

IN THE CIRCUIT COURT OF ST. LOUIS CITY
STATE OF MISSOURI

FILED
JAN 15 2015

22ND JUDICIAL CIRCUIT
CIRCUIT CLERK'S OFFICE
BY _____ DEPUTY

IN THE MATTER OF THE CARE)
AND TREATMENT OF)
ISADORE LOWERY,)
a/k/a ISADORE R. LOWERY,)
a/k/a ISADORE RONALD LOWERY,)
Respondent.)

Case No. 1422-PR00248

Pursuant to MO. REV. STAT. ' 632.480)
through ' 632.513, Sexually)
Violent Predators, Civil Commitment.)

Probate Division

JUDGMENT AND COMMITMENT ORDER

On November 3, 2014 the Court called Respondent's case for trial. Respondent appeared in person and with his attorney, Chelsea Mitchell, Assistant Public Defender. Andrew Bailey, Assistant Attorney General, appeared in person as attorney for the State. Both the State and Respondent waived a jury trial in this case pursuant to Section 632.492 of the Revised Statutes of Missouri.

Isadore Lowery did not testify at his trial. Chelsea Mitchell raised the issue of Respondent's competency in a pretrial motion. The Court denied the motion.

On November 7, 2014, Chelsea Mitchell filed a Request to Reopen the Evidence asking the Court to admit into evidence Respondent's Exhibits G and H. The Court grants Respondent's request and admits into evidence Respondent's Exhibits G and H.

The Court did not read and did not consider Isadore Lowery's end of confinement report in making any findings or reaching any conclusions in this case. Also, the Court did not read any report prepared by Dr. Richard Scott.

Having heard the evidence from and the arguments of Counsel for the parties, having read the deposition of Dr. Richard Scott taken on October 22, 2014, having reviewed the other

exhibits submitted by the State and by Respondent and being fully advised of the facts pertaining to the State's Petition , the Court finds and concludes as follows:

FINDINGS OF FACT

1. On July 8, 1994, in Cause Number 22941-01547, Respondent Isadore Lowery pled guilty to sexual abuse 1st degree, assault 2nd degree and felonious restraint in the Circuit Court of the City of St. Louis.

2. Respondent Isadore Lowery suffers from two mental abnormalities, namely, sexual sadism and anti-social personality disorder.

3. Each of these mental abnormalities predisposes Isadore Lowery to commit sexually violent offenses in a degree that causes him serious difficulty in controlling his behavior.

This fact is supported by the evidence presented by Dr. Richard Scott concerning Isadore Lowery's behavior in the community, whether or not criminal charges were actually filed against him, and is further supported by Isadore Lowery's conduct while confined, including his conduct against other inmates, his collection of sexual pictures with comments and his failure to actively participate in or complete sexual offender treatment in 2008.

3. Dr. Richard Scott evaluated Isadore Lowery using both the Static 1999R and the Static 2002R. The results of these tests show that Isadore Lowery ranks in the moderate risk group or higher.

4. Based on all of the factors that show up in his history within the community and his history while confined, Isadore Lowery is at a high risk of committing predatory acts of sexual violence if he is released back into the community.

CONCLUSIONS OF LAW

1. Sexual abuse 1st degree is a sexually violent offense under Missouri law and so Isadore Lowery has been found guilty of a sexually violent offense.

2. Each of the two mental abnormalities that Isadore Lowery suffers from affects his emotional or volitional capacity such that each one predisposes Isadore Lowery to commit sexually violent offenses in a degree that causes Isadore Lowery serious difficulty in controlling his behavior.

3. As a result, Isadore Lowery is more likely than not to engage in predatory acts of sexual violence if he is not confined in a secure facility.

4. Isadore Lowery is a sexually violent predator under Missouri law. As a result, Isadore Lowery shall be committed to the custody of the Director of the Missouri Department of Mental Health for control, care and treatment.

5. The Court's findings and conclusions are based on clear and convincing evidence.

ORDERS

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. Isadore Lowery is a sexually violent predator under Missouri Law.

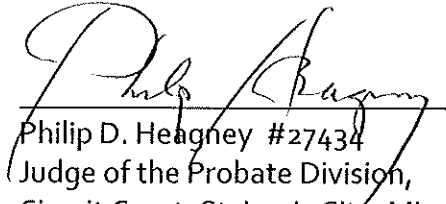
2. Isadore Lowery is committed to the custody of the Director of the Missouri Department of Mental Health for control, care and treatment until such time as Respondent's mental abnormality has so changed that he is safe to be at large.

3. Isadore Lowery shall be kept in a secure facility and shall be segregated at all times from any other patient under the supervision of the Director of the Department of Mental Health.

4. The Clerk of the Court shall deliver a duplicate original of this Judgment to the Sheriff of St. Louis City, who shall forthwith execute these orders. And,

5. The Sheriff of St. Louis City shall deliver Isadore Lowery into the custody of the Missouri Department of Mental Health located at the Sex Offender Rehabilitation and Treatment Service, Farmington, Missouri.

January 15, 2015


Philip D. Heagney #27434
Judge of the Probate Division,
Circuit Court, St. Louis City, Missouri

I hereby certify that a true and correct copy of the foregoing was electronically filed with Missouri Case.net on January 15, 2015.

Patrick J. Connaghan, Clerk

By: _____
Jill M. Hanley, Deputy Clerk

Cc: Andrew Bailey, Assistant Attorney General
Chelsea Mitchell, Assistant Public Defender