

# A Difficult Position: A Feasibility Analysis of Conducting Home Contacts on Halloween

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**THE ISSUE OF** how to best manage sex offenders under community supervision has been a source of much debate. A number of measures have been incorporated by probation and parole departments across the country. Many of these measures are now viewed as commonplace and a part of standard operating procedure when supervising sex offenders in the community. Restrictions such as community notification, housing restrictions, and the use of electronic monitoring have all been used to attempt to supervise this clientele more closely and prevent future victimization. The effectiveness of such measures has been the focus of much research (see Zevitz, 2006; Levenson & Cotter, 2005; DeMichele, Payne, & Button, 2008). The results of such measures have ranged from mixed success in the case of community notification to proving counterproductive where housing restrictions are concerned (Tewksbury & Jennings, 2010; Levenson & Cotter, 2005).

One measure that has been employed recently has been for probation, parole, and other law enforcement agencies to contact sex offenders at home on Halloween night to ensure they are following their regular conditions of release and also special conditions unique to this night (see Appendix A, for example). Often offenders are forbidden to set up decorations outside their residence particular to the holiday, answer the door except for corrections/law enforcement, or hand out treats (See Appendix A for further details). Some jurisdictions have codified such measures, making noncompliance with some of these measures a new crime as opposed to a technical violation of release (O'Connor, 2005).

This measure and those like it appear to be premised on the notion that children trick or treating on Halloween offer an offender a wide variety of victims to choose from right at their doorstep. Offenders essentially have carte blanche of victims to choose from. This opportune time further allows sex offenders to easily conceal their identity by allowing them to wear costumes as part of the festivities (O'Connor, 2005). In essence, Halloween provides a plethora of targets (i.e., children) and a potential lack of guardianship or adult supervision, as older children and young adolescents are frequently without direct adult supervision. In fact, older children or adolescents may be providing supervision to young children trick or treating. Thus the level of guardianship may be lacking. Last, this measure relies on the supposition that sex offenders are highly motivated to sexually recidivate. Conducting home visits of sex offenders on Halloween and prohibiting them from participation are grounded on these notions that, although well-intentioned, do not appear to be based on empirical support.

Home contacts conducted on sex offenders during Halloween are intended to curb opportunities for offenders to recidivate against children that are strangers or not well known to the offender. Thus, home contacts rely on the concept of "stranger danger." This approach can be misleading and perpetuate a misperception of abuse as largely or primarily confined to strangers. While abuse at the hands of a stranger does occur, is not as likely as the general public may believe. Only about 10 percent of children who are sexually victimized are assaulted by someone considered to be a stranger (Bureau of Justice Statistics,

2000, 2004). Those offenders considered to be strangers to victims often recruit victims from shopping malls, arcades, and other retail stores (Elliot, Browne, & Kilcoyne, 1995; Wortley & Smallbone, 2006). In such instances children are often recruited from those places after some period of grooming, albeit a relatively short period. By recruiting from an area away from an offender's home, the sex offender can also make it more difficult, if the offense is reported to police, to identify the offender as a suspect (Petrosino & Petrosino, 1999). So, although children approaching an offender's door, as on Halloween, can appear to offer a prime opportunity for offending, this may in fact be a poor time to offend against a child, as child sexual offenses often occur in relative secrecy with no or very few others around (Seto, 2008). Thus trick or treaters may be less suitable as targets, especially if they are in groups or if a number of people may also be in the area trick or treating, thus increasing guardianship.

Perhaps the most contentious premise relating to this measure is a sex offender's proclivity to sexually recidivate. Empirical data suggests that re-offense rates among sex offenders are relatively low. Hanson and Bussierre (1998) conducted a meta-analysis of sexual recidivism among offenders from Canada and the United States and reported that 13 percent of sex offenders sexually recidivated within five years. Other studies concerning sexual recidivism have found varied rates, but all find that recidivism is relatively low when compared to other types of recidivism (Bureau of Justice Statistics, 2003; Hall, 1995; Hanson & Morton-Bourgon, 2004). However, there is a small segment of

offenders within the sex offender population that appear to represent a significant chance of re-offense (Wortley & Smallbone, 2006).

The thought of an offender under some form of community supervision sexually assaulting another child on Halloween understandably alarms probation and parole officers and agencies, given this seemingly opportune time for re-offense. The social sentiment towards sex offenders is inimical (Spencer, 2009). Sexual re-offense is devastating for the victim and the victim's family; in addition, for the assigned supervising officer, such re-offense can result in direct repercussions such as termination of employment or even litigation for the officer and the agency. Indirectly it can erode community confidence in the efficacy of probation/parole supervision. Many agencies wish to protect themselves against such unfortunate occurrences even if the chances of re-offense on Halloween are remote. Chaffin, Levenson, Letourneau, and Stern (2009) examined child sex-crime rates on Halloween and found "no significant increase in risk for non-familial child sexual abuse on or just prior to Halloween" (p. 371); they termed Halloween "just another autumn day where rates of sex crimes against children are concerned" (p. 371). Even when empirical data is considered, some probation and parole agencies may wish to err on the side of caution. This study will focus on the costs of conducting home contacts, specifically on Halloween. I will also examine manifest and potential latent benefits of conducting these contacts, though the costs and benefits will not directly be compared. Through examining costs, agency administrators can determine if home contacts conducted specifically for Halloween are feasible. In an era of accountability and the wide acceptance of evidence-based practices, it behooves correctional administrators to examine the feasibility of measures employed.

## Method

Data for this study was procured from the United States Probation Office (USPO), District of Kansas, and the United States Marshals Service (USMS), District of Kansas. Probation and Marshal's Service offices are located in the federal courthouses of Kansas City, Topeka, and Wichita. The area of responsibility for the probation office and the Marshal's Service comprises the 105 counties in the state. Probation officers supervise criminal offenders released into the community under federal indictment on bond supervision, probation, and for terms of supervised

release. Some of these offenders may be dually supervised through state or local community corrections agencies for state or local crimes. Deputy marshals conduct a variety of security and apprehension duties. In this case they operate as a law enforcement counterpart to the probation officers.

Probation officers and deputies were asked to complete three surveys in order to examine financial costs of conducting these targeted visits as well as collect data about benefits. An offender information sheet was completed by probation officers. This form allowed officers to enter offenders' demographics as well as offense characteristics. Officers were also asked to collect information about the relationship the offender had with the victim(s). As stated previously, offenders very often know their victims. Halloween restrictions are targeted toward stranger victims. An offender's criminal history was also ascertained, as well as the criminal conviction that placed the offender under supervision. Officers were also asked to give their view of the likelihood of an offender's risk of re-offense at the time. This is important because offender re-offense risk is dynamic (Marshall & Barbaree, 1990). The second survey centered on the home contact. This form served two purposes. First, it allowed a measure of cost to be assessed, as total number of people conducting the visit, mileage, and any materials used for each visit was collected. This form also allowed a measure of benefit to be considered. Officers reported what happened during the contact, as home contacts are inherently beneficial for officers because such contacts allow them to verify that conditions of release are being met. The form also asked officers to collect data on collateral contacts, which can reveal more information about offender compliance and function as a public relations measure by displaying a presence in the community. Finally, officers completed an officer summation sheet, which also collected data relating to preparation time before conducting these contacts. Procedures such as coordinating with other agencies and selecting and contacting offenders about home visits took time. Officers were also asked to include their subjective comments about conducting these comments. This form was completed anonymously to ensure that officers would provide candid answers.

I used the ingredients method to examine costs. This straightforward approach to estimating costs relies on the idea that every intervention uses ingredients or resources that

have some value (Levin, 1983). When each ingredient is identified and affixed a value, practitioners can then assess which ingredients need fewer or more resources devoted to them and also examine cost per unit of work (in this case, a cost per home visit is identified as well as a total cost). Levin (1983) identifies 5 major categories of ingredients: personnel, facilities, materials/equipment, other, and value of client time and other client input. Personnel, materials and equipment (i.e., vehicles), and other (i.e., postage) were the categories used. Client time and input was not accessible, but would have been meaningful.

## Results

Probation officers filled out offender information sheets for 22 offenders ( $n=18$ ). The median age of offenders was 43 years old. All of the offenders were male and 90 percent were white, with the remaining 10 percent (2 cases) Hispanic. The offense(s) that offenders were currently under supervision for varied from sexual offenses to nonsexual offenses; however, those currently not under supervision for a sexual offense but previously convicted of a sex offense still had to abide by Halloween restrictions. For example, 7 (or 39 percent) offenders were not currently under supervision for a sexual offense. Of those, 5 were under federal supervision as a result of failing to register as a sex offender. (The Adam Walsh Act of 2006 made failure to register as a sex offender a federal offense.) The other two offenders had convictions for weapons and fraud but had previous convictions for sex offenses that made them eligible for Halloween restrictions.

Sexual offense types were coded into three different categories: offenders convicted of an offense involving child pornography, contact offenses, or offenses involving both contact and child pornography. The majority of offenders, 61 percent, had convictions for either possession/distribution or trafficking in child pornography. These were not considered contact offenses unless the offender participated in the abuse in connection with child pornography or was simultaneously convicted of a sexual offense. Only one person had a conviction under such circumstances. Six (33 percent of the offenders) were coded as contact offenders.

All of the offenders under supervision in this study for whom an offender information sheet had been completed either had child victims as a result of a previous conviction or were being supervised for a conviction

involving a child victim. Offenders with convictions involving child pornography were coded as having child victims. The relationship of the offender to the victim was coded as either being a family member (e.g., brother, stepfather, stepbrother), acquaintance (e.g., neighbor or friend of the family), or a stranger to the victim. In the cases involving child pornography where the child was not specifically identified as an acquaintance or family member, the children were coded as strangers to the offender. For this study, 17 percent of the victims were family members, 39 percent were acquaintances, and 44 percent were classified as strangers. A total of 9 of the 18 offenders had a previous sexual offense(s). Those with a past sexual offense averaged 1.54 offenses (std. .97), with a range of 1 to 3 past victims. Offenders who had prior arrests without a conviction did not have those victims included as past victims.

Officers rated the likelihood for each offender to reoffend sexually against a child using a Likert scale: 1= very unlikely to reoffend, 3= no opinion, and 5= very likely to reoffend. Of the 18 surveys submitted, 11 either omitted answering this question or answered 3. Those offenders for whom no answer was given to this question were coded as 3, or no opinion. Thus, for 11 or 61 percent of the offenders, the officer did not offer an opinion. Those officers who did rate the offender's risk of re-offense against a child rated 3 offenders as somewhat unlikely to reoffend, 3 offenders as somewhat likely, and 1 as very likely to recidivate against a child. Thus 4 offenders appeared to be a concern for sexual re-offense against a child.

Probation officers (PO) and deputy U.S. marshals (DUSM) filled out offender contact logs pertaining to the home contacts conducted on Halloween. A total of 37 (n=37) different offenders were contacted on Halloween. These logs collected a variety of information about participants of the visit as well as about what occurred at the home contact. POs and DUSMs usually conducted home contacts in groups of 2 or 3, although some went out singly. There were a total of 9 teams: 2 in Topeka, 4 from the Kansas City office, and 3 from the Wichita office. The total time spent for a home contact ranged from 2 to 26 minutes but averaged 7 minutes (std. 5.2 min.). In all but two instances offenders were home, and in 47 percent of the contacts a collateral contact was made. All of these contacts occurred as a result of the home visit. Collateral contacts are considered contacts

with others beside the offender. No arrests were made and no violations were noted. In one instance officers reported smelling marijuana in an offender's home, but no further action was noted. In two cases officers reported having contact with members of the public asking their business. Officers reported returning to 7 offenders' homes to conduct surveillance. Surveillance activity usually consisted of driving by the offender's home to ensure that lights were off and the offender was still abiding by Halloween conditions.

POs and DUSMs also completed Officer Summation Sheets. This data was quantitative as well as qualitative in nature. Officers kept track of the amount of time spent preparing for home contacts. This might involve developing a list of offenders to be contacted or coordinating schedules with coworkers or other agencies. Officers reported an average of 1.6 hours preparing for contacts (st. dev. 1.3 hours). Officers drove a total of 476 miles. The 9 teams averaged 53 miles per team but ranged widely (14–171 miles). The cost per mile was fixed at \$.56 per mile, thus the average mileage cost per team was \$29.68. The 9 teams consisted of some combination of 2-3 personnel. Some teams comprised only probation officers while others were a combination of DUSMs and probation officers. The total time spent conducting home contacts was also recorded. The average cost of the nine teams was \$83.89 per hour (st. dev. \$27.97).

The probation office incurred most of the cost (see Table 1). All the offenders contacted were under the supervision of the probation office. DUSMs provided an extra measure of security. A total of 37 different home contacts were conducted on Halloween. The cost per actual home contact was \$73.79. The teams

averaged 2.3 hours conducting home contacts. Total time spent out of the office ranged from 1.25 to 5 hours. However, officers spent an average of 7 minutes actually in the offender's home conducting probation supervision. Thus for every 1 minute spent with the offender conducting supervision, 19.5 minutes were spent driving or conducting some other business. Table 1 illustrates that salary was the major expense, as it was expected to be.

Officers provided feedback for an open-ended question concerning their impressions of home contacts made specifically on Halloween. Responses were largely positive about conducting unscheduled home contacts. However, the value of conducting home contacts specifically for Halloween was at times met with skepticism. One officer commented, "I have doubts as to whether these home contacts yield an actual deterrent effect" (anonymous officer). Another responded, "not sure if Halloween is any different than any other evening" (anonymous officer). These contacts were all unscheduled, so offenders were not aware that officers would be visiting their homes. Officers reported that all the offenders were compliant with their regular conditions of release as well as with special conditions for Halloween. A majority of the officers reported views similar to this one about the public, "the public feels assured that on a night in which children are going door to door convicted sex offenders are being monitored" (anonymous officer). Officers did report having contact with other members of the public (47 percent of home contacts resulted in a collateral contact). These contacts were all the direct result of the home contact (e.g., the offender's spouse, family member, or friend's home). Officers noted

**TABLE 1.**  
*Costs of Halloween Home Contacts*

Ingredients	Total Cost	Cost to Sponsor	
		Agency (US Probation Office)	Government Agency (US Marshals Service)
<b>Personnel</b>			
Probation Officer	\$2,130.50	\$2,130.50	
Dep. USM	\$275.00		\$275.00
Admin. Assist.	\$40.50	\$40.50	
<b>Materials and Equipment used</b>			
Mileage	\$169.68	\$169.68	
	\$96.88		\$96.88
<b>Other</b>			
Postage	\$17.78	\$17.78	
<b>Total Ingredient Costs</b>	<b>\$2,730.34</b>	<b>\$2,358.46</b>	<b>\$371.88</b>

that collateral contacts can be very important because they can provide more information than some offenders reveal and they can become a good future resource. No officer reported being contacted by a member of the community outside the offender's home.

## Discussion

Placing Halloween restrictions on sex offenders is an attempt to prevent child victimization. Restrictions include a number of different conditions, and officers conduct home contacts to ensure that these conditions are followed. This study examined the costs of conducting Halloween home contacts as well as providing a glimpse of what that population looks like. The federal District of Kansas offered an examination of a jurisdiction with offenders in rural and urban areas. Conducting home contacts is a significant investment of an officer's time and agency resources. The total cost of Halloween home contacts (\$2,358.46) is, however, not very substantial considering that the district's 2013 operating budget was \$7.4 million. However, administrators are constantly looking for ways to streamline costs and be efficient when using resources. In addition, utilizing evidence-based practices is increasingly mandated in corrections as a way to achieve the best results with the least waste of resources. However, in some areas other factors—such as public expectations—can influence the decision to implement certain practices congruent with public sentiment.

Officers conducted 37 home contacts on 37 different offenders, but only 18 offender information sheets were returned, giving only a rudimentary picture of those being contacted. All of the offenders had or were under supervision for an offense involving a child; thus it appears that children would be logical targets for future offending. However, a large majority of sexual offenders with child victims sexually offend against children that they know or are related to. The stranger offender relationship dynamic was quantitatively different here, as 44 percent of the offenders had stranger victims. Then again, offenders with child pornography convictions were coded as having a stranger victim relationship. Four child pornography offenders had past sexual offenses against children, but only one of them had a past stranger child victim. Halloween

prevention efforts concentrate on preventing stranger victim perpetration based on previous offending behavior; however, it does not appear that the offenders in this population present much of a danger to stranger child victims. When asked to rate the risk of prospective offenders again victimizing a child, only one officer responded that the chances were "very likely." This low result does need clarification, as 11 of the 18 completed surveys either skipped this question or responded with no opinion. Probation officers are the ones most proficient in the correctional community to judge dangerousness, often assessing offenders to determine risk level and recommending to the court special conditions to address risks; in the case of repeated violations of supervision or other extreme provocations, officers can also ask the court to terminate supervision, generally leading to incarceration.

Probation officers routinely conduct home contacts of most offenders while on supervision. Offenders are usually seen multiple times at home or at their place of employment. Sex offenders, in particular, normally receive a heightened level of supervision based on their status as a sex offender. Home contacts also take place throughout the year and at various hours of the day. Despite the benefits of home contacts, particularly in the case of sex offenders, the need to conduct them on Halloween and to impose specific conditions relating to Halloween activities can and has been disputed. For example, Chaffin, Levenson, Letourneau, and Stern (2009) found no spike in child sexual abuse rates during Halloween.

Conducting home visits on Halloween can be handled in differing ways. First, the status quo does not misuse resources, because there are benefits to be had; for example, it gives agencies an opportunity to work more closely with one another. This type of cooperation has latent benefits that carry over to other endeavors. Second, officers might wish to identify those offenders most likely to reoffend against children, especially those that tend to target child strangers or might be at a point in their life considered to present an elevated risk of re-offense. Many agencies have adopted a containment strategy to supervise sex offenders (English, Pullen, & Jones, 1996), a strategy that uses the probation officers as well as sex offender treatment staff and polygraphers

to more efficiently supervise sex offenders. These partners identify not only changing risk but also triggers and condition or law violations. Thus a more offender-specific Halloween home contact list could be procured. Finally, local law enforcement could be used in rural as well as urban areas to ensure that, if Halloween restrictions are required, offenders are following conditions. Although mileage was not a big expense, the time it took for officers to reach offenders did have a big impact on cost, considering that encounters between officers and offenders averaged 7 minutes. The presence of marked police cars and uniformed police officers could also provide a measure of public assurance, as they are more identifiable than non-uniformed probation officers in unmarked vehicles.

Not all of the sex offenders were contacted for Halloween visits: As of September 30, 2013, there were 59 sex offenders under federal supervision in Kansas, of whom 37 were visited at home on Halloween. Of the 37 home contacts conducted, only 18 offender information sheets were completed; thus a partial picture of the group contacted on Halloween was presented here. Levin (1983) notes that including costs of the client is important when considering a full assessment of the costs. It would therefore have been beneficial to examine any costs, financial or other, incurred by offenders. It may be the case that offenders incurred no direct financial loss, as they may have been home anyway, but other intangible costs such as reintegration difficulties or relationship hardships could have been incurred. The challenge of supervising sex offenders in the community is not enviable. Agencies and officers often walk a tightrope where one false move can have enormous repercussions for the officer and the agency, including causing the public to question the effectiveness of community corrections. However, in an era of evidence-based practices, agencies should examine their practices and make decisions that are in the best interests for the community they protect, the offenders they supervise, and the agency itself.

**Appendix****Guideline Letter to Offenders for Halloween 2013 From the District of Kansas Probation Office**

October 15, 2013

FIELD(Display Name)  
FIELD(Street)  
FIELD(City), FIELD(State/Province) FIELD(Zip/Postal Code)

Dear Mr. FIELD(Last Name),

The District of Kansas is implementing the following guidelines/restrictions for Halloween to correspond with treatment rules and some state requirements. Please sign the acknowledgment and return in the enclosed envelope no later than 10/30/13.

**GUIDELINES FOR OFFENDER SELF-MANAGEMENT FOR 10-31-2013**

1. I will not have any decorations, lights, etc., on my house, on windows, doors, or in my yard, that could attract minor children.
2. I will not leave candy/treats on my front porch or anywhere else on my property that could attract minor children.
3. I will turn off all lights to my front porch and garage area and remain in my home from 5pm to 10pm.
4. I will not answer my door to anyone, unless it is an adult family member, adult friend, or emergency personnel (i.e. police officer, fireman, EMT, etc.) Under no circumstances will I answer the door for a minor child.
5. I will post a sign on the front door that indicates "No Candy or Treats at this Residence."
6. I will not take walks in my neighborhood.
7. I will not attend any Halloween/Fall Festival parties.
8. If I live at home with another person that participates in Halloween/Fall Festival parties, I will provide a WRITTEN safety plan to my parole officer in advance. The safety plan will include where I will be & how I will be spending my time.
9. If I need to be out of my residence for any other reason, I will notify my officer in advance of where I will be, and the reason for being away from my residence.

I acknowledge that I have been given a copy of these guidelines & that they have been explained to me. I further acknowledge that failure to abide by them could result in sanctions being imposed. Name \_\_\_\_\_

Date: \_\_\_\_\_

## References

- Bureau of Justice Statistics. (2004). National crime victimization survey (No. NCJ205455). Washington, DC: U.S. Department of Justice.
- Bureau of Justice Statistics. (2003). Recidivism of sex offenders released from prison in 1994 (No. NCJ198281). Washington, DC: U.S. Department of Justice.
- Bureau of Justice Statistics. (2000). Sexual assault of young children as reported to law enforcement: Victim, incident, and offender characteristics (No. NCJ 182990). Washington, DC: U.S. Department of Justice.
- DeMichele, M., Payne, B. & Button, D. (2008). Electronic monitoring of sex offenders: Identifying unanticipated consequences and implications. *Probation and Parole: Current Issues*, pp. 119-135.
- Chaffin, M., Levenson, J., Letourneau, E., & Stern, P. (2009). How safe are trick-or-treaters? An analysis of child sex crime rates on Halloween. *Sexual Abuse: Journal of Research and Treatment* 21 (3), 363-374.
- Elliott, M., Browne, K., & Kilcoyne, J. (1995). Child sexual abuse prevention: What offenders tell us. *Child Abuse and Neglect* 19(5), 579-594. London, UK: Pergamon Publishing.
- English, K., Pullen, S., & Jones, L. (1996). Managing adult sex offenders: A containment approach. Lexington, KY: American Probation and Parole Association.
- Hall, G. C. N. (1995). Sexual offender recidivism revisited: A meta-analysis of recent treatment studies. *Journal of Consulting and Clinical Psychology*, 63, 802-809.
- Hanson, R. K., & Bussiere, M. T. (1998). Predicting relapse: A meta-analysis of sexual offender recidivism studies. *Journal of Consulting and Clinical Psychology*, 66, 348-362.
- Hanson, R. K., & Morton-Bourgon, K. (2004). Predictors of sexual recidivism: An updated meta-analysis. Ottawa, Ontario, Canada: Public Works and Government Services.
- Levenson, J., & Cotter, L. (2005). The impact of sex offender residence restrictions: 1,000 feet from danger or one step from absurd? *International Journal of Offender Therapy*, 49(2), 168-178.
- Levin, H. M. (1983). *Cost effectiveness: A primer*. Volume 4. Beverly Hills, CA: Sage Publications.
- Marshall, W. L., & Barbaree, H. E. (1990). *Handbook of sexual assault: Issues, theories, and treatment of the offender*. NY: Plum Press.
- O'Connor, A. (2005, October 26). Sex offenders see new limits for Halloween. *New York Times*.
- Petrosino, A., & Petrosino, C. (1999). The public safety potential of Megan's Law in Massachusetts: An assessment from a sample of criminal sexual psychopaths. *Crime and Delinquency* 45(1), 140-158.
- Seto, M. (2008). Pedophilia and sexual offending against children: Theory, assessment, and interventions. Washington, DC: American Psychological Association.
- Spencer, D. (2009). Sex offender as homo sacer. *Punishment Society* 2009, 11; 219.
- Tewksbury, R., & Jennings, W. G. (2010). Assessing the impact of sex offender registration notification on sex-offending trajectories. *Criminal Justice and Behavior* 37 (5), 570-582.
- Wortley, R., & Smallbone, S. (2006). Situational prevention of child sexual abuse. *Crime Prevention Studies*, 19.
- Zevitz, R. G. (2006). Sex offender community notification: Its role in recidivism and offender reintegration. *Criminal Justice Studies: A Critical Journal of Crime, Law and Society*, Volume 19 (2).