapter 37 and Wacquant, Chapter 39). Violence also takes the form of class, racial, political self-hatred and adolescent self-destruction (Quesada, Chapter 35), as well as of useless (i.e. preventable), rawly embodied physical suffering, and death (Farmer, Chapter 34). Absolutely central to our approach is a blurring of categories and distinctions between wartime and peacetime violence. Close attention to the “little” violences produced in the structures, habituses, and mentalites of everyday life shifts our attention to pathologies of class, race, and gender inequalities. More important, it interrupts the voyeuristic tendencies of “violence studies” that risk publicly humiliating the powerless who are often forced into complicity with social and individual pathologies of power because suffering is often a solvent of human integrity and dignity. Thus, in this anthology we are positing a violence continuum comprised of a multitude of “small wars and invisible genocides” (see also Scheper- Hughes 1996; 1997; 2000b) conducted in the normative social spaces of public schools, clinics, emergency rooms, hospital wards, nursing homes, courtrooms, public registry offices, prisons, detention centers, and public morgues. The violence continuum also refers to the ease with which humans are capable of reducing the socially vulnerable into expendable nonpersons and assuming the license - even the duty - to kill, maim, or soul-murder. We realize that in referring to a violence and a genocide continuum we are flying in the face of a tradition of genocide studies that argues for the absolute uniqueness of the Jewish Holocaust and for vigilance with respect to restricted purist use of the term genocide itself (see Kuper 1985; Chaulk 1999; Fein 1990; Chorbajian 1999). But we hold an opposing and alternative view that, to the contrary, it is absolutely necessary to make just such existential leaps in purposefully linking violent acts in normal times to those of abnormal times. Hence the title of our volume: Violence in War and in Peace. If (as we concede) there is a moral risk in overextending the concept of “genocide” into spaces and corners of everyday life where we might not ordinarily think to find it (and there is), an even greater risk lies in failing to sensitize ourselves, in misrecognizing protogenocidal practices and sentiments daily enacted as normative behavior by “ordinary” good-enough citizens. Peacetime crimes, such as prison construction sold as economic development to impoverished communities in the mountains and deserts of California, or the evolution of the criminal industrial complex into the latest peculiar institution for managing race relations in the United States (Waquant, Chapter 39), constitute the “small wars and invisible genocides” to which we refer. This applies to African American and Latino youth mortality statistics in Oakland, California, Baltimore, Washington DC, and New York City. These are “invisible” genocides not because they are secreted away or hidden from view, but quite the opposite. As Wittgenstein observed, the things that are hardest to perceive are those which are right before our eyes and therefore taken for granted. In this regard, Bourdieu’s partial and unfinished theory of violence (see Chapters 32 and 42) as well as his concept of misrecognition is crucial to our task. By including the normative everyday forms of violence hidden in the minutiae of “normal” social practices - in the architecture of homes, in gender relations, in communal work, in the exchange of gifts, and so forth - Bourdieu forces us to reconsider the broader meanings and status of violence, especially the links between the violence of everyday life and explicit political terror and state repression, Similarly, Basaglia’s notion of “peacetime crimes” - crimini di pace - imagines a direct relationship between wartime and peacetime violence. Peacetime crimes suggests the possibility that war crimes are merely ordinary, everyday crimes of public consent applied systematic- ally and dramatically in the extreme context of war. Consider the parallel uses of rape during peacetime and wartime, or the family resemblances between the legalized violence of US immigration and naturalization border raids on “illegal aliens” versus the US government- engineered genocide in 1938, known as the Cherokee “Trail of Tears.” Peacetime crimes suggests that everyday forms of state violence make a certain kind of domestic peace possible. Internal “stability” is purchased with the currency of peacetime crimes, many of which take the form of professionally applied “strangle-holds.” Everyday forms of state violence during peacetime make a certain kind of domestic “peace” possible. It is an easy-to-identify peacetime crime that is usually maintained as a public secret by the government and by a scared or apathetic populace. Most subtly, but no less politically or structurally, the phenomenal growth in the United States of a new military, postindustrial prison industrial complex has taken place in the absence of broad-based opposition, let alone collective acts of civil disobedience. The public consensus is based primarily on a new mobilization of an old fear of the mob, the mugger, the rapist, the Black man, theundeserving poor. How many public executions of mentally deficient prisoners in the United States are needed to make life feel more secure for the affluent? What can it possibly mean when incarceration becomes the “normative” socializing experience for ethnic minority youth in a society, i.e., over 33 percent of young African American men (Prison Watch 2002). In the end it is essential that we recognize the existence of a genocidal capacity among otherwise good-enough humans and that we need to exercise a defensive hypervigilance to the less dramatic, permitted, and even rewarded everyday acts of violence that render participation in genocidal acts and policies possible (under adverse political or economic conditions), perhaps more easily than we would like to recognize. Under the violence continuum we include, therefore, all expressions of radical social exclusion, dehumanization, depersonal- ization, pseudospeciation, and reification which normalize atrocious behavior and violence toward others. A constant self-mobilization for alarm, a state of constant hyperarousal is, perhaps, a reasonable response to Benjamin’s view of late modern history as a chronic “state of emergency” (Taussig, Chapter 31). We are trying to recover here the classic anagogic thinking that enabled Erving Goffman, Jules Henry, C. Wright Mills, and Franco Basaglia among other mid-twentieth-century radically critical thinkers, to perceive the symbolic and structural relations, i.e., between inmates and patients, between concentration camps, prisons, mental hospitals, nursing homes, and other “total institutions.” Making that decisive move to recognize the continuum of violence allows us to see the capacity and the willingness - if not enthusiasm - of ordinary people, the practical technicians of the social consensus, to enforce genocidal-like crimes against categories of rubbish people. There is no primary impulse out of which mass violence and genocide areborn, it is ingrained in the common sense of everyday social life. The mad, the differently abled, the mentally vulnerable have often fallen into this category of the unworthy living, as have the very old and infirm, the sick-poor, and, of course, the despised racial, religious, sexual, and ethnic groups of the moment. Erik Erikson referred to “pseudo- speciation” as the human tendency to classify some individuals or social groups as less than fully human - a prerequisite to genocide and one that is carefully honed during the unremark- able peacetimes that precede the sudden, “seemingly unintelligible” outbreaks of mass violence. Collective denial and misrecognition are prerequisites for mass violence and genocide. But so are formal bureaucratic structures and professional roles. The practical technicians of everyday violence in the backlands of Northeast Brazil (Scheper-Hughes, Chapter 33), for example, include the clinic doctors who prescribe powerful tranquilizers to fretful and frightfully hungry babies, the Catholic priests who celebrate the death of “angel-babies,” and the municipal bureaucrats who dispense free baby coffins but no food to hungry families. Everyday violence encompasses the implicit, legitimate, and routinized forms of violence inherent in particular social, economic, and political formations. It is close to what Bourdieu (1977, 1996) means by “symbolic violence,” the violence that is often “nus-recognized” for something else, usually something good. Everyday violence is similar to what Taussig (1989) calls “terror as usual.” All these terms are meant to reveal a public secret - the hidden links between violence in war and violence in peace, and between war crimes and “peace-time crimes.” Bourdieu (1977) finds domination and violence in the least likely places - in courtship and marriage, in the exchange of gifts, in systems of classification, in style, art, and culinary taste- the various uses of culture. Violence, Bourdieu insists, is everywhere in social practice. It is misrecognized because its very everydayness and its familiarity render it invisible. Lacan identifies “rneconnaissance” as the prerequisite of the social. The exploitation of bachelor sons, robbing them of autonomy, independence, and progeny, within the structures of family farming in the European countryside that Bourdieu escaped is a case in point (Bourdieu, Chapter 42; see also Scheper-Hughes, 2000b; Favret-Saada, 1989). Following Gramsci, Foucault, Sartre, Arendt, and other modern theorists of power-vio- lence, Bourdieu treats direct aggression and physical violence as a crude, uneconomical mode of domination; it is less efficient and, according to Arendt (1969), it is certainly less legitimate. While power and symbolic domination are not to be equated with violence - and Arendt argues persuasively that violence is to be understood as a failure of power - violence, as we are presenting it here, is more than simply the expression of illegitimate physical force against a person or group of persons. Rather, we need to understand violence as encompassing all forms of “controlling processes” (Nader 1997b) that assault basic human freedoms and individual or collective survival. Our task is to recognize these gray zones of violence which are, by definition, not obvious. Once again, the point of bringing into the discourses on genocide everyday, normative experiences of reification, depersonalization, institutional confinement, and acceptable death is to help answer the question: What makes mass violence and genocide possible? In this volume we are suggesting that mass violence is part of a continuum, and that it is socially incremental and often experienced by perpetrators, collaborators, bystanders - and even by victims themselves - as expected, routine, even justified. The preparations for mass killing can be found in social sentiments and institutions from the family, to schools, churches, hospitals, and the military. They harbor the early “warning signs” (Charney 1991), the “priming” (as Hinton, ed., 2002 calls it), or the “genocidal continuum” (as we call it) that push social consensus toward devaluing certain forms of human life and lifeways from the refusal of social support and humane care to vulnerable “social parasites” (the nursing home elderly, “welfare queens,” undocumented immigrants, drug addicts) to the militarization of everyday life (super-maximum-security prisons, capital punishment; the technologies of heightened personal security, including the house gun and gated communities; and reversed feelings of victimization).

### 1NC Sex Offenders PIC---core

#### The United States federal government ought to implement a “right to be forgotten” from Internet searches as a civil right except for high-risk convicted sex offenders.

Herzog-Evans 11 [Martine Professor of Law and Criminology, University of Reims "Judicial rehabilitation in France: Helping with the desisting process and acknowledging achieved desistance" European Journal of Probation, University of Bucharest, Vol 3, No. 1, pp 4-19] AT

However, France’s open mindedness stops when it comes to sexual offenders. Recent laws have been passed which force sexual offenders to register on a National Judicial Record for Sexual and Violent Offenders (FJNAIS - PPC, art. 706-53-1 s.). These offenders have to report on a regular basis to the police and indicate their changes of address. The FJNAIS is however only accessible by the courts and the police. So even if they cannot be expunged easily, as we shall see, at least these specific records do not limit employment per se (Herzog-Evans, 2007: Chap.153 and 163)2.

#### Solves the case – Rape culture is perpetuated through passivity – while a rehabilitative approach might be generally important, we should make an exception in the case of rape culture since passivity is its root cause – that’s the Taslitz evidence

### ---Extra DA Offense

#### Identifying sex offenders is key.

Levenson 12 [(Jill, Associate Professor of Human Services Lynn University) “Sex offense recidivism, risk assessment, and the Adam Walsh Act”] AT

Although official recidivism rates do underestimate true reoffense rates, Harris and Hanson (2004) concluded: “Most sexual offenders do not re-offend sexually over time ... this finding is contrary to some strongly held beliefs. After 15 years, 76% of sexual offenders had not been charged with, or convicted of, another sexual offence. The sample was sufficiently large that very strong contradictory evidence is necessary to substantially change these recidivism estimates” (p. 17). There is no dispute that some sex offenders are extremely dangerous or violent and pose a severe threat to public safety. Public policies should utilize strategies best equipped to identify these high-risk offenders and inform the community accordingly.

#### Only the PIC can deter new sex crimes – the plan would increase sex offenses

Letourneau 10 [(Elizabeth, Ph.D., Jill S. Levenson, Ph.D., Dipankar Bandyopadhyay, Ph.D., Debajyoti Sinha, Ph.D., Kevin S. Armstrong) “Evaluating the Effectiveness of Sex Offender Registration and Notification Policies for Reducing Sexual Violence against Women” September 2010] AT

The present study examined the effects of comprehensive registration and community notification policies on rates of sexual violence in South Carolina. Specifically, the present study proposed to evaluate whether broad sex offender registration and notification policies have reduced recidivism or deterred new sexual offenses. Additionally, this study proposed to examine whether unintended effects of broad registration and notification policies have occurred. Of note, the present study focused almost exclusively on the effects of registration and notification as pertains to offenses committed by adults. Given that registration and notification policies often target juveniles adjudicated delinquent as minors, the investigative team has been involved in separate research pertaining to the effects of these policies as pertains to juveniles (see Letourneau & Armstrong, 2008, Letourneau, Bandyopadhyay, Armstrong, & Sinha, 2010; Letourneau, Bandyopadhyay, Sinha, & Armstrong, 2009a; 2009b). Specific Aims This study examined whether the introduction of sex offender registration and notification laws in South Carolina were associated with reductions in sexual crimes and, if so, whether this reduction could be attributed to an actual reduction in sexual violence and/or recidivism (i.e., an intended effect) or to changes in criminal judicial processing of individuals ￼￼2 ￼2010 This document is a research report submitted to the U.S. Department of Justice. This report has not been published by the Department. Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice. for registry crimes (i.e., an unintended effect). In the context of this project, “sex offender” typically refers to anyone with one or more sex crime convictions. Specific sex crime charges are listed in Table 1 and include contact and noncontact offenses against children and adults. Specific study aims included: (1) To examine whether South Carolina registration and notification policies have the intended effect of preventing first time sexual offending; (2) To examine whether South Carolina registration and notification policies have the intended effect of reducing sexual recidivism for known sex offenders; and (3) To examine whether South Carolina registration and notification policies have the unintended effect of reducing the probability that individuals who commit sexual crimes will be prosecuted or convicted for such crimes. In addition to these primary aims, we also investigated (4) whether registration violations (e.g., failure to register) were associated with sexual or general recidivism. The following points highlight the key findings of the study: 1. A significant deterrent effect was noted after 1995, the year that South Carolina first implemented sex offender registration and notification (SORN). An approximately 11% reduction in first-time sex crime arrests was found in the post-SORN period (1995-2005) relative to the pre-SORN period (1990-1994). 2. However, there was no significant decline in the six year period after 1999, which was the year that South Carolina implemented its online sex offender registry, indicating that online notification did not influence general deterrence of adult sex crimes. 3. Across a mean follow-up of 8.4 years, 490 (8%) of registered sex offenders had new sex crime charges and 299 (4%) offenders had new sex crime convictions. Registered sex offenders were not less likely to recidivate than non-registered sex offenders. ￼￼￼￼￼3 ￼2010 This document is a research report submitted to the U.S. Department of Justice. This report has not been published by the Department. Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice. 4. Defendants were more likely to have charges reduced from sex to nonsex crimes over time, with a 9% predicted probability of reduced charges from 1990-1994 (pre-SORN), a 15% predicted probability of reduced charges from 1995-1999 (corresponding with initial implementation of SORN) and a 19% predicted probability after 1999 (corresponding with implementation of Internet notification). 5. Results also indicated that the probability of obtaining a charge reduced from truth-in- sentencing (TIS) to non-TIS increased over time for sex crime defendants. 6. The probability of a guilty disposition changed at each year group, with a predicted probability of 55% from 1990-1994, increasing to 65% from 1995-1999, and then declining to 60% after 1999. This final decline was more pronounced when pleaded cases were removed from analyses. 7. With respect to failure to register (FTR) as a sex offender, no significant differences were found between the sexual recidivism rates of registered offenders with FTR charges and those without FTR charges (11% vs. 9%, respectively). There was no significant difference in the proportion of sexual recidivists and nonrecidivists with registration violations (12% and 10%, respectively). Failure to register did not predict sexual recidivism, and survival analyses revealed no significant difference in time to recidivism when comparing those who failed to register (M = 2.9 years) with compliant registrants (M = 2.8 years). Conclusions Results from this program of research indicate that SORN, as implemented in South Carolina, appears to have a positive impact on general deterrence associated with averting approximately three new first-time sex crime cases per month.

### 2nr “high risk” text

#### Modern methods can classify risk factors which solves

Levenson 12 [(Jill, Associate Professor of Human Services Lynn University) “Sex offense recidivism, risk assessment, and the Adam Walsh Act”] AT

Statistical procedures consistently have been shown to improve the accuracy of predictions by setting thresholds for decision-making and by standardizing factors that professionals readily recognize as key diagnostic indicators. This process, known as the actuarial method, estimates the likelihood of a certain outcome by referring to the known (actual) outcomes of individuals with similar characteristics. Actuarial assessment is used in the insurance industry to adjust premiums and its uses are growing in a variety of other disciplines, including criminal justice. The actuarial method cannot predict with certainty that a given individual will behave in a particular way. It can, however, provide probability data with which to inform one's expectations regarding an individual and to assess the likelihood of a certain outcome. Simply put, the identification of risk factors associated with both violent and sexual reoffending has improved our ability to predict future dangerousness. Prediction of sexual dangerousness has improved markedly over the past decade as a result of studies identifying risk factors correlated with violent and sexual recidivism. These factors informed the development of actuarial risk assessment instruments. The poor record of clinical judgment in the prediction of human behavior is well established and its use when more accurate methods are available has been said to be inefficient and unethical. This is especially crucial in the present context, where the consequences of misjudgments can be grave for both sex offenders and communities. When sexual violence risk assessment procedures have been directly compared, actuarial risk scales were better able to predict recidivism (r = .61) than clinical judgment alone (r = .40) or empirically guided assessments (r = .41) (Hanson & Morton-Bourgon, 2004). In fact, the most commonly used risk assessment instrument, the Static-99, which is easily scored by anyone trained to do so (e.g. probation agents, clinicians, case managers), has demonstrated good predictive accuracy in multiple validation studies over the past several years. Risk assessment scales have been formulated, tested, and refined to yield the best possible predictions as to which offenders are most likely to re-offend. They are used nationwide in all states that have sex offender civil commitment laws and have become the gold standard for risk assessment. They are not perfect, but they give us a firm scientific basis for assessing the likelihood that a convicted sex offender will re-offend and assigning that individual to a risk category. Of additional interest with regard to Nevada’s newly enacted lifetime registration and supervision requirements is that the Static-99 scoring guidelines state on page 59 that “the expected offense recidivism rate should be reduced by about half if the offender has five to ten years of offense-free behavior in the community... as offenders successfully live in the community without incurring new offenses, their recidivism risk declines.”

### 2NR Disad---A2 “Black Rapist” Stigma

#### The myth of the black rapist is exactly that – a myth. People who have actually been convicted of sexual offenses are the ones without a right to be forgotten – not racist ideologies in the white imaginary.

#### The criminal justice system constantly falsely acquits rapists – this is part of rape culture. Excusing all convicted sex offenders only furthers that rape culture where active condemnation is needed.

#### The risk of unjust convictions is much lower than the risk of false acquittals given that the vast majority of rape goes unpunished in the status quo. You should err on the side of punishing more rather than punishing less for a crime that is already punished inadequately – it’s the only way to send a signal that combats rape culture.

### Alt CP text

#### -The United States federal government ought to implement a “right to be forgotten” from Internet searches as a civil right for people other than convicted sex offenders. The USFG ought to implement a “right to be forgotten” from Internet searches as a civil right for people convicted of sexual offenses only if they do not re-offend for the five years following the completion of their sentence.

#### Targeted high-risk offenders is possible and solves

Levenson 12 [(Jill, Associate Professor of Human Services Lynn University) “Sex offense recidivism, risk assessment, and the Adam Walsh Act”] AT

Statistical procedures consistently have been shown to improve the accuracy of predictions by setting thresholds for decision-making and by standardizing factors that professionals readily recognize as key diagnostic indicators. This process, known as the actuarial method, estimates the likelihood of a certain outcome by referring to the known (actual) outcomes of individuals with similar characteristics. Actuarial assessment is used in the insurance industry to adjust premiums and its uses are growing in a variety of other disciplines, including criminal justice. The actuarial method cannot predict with certainty that a given individual will behave in a particular way. It can, however, provide probability data with which to inform one's expectations regarding an individual and to assess the likelihood of a certain outcome. Simply put, the identification of risk factors associated with both violent and sexual reoffending has improved our ability to predict future dangerousness. Prediction of sexual dangerousness has improved markedly over the past decade as a result of studies identifying risk factors correlated with violent and sexual recidivism. These factors informed the development of actuarial risk assessment instruments. The poor record of clinical judgment in the prediction of human behavior is well established and its use when more accurate methods are available has been said to be inefficient and unethical. This is especially crucial in the present context, where the consequences of misjudgments can be grave for both sex offenders and communities. When sexual violence risk assessment procedures have been directly compared, actuarial risk scales were better able to predict recidivism (r = .61) than clinical judgment alone (r = .40) or empirically guided assessments (r = .41) (Hanson & Morton-Bourgon, 2004). In fact, the most commonly used risk assessment instrument, the Static-99, which is easily scored by anyone trained to do so (e.g. probation agents, clinicians, case managers), has demonstrated good predictive accuracy in multiple validation studies over the past several years. Risk assessment scales have been formulated, tested, and refined to yield the best possible predictions as to which offenders are most likely to re-offend. They are used nationwide in all states that have sex offender civil commitment laws and have become the gold standard for risk assessment. They are not perfect, but they give us a firm scientific basis for assessing the likelihood that a convicted sex offender will re-offend and assigning that individual to a risk category. Of additional interest with regard to Nevada’s newly enacted lifetime registration and supervision requirements is that the Static-99 scoring guidelines state on page 59 that “the expected offense recidivism rate should be reduced by about half if the offender has five to ten years of offense-free behavior in the community... as offenders successfully live in the community without incurring new offenses, their recidivism risk declines.”