

## Child molester denied a new bid for freedom

SANTA ANA –An Orange County judge on Wednesday rejected a twice-convicted child molester's latest bid for release from a state mental hospital, where he has been confined for the past 10 years as a sexual predator.

Sid Landau, now 70, was seeking to have his status as a Sexually Violent Predator (SVP) – a legal term that means he is likely to reoffend unless held in custody and treated – lifted so that he can be released from a locked-down state mental hospital in Coalinga.

Superior Court Judge Patrick H. Donahue found that a state psychologist's report that Landau no longer fits the criteria of an SVP was insufficient to justify a jury trial.

In a 12-page written opinion, Donahue concluded that psychologist Samantha Smithstein's conclusions were defective, erroneous and did not consider "highly relevant material," including a 2008 verdict that Landau remains an SVP.

Landau had served more than 20 years in prison on two child molest convictions and was about to be released in 2000. But instead, state authorities had him declared an SVP and committed him to a mental hospital.

Since then, Landau has sat through three civil jury trials where his lawyers argued that the likelihood of him reoffending at his age was remote. They contended Landau was too old and ill to have the sexual impulses that would continue to make him a danger to children.

Prosecutors argued that pedophilia is incurable and that Landau's lifelong history as a child molester should keep him locked up forever.

Landau's attorneys in all three trials were unsuccessful in getting an Orange County jury to agree that Landau is no longer dangerous to children.

A positive report in May from Smithstein, in which she opined that Landau no longer meets the criteria for continued SVP commitment because she believed he was a low risk to reoffend because of his age, triggered Landau's latest legal bid for freedom.

However, Orange County Deputy District Attorney Elizabeth Molfetta argued that the psychologist failed to sufficiently consider Landau's history and behavior while in the state mental hospital, evidence presented at previous SVP trials, or the verdicts that he remained a danger to society.

Landau was convicted in 1982 of molesting a 10-year-old boy and was sentenced to three years in state prison. He was convicted a second time in 1988 of 18 counts of lewd acts on a child for molesting a 9-year-old boy and was sentenced to 17 years in state prison.

He briefly made parole in 1996, but was sent back to prison for violating conditions by doing such things as visiting a zoo, a place where children hang out, and possessing teddy bears in his home, which are considered lures for children.

Landau gained notoriety while out on parole in 1997 when local police departments used the newly-enacted Megan's Law to notify their communities that a convicted child molester was living in their neighborhoods.

Authorities allege that Landau has been molesting children most of his adult life, beginning in 1961 when the then 21-year-old Landau was accused of molesting an 8-year-old boy over the course of three years.

Deputy District Attorney Dan Wagner argued at Landau's most recent SVP trial in 2008 that "Pedophilia is not curable. It doesn't go away."