IS THIS WOMAN A SEXUAL PREDATOR?

AN ADOLESCENT MOMENT OF ACTING-OUT SUMMED UP ANGELA COFFEL'S TRAGIC UPBRINGING—AND HAS CONDEMNED HER TO SOLITARY CONFINEMENT FOR THE FORESEEABLE FUTURE. BY JENNIFER BAUMGARDNER, WITH ADDITIONAL REPORTING BY JENNIFER MOELLER

If it weren't for the twenty-foot fence and four tiers of razor wire suspended like menacing Slinkies around its well-groomed lawn, the Missouri Department of Mental Health's Hoctor Building might be a junior high. It has the same sleep-inducing yellow walls and institutional tile, but one floor has just two inhabitants: a four-foot cardboard skeleton and Angela Marie Coffel, age twenty-five. As the only woman in Missouri who's been declared a sexually violent predator, Coffel leads an isolated life. By law, she's not allowed to be housed with the other mentally ill women hospitalized by the state, nor is she allowed to mix with fellow predators, all of whom, of course, are men.

Coffel tacked up the skeleton last fall to decorate the common room for Halloween. For Thanksgiving, she dressed it in a paper pilgrim's outfit, and a month later, he was decked out in a Santa suit. She rolled brown construction paper into makeshift logs to create a faux fireplace, where she hung her Christmas stocking and arranged a few gifts she'd received from her lawyers. Coffel's "art projects" are one of her few diversions in days that begin when she drags out of bed at 2:00 P.M.—"I sleep so I don't have to be here," she says—and are otherwise filled with chain-smoking; once-a-week visits from a psychologist, an anger-management counselor, and a crafts instructor; and hour after hour of *Jenny Jones, The Fresh Prince of Bel-Air, Martin,* and so on.

Coffel has been locked up for the last six years based on this event: On October 6, 1994, she downed a half-dozen airline-size bottles of Wild Turkey (her dad was a TWA baggage handler) and headed over to a neighbor lady's to help with the housework. Angela, then eighteen, was new to the neighborhood—a cluster of trailers dotting a mile-long gravel road outside Foley, Missouri (population 178)—and new to country living. She'd grown up in St. Louis, some sixty miles southeast, and had alternately lived with her parents, her grandmother, a gang leader, and in foster care. While her neighbor, Lanae Collins, was in another room, two brothers who lived across the road stopped by. The three talked for a few minutes, and then one of them suggested playing Truth or Dare. During the game, Coffel performed oral sex on each brother for two or three seconds; neither had an erection. When Collins walked in on them, the younger boy had his pants down and was lying on top of Coffel. She ordered them all home. Regular old teenage embarrassment might have been the end of the story, if it weren't for a few things: The younger brother, Jeff, was eleven; Matt was three weeks away from his fourteenth birthday; and Coffel was HIV-positive.

A year earlier, she'd learned she was infected with gonorrhea, chlamydia, and the virus that causes AIDS—and somehow, the news had spread through the trailer park like dandelions. Collins alerted the boys' mother, who called the sheriff. Coffel was arrested and pleaded guilty to statutory sodomy (even if they'd wanted to, the brothers, by law, couldn't "consent" to sex with her because they were both minors).

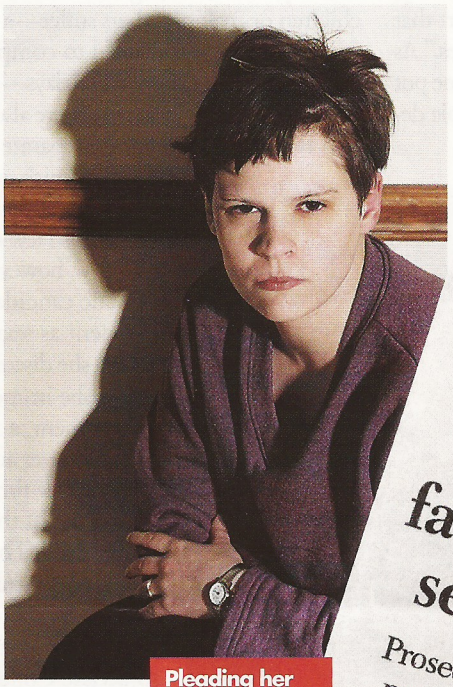
It was Coffel's first offense, and the probation officer recommended in a presentencing report that she be released without serving jail time. But while awaiting the judge's decision, Coffel violated his order not to have contact with a sixteen-year-old boy she'd been seeing. The judge was angry and, opining that Coffel needed "structure," sentenced her to five years in state prison.

She was due to get out on July 31, 2000, but during the years she sat in jail, a wave of controversial laws swept the country. The most widely publicized was New Jersey's Megan's Law, which requires that communities be notified when a sex offender leaves prison and moves into their midst. In 1990, Washington became the first state to give the government the authority to detain sex felons who'd already done their time but were still considered dangerous. Fifteen other states followed suit, including Missouri, whose Sexually Violent Predator Act went into effect in January 1999.

The laws were meant to protect people from the most egre-

gious sex criminals, serial pedophiles or rapists, like California's Christopher Hubbart, who was the first person committed under the state's SVP law after he admitted to breaking into at least thirty women's homes at night, tying their hands, putting pillowcases over their heads, and attacking them. And though the statutes teeter on the edge of defying the Constitution's prohibition against double jeopardy (punishing someone twice for the same crime), the Supreme Court has upheld them under the rationale that their purpose isn't to further punish, but to safeguard the community and provide psychological treatment to the sexually deranged.

But the laws are vague, and are scooping up many more people than was first envisioned. In Wisconsin, for instance, legislators estimated that twelve men a year would be held as violent predators; the average is about twelve a *month*. As for Coffel, you might not be thrilled to have her move in next door, but the question the court was supposed to decide was much more narrow: Was she such a threat to her fellow citizens that she should be locked up indefinitely, becoming only the fourth female predator in the United States, or was she merely a deeply troubled, immature girl who engaged in the kind of sex play that goes on among teenagers in rec rooms, garages, and backseats every day?



Pleading her case: "I just want a second chance. God, that's all I want," says Angela Coffel.

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Woman first to face state sex law

Prosecutors seek predator status

By MATT STEARNS
The Kansas City Star

Angela Coffel was young and nk and made a mistake she al- ady paid for, her lawyer says. Prosecutors have a different view: They call Angela Coffel a sex- ually violent predator who should be committed indefinitely be- cause she's a danger to society. Coffel, 22, would be the first woman in Missouri committed to

"IT'S HARD BEING BY MYSELF, BUT IT'S BETTER THAN BEING WITH MEN"

When I meet Angela Coffel in a fluorescent-lit conference room at the Southeast Missouri Mental Health Center (I'm forbidden by staff from seeing her living quarters), she's wearing black jeans, a black T-shirt, and a black warm-up jacket. At five feet eight and 165 pounds, she looks healthy and attractive. She has small, almond-shaped brown eyes, pale skin, a silver stud in her left nostril, and a smudge of dark purplish lipstick. Her dark hair is pixie-cut and swept dramatically to the side in a sort of new-wave style. During our closely monitored ninety-minute conversation—the clinic director and one of her two round-the-clock "guards" hover nearby—she alternates between bragging about her street cred, insisting that she's not going to take the state's shoddy treatment anymore ("Reading my mail—they have no right in the world to read that. I watch enough Discovery Channel to know"), and becoming teary as she relates how ostracized she's felt in prison because of her HIV. "It's hard to say that I'm HIV-positive and have people just turn and walk away."

With me—and in court—she regularly contradicts herself when talking about sex, about who treats her right and who's done her wrong. "It's hard being by myself, but it's better than being with men," she says. She says she's bisexual, though she prefers women to men, but a few weeks later rhapsodizes about her "boyfriend," Ricky Rose (a.k.a. "Mo Thug"), a twenty-six-year-old mental patient with whom she passed notes through a toilet-paper roll when they lived at the same facility. "I love him to death, and I won't place anyone above him. I just know that we'll be together eventually."

Most poignantly, perhaps, she describes her parents in a way that she's done since girlhood to various therapists, doctors, and lawyers: "My mother was a slut who slept with anyone. Dad wasn't around. I'm not close to either of 'em. They're as crooked as the system. I like being my own family, anyway." Coffel glances around the table, as if looking for affirmation. "I am my mother and my dad and brother and sister." Later, however, she asks her lawyer to contact me to convey that, despite everything, she still loves her family very much.

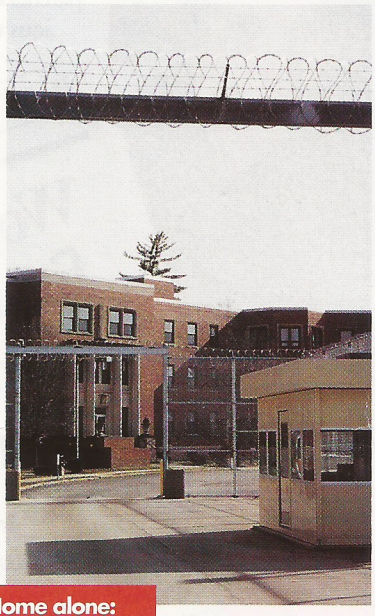
While the precise details of the eighteen years Coffel spent outside prison aren't always easy to pin down, there are reams of psychological, hospital, and child-welfare documents that testify to an extraordinarily harsh childhood. They include numerous mentions of efforts "to decrease overstimulation sexually by the parents" and portray a violent, neglectful household, with the parents going after each other and the kids (Coffel has a younger brother). An uncle's friend reportedly sexually abused her before she was ten; and at the time Coffel pleaded guilty to sodomy, her brother was in state custody after she'd accused him of trying to rape her.

Coffel's mother drank excessively; her father smoked dope; and neither showed much concern when their daughter began doing the same in early adolescence. "I was a heavy drinker," Debbie Coffel admits today. "I had to quit, though—got tired of talking to the porcelain god." In an interview at the couple's small brick home in a working-class St. Louis neighborhood—where the two fled after their daughter's >

crime became public in Foley—a gravelly-voiced, ponytailed Harvey Coffel does most of the talking, while a rather sullen Debbie chimes in between drags on a cigarette. They admit they've infrequently visited their daughter, but blame it on prison rules. And while they're unfailingly polite, they take little responsibility for Angela's problems. The way they see it, "Porkchop," so nicknamed because of her pudginess, was "wild" from the beginning. Or, as Debbie says without a hint of irony: "She was great till she learned to talk." (Asked later about the physical abuse and marijuana use within the family, Harvey says, "There were some things done on my part that never should have happened. There were some bad times." As for the sex accusations directed at his wife, he says, "Let me put it this way: That is what Angela said; that is what Debbie denied. To this point in time, I don't know either way.")

Angela's first contact with the mental-health system came at five or six, when her parents took her to a psychologist who diagnosed attention-deficit disorder and prescribed Ritalin, which she took for a short while. At age eleven, she was deemed "severely emotionally disturbed" by St. Louis public school officials, who placed her in a special school where she could get psychological help. She was discharged after two years based on her improvement, yet the staff cautioned that she still needed "reminders about sexually provocative behavior."

A little over a year later, she was admitted to St. Anthony's Medical Center by her grandmother. Doctors diagnosed depression and possible borderline personality disorder, marked by impulsivity (in areas such as sex and substance use), intense fear of abandonment, severe mood swings, and difficulty controlling anger, among other symptoms, and also noted her history of self-mutilation, including burning and cutting her clitoris. She was released after a month to a children's home, but by the time she was sixteen, she was living with a twentysomething drug dealer and gang leader, who is the likely source of her STDs (though at different times, Coffel has blamed him, a gang rape, and tattoos she's received). She also says he beat her and got her pregnant, and after she miscarried, Coffel returned to her parents, who decamped to Foley, in part to keep her away from St. Louis's "bad influences."



Home alone: Coffel has her own wing at the Hoctor Building; she's not allowed to mix with other mentally ill women.

"I HAD TO DO SEXUAL S--T JUST TO BE APPRECIATED; I HAD TO BUY PEOPLE"

While in prison, Coffel was enrolled in a treatment program especially designed for sex offenders. The therapy she was getting, which is considered the best available (though never proven in a large, well-designed study to actually work), is a cognitive-behavioral technique in which participants learn to recognize triggers to their bad behavior, say, loneliness or boredom, then devise strategies to keep themselves on the straight and narrow. Counselors also urge inmates to note and reframe their fantasies by "replacing the girl with a woman, or replacing coercive with consensual sex," says Canadian psychologist and sex-offender specialist Jill Atkinson, and prepare them to cope with "slips"—jargon for events that lead to relapses, like hanging around a YMCA pool.

In other words, the technique was mainly devised for men with so-called "paraphilias," meaning they're driven to seek sexual pleasure through aberrant means, such as coercing children or making others suffer—a category in which Coffel never fit, and she failed to complete the program. (Her learning and developmental delays—intelligence tests put her on the low end of average—were also a problem, says lawyer Lyn Ruess. The prison has separate classes for male sex offenders with skills deficits, but the women are all lumped together because there are so few of them.) Little did Coffel know, however, that dropouts are automatic candidates for indefinite commitment as sexually violent predators. When she discovered this, in November 1998, she immediately asked to return to treatment, a request that corrections officials never acted upon.

So, as her time for release drew near, the wheels of the predator bureaucracy kept turning. The next step was for a five-member committee of prosecutors (advised by state mental-health experts) to decide whether to try to persuade a court to declare Coffel an SVP. To help them evaluate her, an associate psychologist for corrections, Rebecca Woody, prepared an "end of confinement" report—one that makes Coffel sound particularly menacing, in part because of several factual mistakes: that she entered the boys' trailer while their mother was sleeping (the brothers came to the neighbor's house) and that she had AIDS, when she was and is only an asymptomatic carrier of HIV. The psychologist concluded: "Coffel, with her antisocial traits, her diagnosis of AIDS and her past and present sexual acting out behavior, is more likely than not to sexually reoffend. This . . . indicates that Coffel also appears to have the mental abnormality of sexual sadism." That Coffel had sex at all once she knew she was HIV-positive, Woody said, meant she was de facto sexually violent, a sadist.

Coffel's counselor in the sex-offender treatment program, Sally Taylor, was similarly loose with the facts in at least one respect. Coffel, she wrote, "was convinced that she could not spread the HIV virus through her saliva . . . and did not regard herself as a risk to the safety of her victims." In fact, while the Centers for Disease Control recommends the use of protection for any kind of sex, it also calls the risk of HIV transmission through female-to-male oral sex "theoretical," and lists no documented cases in agency literature. (The boys have been repeatedly tested and do not have HIV.)

Reviewing these files, the advisory panel of four state men-

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tal-health professionals and one corrections official voted four to one that Coffel did *not* have the psychological MO of a predator. A couple of weeks later, the prosecutors took a look at the same information and voted unanimously to seek indefinite commitment.

VIOLATOR OR *VIOLATED?*

Coffel's fate would be decided by the Honorable Patrick Flynn, a judge whose docket was normally filled with traffic violations, criminal misdemeanors, and probate matters. He'd never heard an SVP case before.

The prosecutor, Ted Bruce, set out to prove first that Coffel had a severe mental abnormality, and then, most important, that it made her "more likely than not" to commit other sexually violent offenses.

Making predictions about someone's future criminal sexual behavior is difficult, especially when it comes to women. The classic sexual predator is a rapist like California's Hubbart, or a pedophile like Missouri's first SVP, Kevin Haenchen, who served a mere year and a half for assaulting nineteen children, and then abused several more while on parole. He seemed to welcome the lockup—"I'm safe from people, and they're safe from me."

Other than prison psychologist Woody, whose diagnosis of sexual sadism was dismissed outright by both the prosecution and defense, nobody involved in the case has ever suggested that Coffel suffered from such compulsions. The mental-health experts who exhaustively reviewed her history and interviewed her—two hired by the defense, one by the prosecution, and one appointed by the court—all agreed that her often indiscriminate pursuit of sex was based on a desperate sense of unworthiness and neediness. As Coffel herself said on the stand, "I had to do sexual s--t just to be appreciated, to be recognized. I had to give away my Barbie dolls, my Glamour dolls. I had to buy people, per se, to be my friends."

Recidivism among male sex offenders has been studied fairly extensively, and experts actually try to mathematically predict who will rack up more victims. Starting with an average recidivism rate gleaned from large groups of sex criminals, the chance of any given guy reoffending is pushed up or down according to a host of factors: Did the inmate respond to treatment? What's his history of similar offenses? But for women, there is no average rate to work from, because the number of female sex offenders is vanishingly low, too low to calculate anything constituting an average. "We're probably in the same place we were twenty or twenty-five years ago with men," Kentucky forensic researcher Kathleen Colebank testified. Colebank has conducted perhaps the only study on the matter, and as she told the court, of ninety-seven women convicted of sex offenses in her state since 1982, none had reoffended as of June 2000.

Since the prosecution had relatively little to prove that Coffel would target girls and boys for sex, their strategy was to tar her more broadly, portraying her as an example of "sexuality run amok," as Amy Phenix, a respected California forensic psychologist, told the court.

Kicking off her testimony, Phenix put antisocial personality disorder on Coffel's list of "mental abnormalities," a condition that is similar to borderline but served to highlight the prosecution's dark view of Coffel; one feature of the diagnosis is "a pervasive pattern of disregard for, and violation of, the rights of others." Phenix also discussed her family history and the seventy conduct violations she'd received while incarcerated; most were for minor offenses like being in the wrong place at the wrong time, but she'd also been written up for sexual malfeasance: burning her neck with a curling iron to cover a hickey, kissing another female inmate, and flashing male prisoners (though Coffel's lawyer pointed out that the latter two behaviors were hardly unusual behind bars).

Phenix contended that Coffel's lack of a "defined sexual preference"—what some might simply call bisexuality—translated into a "victim pool" that would include kids, a theme prosecutor Bruce elaborated on in his closing argument: "One of the reasons [Coffel's sex life] is going to involve children is because she doesn't like men. Men beat her up, men give her venereal diseases, men do terrible things to her. . . . She uses sex as a means of friendship. . . . So if she is released, *(Continued on page 174)*

SEXUAL PREDATOR

(Continued from page 87)

she is going to try to meet that emotional need, and she's going to come in contact with children. She's going to have sex with them."

Finally, the prosecutor kept hammering home that Coffel was HIV-infected *and* sexually active to establish the peril she posed, calling as his first witness a St. Louis man who testified that when he was twenty and Coffel was two or three years *younger* than he, they had sex, at Coffel's instigation, and she didn't tell him she was carrying the AIDS virus. While it's illegal in Missouri to have sex with the *intention* of infecting another person with HIV, this encounter wouldn't even come close to qualifying as criminal, never mind predatory: The couple used condoms.

Coffel's lawyer Ruess argued, to the contrary, that everything about her client's history made her more likely to be sexually *violated* than violent. Richard Scott, the court-appointed psychologist and, arguably, the only truly independent expert, since he wasn't paid for his time, explained a borderline personality this way: "That person is not going to seek out and hurt people with their sex. They're likely to stay in abusive relationships too long, they're likely to act out, if they feel hurt, by going to a bar and meeting up with someone and having consensual sex—things like that." And as for Coffel's HIV and the risk she posed to others, Scott said, "She uses a condom. She doesn't tell all of her partners, but she tells some. . . . She's had women partners, and they've known. It may not be a good thing, but it's not predatory."

Scott and the other two experts who told Judge Flynn that Coffel wasn't predator material blamed the incident with Matt and Jeff on her profound emotional immaturity—it wasn't a surprise, they said, that at eighteen she ended up fooling around with boys. The three experts said it was unlikely that she'd pursue children under seventeen for sex, in part because she's grown older. "Her version of what a peer is is not going to be a fifteen-year-old any longer," testified Scott (who, by the way, is no critic of commitment for predators; he's found that nearly three-fourths of those he's evaluated have met the criteria). It's not that Coffel isn't still rather immature, Scott went on, but "as she gets older, it's kind of like dragging her younger partners up in age also."

"The thing that is going to save Angela from a gut-wrenching injustice is a strict and honest interpretation of the statute," Ruess told the court in her emotional closing argument. "This is not *My Fair Lady*. We're not

going to be able to put her somewhere for six months, dress her up, teach her English, make her act like a lady." That can't be your measure, Ruess pleaded with Judge Flynn.

He was not convinced. At the conclusion of the two-day hearing, he reached his decision in about a minute. Angela Marie Coffel, his judgment read, was a "sexually violent predator. It is therefore ordered that Respondent shall be kept in a secure facility and shall be segregated at all times from any other patient." At that, Ruess and Coffel dissolved into tears. The lawyer left the courtroom briefly to compose herself, and when she returned, she was given a last chance to talk to her client before she was led away. "Don't cry," Coffel comforted her attorney. "It's going to be all right. Everything's going to be all right."

WAS COFFEL MERELY "PLAYING DOCTOR"?

During my interview with Coffel, which takes place about six months after she's been committed, I ask about her treatment, the ostensible reason she's confined to Hoctor. "I don't need it because I'm not sexually violent," she quickly says. Eric Selig, another of her lawyers, shoots her a concerned glance and then looks pleadingly toward clinic director Martha Bellew-Smith. "Angela, let's not talk about your treatment," Selig says matter-of-factly. "We're not alone in this room, and we should stay away from anything that might make things worse for you here."

"Okay," Coffel starts again. "I know I could stay away from the influences that got me locked up. Why keep me locked up in a facility where I don't have any of my demons to confront, you know, like alcohol, gang influences? I'm not out there proving and showing that I won't [reoffend]."

Selig is understandably wary of his client's blunt disenchantment with her treatment: Her failure to complete sex-offender rehab not only sparked the state's push to have her declared a predator in the first place, it was a big strike against her at the commitment trial—no matter how inappropriate the therapy may have been. Interestingly, while many states alter the relapse-prevention model for female offenders to take account of childhood abuse as a "primary treatment need," Missouri does not.

Similarly, much was made at Coffel's hearing of her lack of remorse for what she'd done to the brothers. Typical was this exchange between her and prosecutor Bruce. "Let me ask you this, ma'am," Bruce said. "Prior to today, have you ever, in any form, apologized in any way for what happened?"

"I have apologized over and over again."

"To whom?"

"To myself. You have to make an apology within yourself before you can apologize to anybody else."

Lack of remorse signals, in the sex-offender world, that one is in denial, and treatment is futile until this mindset changes. But with Coffel, the demands for contrition sometimes rang false. After all, to at least one of the psychological experts who testified on her behalf, what she engaged in was sex play, analogous to "playing doctor."

"There's an increasing sense that any kind of inequality in the status of people—in age, position, or gender—constitutes coercion on the part of the more powerful," says Judith Levine, author of the controversial new book *Harmful to Minors: The Perils of Protecting Children From Sex,* who argues for some loosening of statutory sex laws. "But common sense dictates that this is probably not true. Kids have sex because it feels good," or because they are bored or curious or drunk. To wit, nearly two-thirds of all statutory cases are brought by parents, Levine points out.

Matt and Jeff's mother, Debbie, still lives three miles north of Foley in the charcoal-gray faux-wood-paneled trailer where the sheriff more than seven years ago took her sons' hand-written statements about their game with Coffel. She talks only semiregularly to the older Matt, who's the single father of a little girl and lives off and on with his own father in a Missouri town six hours away. Debbie lives with Jeff, now nineteen and enrolled in high-school auto-body classes, and her longtime boyfriend, Steve.

As with Angela's parents, the male half of the couple is more open, and Steve says that the periodic HIV tests the boys had to take for about three years were quite stressful for them—a situation perhaps exacerbated by the ignorance about HIV and how you really get it that prevailed in the community: "We're going to prove she knew she could spread the disease this way," the local prosecutor railed to the *St. Louis Post-Dispatch* before Coffel pleaded guilty. (Again, no case of HIV transmission via female-to-male oral sex is documented in CDC reports.) When asked to describe other damage the boys suffered, Steve suggests that what was most harmful wasn't the sex itself, but that it became public: The brothers were relentlessly taunted about what they'd done with Coffel.

"[My sons] don't want to talk about it," Debbie adds. "When something like this happens, that court stuff—that's the front page." Jeff's biggest concern right now, she says, is staying eligible for baseball (his age could be an issue; he dropped out of school for a while in the tenth grade), and Matt would like to return to Foley with his daughter and look for work. (Matt could not be reached for comment.)

Coffel's case, as with every SVP in Missouri, is automatically on appeal. Her new lawyer, Nancy Vincent, says that a January Supreme Court decision, *Crane* v. *Kansas,* may have a significant impact on her future, since the justices ruled that states must show SVPs have serious difficulty controlling their actions, which wasn't required in the first hearing. Meanwhile, Selig and Ruess may pursue another route to win their client's release. After a year, SVPs may request a hearing to try to prove that they've responded to treatment and are no longer a threat. But before Coffel's attorneys do this, they want to make sure they've got the Department of Mental Health behind them, which is hardly a sure bet. "How can they say she's been treated and changed for a condition she's never had?" Ruess says. To press Coffel's case without the backing of mental-health evaluators would probably be foolhardy, since, by law, SVPs are guaranteed only one shot in court to show they've changed over the objections of state psychologists. If a judge ruled against Coffel, similar petitions could be denied without a hearing for the rest of her life.

Coffel has been HIV-positive for nearly a decade but is relatively healthy. She gets weekly medical check-ups, though from a psychiatrist, not an AIDS specialist or even an internist, and is occasionally taken to a local hospital to visit a more appropriate physician. Until January, when a lengthy story about her case ran in the local alternative paper, the *Riverfront Times,* her T-cell count and viral load (key indicators of whether HIV is progressing into AIDS) weren't regularly monitored, Ruess says.

It's the rare person who'd oppose some kind of legal arrangement to keep sexual predators off the streets, but while the courts slowly refine what may be overly broad and unconstitutional application of state laws, Coffel faces a terminal illness. She's made a pamphlet about HIV to give to her jailers, since they seemed afraid to touch her, and tells me she hopes this article will prompt people with AIDS to reach out to her. "They could be there as a backbone so I'd know what to look for in full-blown AIDS," Coffel says. "I used to be able to do Internet searches about HIV in Biggs [another state hospital], but here there is no computer."

Coffel is understandably scared of dying in what amounts to solitary confinement. What she wants most, she sobbingly told psychologist Richard Scott, is to be cared for by her parents when she gets sick. It's not clear that, even now, Debbie and Harvey could give their daughter the love and affection she craves. "Whenever [the three] talk on the phone, they fight—all of their mental diseases collide," Ruess says sadly. "If one of them doesn't freak, the other one does." But then, let Angela Coffel keep her dreams. They're all she has. □