

Collaborative Supervision Strategies for Sex Offender Community Management

Ryan Alexander
University of St. Mary

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THE ISSUE OF SEX OFFENDER community supervision has continued to be very much in the public eye. Recent cases such as the Jaycee Dugard case, in which an offender under community supervision kept a young girl for years at his house, have only served to highlight public interest in community supervision of sex offenders. Frequently the public questions probation and parole agencies' effectiveness in supervising sex offenders. More generally the concept of community supervision of sex offenders as a practice is doubted. Officers who supervise sex offenders are often caught in the middle. They need to satisfy the public so that legislators are placated. Oftentimes the result is a ratcheting up of supervision methods and new restrictions, which ultimately means increased workload for line officers.

The purpose of this article is to provide line officers and supervisors with some general information concerning sex offenders who target children. Readers must keep in mind that the data provided here pertain to generalizations about those who target children as sexual victims and not individual cases. Thus sex offender community supervision policy or strategy may be influenced. Resources can be targeted with more precision, new strategies can be adopted, and old ones reconfigured or discarded. As noted in an article from a previous edition of this journal, "Researchers interested in studying sex offenses and responses to these offenses can use their skills and abilities to inform our understanding about the most appropriate collaborative tools and strategies" (Payne and DeMichele June 2010).

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Child Victims

Victim characteristics appear to be often overlooked when considering sex offender community supervision. Characteristics of offenders are often studied in sex offender literature. However, officers supervising their caseloads usually have the opportunity to become acutely aware of their clients' proclivities, but less frequently have access to victim details. These details can be just as important to successful sex offender management (i.e. supervision strategies) as offender information. Later in this article offender characteristics will be examined, but these will not be

portrayed as what to “look out for” but rather as a counter to public misperceptions that can affect community supervision strategies.

As many know, crimes in general are vastly underreported to police. However, sex crimes in particular are even less commonly reported. The Bureau of Justice Statistics reported that approximately 33 percent of all sex crimes are ever reported to police (Snyder 2000). As one may well imagine, when minors are the victims of sex crimes, these cases are reported to police much less frequently than when adults are victims of sexual violence. It is estimated that approximately 1 in 7 (14 percent) sex crimes involving children under the age of 6 are ever reported to police (Snyder 2000). This figure becomes even more distressing when we consider that more than half of violent crimes committed against children involved victims 12 or younger (Greenfeld 1997). Thus young children are an especially susceptible population of victims and often do not have the tools, ability, or wherewithall to report such abuses.

Children are most likely to be the victims of sexual assault at approximately 14 years of age (Snyder 2000). However, if one looks more closely at the differences between sex and age of victimization, male and female victimizations are likely to take place at distinctly different ages. Sexual victimization of females outnumbers males. Females are most likely to be victimized at approximately 14 years old, while male sexual victimization generally takes place at approximately 4 years old (Snyder 2000). Thus one can easily see a huge sexual victimization age difference between the sexes. This may help officers to reconfigure efforts and highlight concerns. However, one needs to keep in mind that some sex offenders are opportunists and may sexually assault a child who does not conform to their usual preferences (Smallbone and Wortley 2006). This makes it vitally important for officers to study traditional case materials, such as pre-sentence reports. Officers can look outside those traditional sources of information and include outside agencies’ reports, such as reports from therapists for the offender and the victim, or reports from family and police reports, or family service reports, in order to gain a full picture of the offender’s modus operandi.

There is a relationship between the age of the victim and the location of the offense. Greenfeld (1997) observed that child victimizers were much more likely (77 percent) than violent offenders of adults to have committed the crime in their own home or the victim’s home. This information can support the need for officers to make unannounced home contacts with offenders, as these places are the most likely location for child sexual victimizations to occur. These visits can serve as a potential deterrent to an offender or as an extension of the offender’s “external conscience” (Jenuwine et al. 2002). Knowing about the predatory habits of these offenders can also serve as a note of caution for supervision agencies concerning the public safety aspects of house arrest as an intermediate sanction or court-ordered sanction of supervision. Monitoring solely by electronic means those sex offenders who fall into the category of most likely to victimize may actually create a false sense of security for supervising officers.

The offender’s relationship to the victims is also very important. The general public appears to have grasped the concept of stranger danger concerning sexual victimization of children. However, if one looks at the data, a different picture emerges. Only about 7 percent of sexually victimized children are assaulted by strangers (Snyder 2000). Children are six times more likely to be related to their sexual victimizers than are the victims of offenders who sexually assault older persons (Greenfeld 1997). Thus young children are more likely to be sexually victimized by someone they know. This information can obviously benefit officers when confronted with offenders living with (or wanting to live with) biological children and/or step-children. Again, those decisions should not be made in a knowledge vacuum. Collaboration with different resources should impact case management decisions. The overarching theme here is for supervision agencies to adopt a strategy that includes other members (i.e., therapists of offender and victim, family members, etc.) in the decision-making process as opposed to strategies that employ a one size fits all approach in which offenders (regardless of their individual circumstances) are barred from certain living arrangements.

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Offenders

Sex offenders, like most offenders, come in all shapes and sizes. However, most fall into some broad categories. Adult males represent the vast majority of sex offenders (Snyder 2000). Also, the victim usually knows the offender. Typically, younger children experience harm at the hands of parents, guardians, and primary caregivers on whom they are dependent and with whom they compete for attention, affection, and available resources (Lord et al. 2002). The broad categories mentioned above illustrate just how little sex offenders as an entire subpopulation have in common with each other—or, put another way, just how much many of them have in common with large sectors of the general, non-offending population. Much of the adult male population fits such a category. Thus it makes sense to discover just how diverse this population is. Discovering these nuances can enhance community supervision effectiveness.

Within the realm of offenders in general, sex offenders appear to be qualitatively different from other offenders (Buttell 2002; English et al. 1997, Hansen et al. 1998). As a result of this distinct difference from other violent criminals like murderers or perpetrators of domestic violence, and considering the varying typologies within the broad category of “sex offender,” this population should be studied and dealt with by the criminal justice system as a heterogeneous group (Snyder 2000). In other words, rapists, child molesters, and most other sex offenders should be studied as individual and exclusive classes (such as the incest offender) of sexual criminals. Predictors of probation failure or the commission of an additional sex crime may differ greatly depending upon whether we are considering an offender who victimized adults or a heterosexual child incest offender. This means that some of the blanket conditions often laid down for all sex offenders because they have been broadly labeled “sex offender” may have little to do with the effective supervision of an individual case. For instance, a blanket policy for all sex offenders supervised by a certain agency barring a sexual victimizer of adults from living near a place where children congregate can be counterproductive in individual cases.

The modus operandi of those who sexually victimize children has been a recent focus for some researchers (Smallbone and Wortley 2006 and Leclerc et al. 2009). Lanning (2001) contends that offender behavior resides on a continuum between preferential and situational extremes and is continually modified by the state of an offender’s desires and perceptions. Thus officers must be aware that a feedback loop between these two variables may exist, where major life course events (such as losing a job) in the offender’s life can influence daily routine activity (in the case of the job loss, staying home and increasing the possibility of contact alone with children living in the same house). For instance, if an offender is left home alone to baby-sit a child, the offender’s perception of guardianship (or lack of guardianship) in that situation can impact a possible offense. The offender may sexually prefer an older child, but given this particular circumstance may victimize a young child because of the situation or because of a constellation of factors such as depression, unemployment, or substance abuse. Rarely do predators or opportunistic offenders attempt to engage those who appear strongest, most adversarial, or well defended. In an effort to maximize return for their efforts and minimize the risk of injury or apprehension, both predators and opportunistic offenders typically seek those who appear weak, isolated, and undefended (Smallbone and Wortley 2006). Thus, consciously employing supervision strategies that recognize the importance of situational and preferential variables or life course alterations in affecting offender routine activities is critical. Collaborating with offender and victim therapists can be key, as well as communicating with collateral contacts such as employers, friends, and neighbors.

When considering offender characteristics, officers and supervisors will of course ask themselves what danger this population of offenders may present to the public. Finding the answer to this question provides practitioners of community supervision with a better understanding of the population, and this knowledge can translate into the education of policymakers. Also, collaboration between lawmakers and professionals involved with this population fosters the employment of evidence-based practices.

Sex offenders sexually reoffend at relatively low rates, as a whole. Of course, some sex offenders have a vast number of victims. However, those offenders represent a very small

portion of the general sex-offending population. Smallbone and Wortley (2006) found that only 5 percent of offenders in their sample population were sexual predators. Quinsey, Chaplin, and Varney (1981) estimated that 2 to 5 percent of the sex offender population can be classified as sadists. Hanson and Bussierrie (1998) conducted a meta-analysis of almost 30,000 American and Canadian sex offenders and found that about 14 percent of offenders sexually recidivated within 4-6 years of release. When compared with other serious types of criminal behavior, sex offenders in large-scale studies are often found to exhibit lower recidivism rates and have less extensive criminal histories. These conclusions hold for both sex offenders as a group and within specific subtypes of offenses (i.e., rapists, child molesters) (Meithe and Mitchell 2006). Melloy (2005) discovered that only 41 (4.5 percent) of the 917 sex offenders in her study committed another sex crime while on probation. However, as referenced earlier in discussing the under-reporting of sex crimes, particularly those of certain classes of sex crimes such as those committed against minors and by non-strangers, official recidivism rates of sex offenders may less accurately capture these offenders' behavior than recidivism rates for other populations of criminals. Thus, informed community supervision practitioners can use this information when confronting stereotypes.

Sex offenders are often portrayed in the media as more apt to kill their victims than many other offenders. When an offender does commit a new sex offense when on supervision, the officer and the agency are likely to be confronted by special difficulties. Supervision agencies should be diligent but have some sense of balance concerning supervision needs. Hyper-vigilance can lead to premature and unnecessary incarceration. If one examines the data available, a more detailed picture emerges. In only 3 percent of all sex crimes cases is there also a charge of homicide (Sample 2006). When sex offenders do commit murder in the course of their crimes, those victims tend to be adults, not children (Sample 2006). These are some of the profile details that can help practitioners involved with sex offender community management to understand the population. This knowledge, based on empirical evidence, can also translate into legislative action and/or agency action and strategy change when collaboration amongst educated parties occurs.

Offenders often have a certain preference for particular types of victims, whether male or female, belonging to a certain age group, conforming to a certain body type and features (such as hair color or physical immaturity). Offender preference can be a characteristic of higher recidivism (Kemper and Kistner 2007). Some offenders do have apparently strong preferences for certain kinds of victims (male or female or age group); those offenders do not tend to recidivate at higher levels (Hanson and Morton-Bourgon 2005). Compared to other groups, the mixed offenders (those whose criminal history reveals more variety in sexual offending) are more opportunistic in their sexual offending. These non-specific offenders offend even when the risks of being detected or reported by the victims are high, and may engage in behaviors that are more likely to cause physical injury, especially to child victims. Thus it would benefit officers to become familiar not only with offenders' criminal history but also with the details of the crime(s) often included in police reports, social service agencies, schools, etc. This is one of many instances where collaboration with agencies such as victim's services and offender therapists would be beneficial (Payne and DeMichele 2010).

The larger purpose here is for supervision staff to become proactive in the community and with other agencies that have an interest in community safety. Community supervision staff can help educate members of a community not to be complacent at one end of the spectrum nor hyper-vigilant at the other end. This educational aspect mirrors what officers are encouraged to do in the American Probation and Parole curriculum training module (Payne and DeMichele 2010). Several researchers have shown that stereotypical images have serious negative consequences for the effective detection, treatment, and control of sex offenders (Quinn, Forsyth, and Mullen-Quinn 2004; Simon 2000). These stereotypes can result in legislation imposed on agencies or implementation of internal agency policies that may be counterproductive to successful case management. Therefore, sex offender supervision strategies may need to be revisited and formulated on evidence-based practices.

Supervision

When supervision officers and supervisors are armed with more knowledge about this specific type of offender, supervision strategies and policies can be impacted. Broad policy measures or strategy are the focus here, not individual tactics of supervision. In addition, officers and supervisors can better collaborate with other agencies to ensure that public safety needs are met. Part of public safety needs is the success and societal reintegration of the offender. In other words, offender success is a component of the broader public safety goal. Successful collaboration among agencies can help protect public safety. Supervision agencies should not make sex offender policy decisions in a vacuum; rather, all agencies involved with offenders can cooperate to ensure that public safety needs are met. This also fits within the collaborative model set forth by Payne and DeMichele 2010.

A good illustration of targeted collaboration is the containment approach. This supervision concept includes three different entities: probation/parole officers, sexual treatment therapists, and polygraphists (English, et al. 1997). Many agencies have adopted this approach toward sex offender community supervision, yet the collaboration network needs to be widened from sex offender treatment staff and polygrapher to include court staff, jail staff, prison staff, and victim advocates (Payne and DeMichele 2010).

Broad strategies, including legislative mandates and internal agency policy concerning supervision issues, confront line officers and supervisors daily. These include:

- **Offender employment:** Employment has been identified as a factor that promotes positive community adjustment and lower recidivism (Kruttschnitt, Uggen, & Shelton 2000; Laub & Sampson 2001). However, this is a very difficult sub-population of offenders to employ. Education of possible employers concerning the rigors of supervision may help alleviate reservations employers have. Also, officers can communicate to employers that they can act as an extension of supervision monitoring and as collaborators to support offender success (i.e., societal reintegration). Alternatively, officers can relay information concerning possible tax benefits for employers of felons.
- **Specialized caseloads:** The Center for Sex Offender Management has concluded that using officers with specialized caseloads is an efficient and effective way to manage this population. The Maryland Department of Juvenile Services points to the results of a nationwide survey of sex offender supervision practices in the adult system; the survey indicates the following benefits of caseload specialization: (1) Expertise and training related to sex offender management; (2) More intensive supervision of certain sex offenders who might have become “lost” on non-specialized caseloads because of their seemingly compliant nature; (3) Establishment of a rapport with sex offenders, which encourages them to talk openly about their thoughts and activities; (4) Promotion of feelings of camaraderie and support among counselors who maintain these caseloads, which can help reduce secondary trauma; and (5) Increased agency-wide consistency in sex offender supervision. As a result, the topics of caseload specialization, training, and caseload size are frequently debated as they pertain to supervising this population. (Maryland Department of Juvenile Services 2005)
- **Home contacts:** The idea of home contacts for any population of offenders is a contentious issue for community supervision agencies. Issues like officer safety, officer liability, overtime costs, and officer training costs must be considered, besides the larger issue of being perceived as slanted to a more law enforcement approach of supervision. Those issues lie beyond the scope of this article. However, nationally recognized experts such as the Center for Sex Offender Management are in favor of home contacts with offenders. Home contacts of sex offenders are seen by many as beneficial (Bosco 1996 and Kansas Sex Offender Review Board 2007). Home contacts can also promote inter-agency cooperation, as police and probation departments as well as other social service

agencies can forge partnerships.

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Conclusion

One purpose of this article has been to spark discussion about broad policies and practices concerning sex offender community management. Some strategies may need to be revisited due to lack of empirical evidence supporting such measures employed at a macro or strategic level. Strategies that are all encompassing, where all sex offenders are merged together in the same overly broad category of “sex offender,” may not be an efficient way of supervising this category of offender. Rather, resources can be targeted more precisely.

Another purpose of this article was to make the case for inter-agency collaboration explicit as a community supervision agency strategy beyond the containment approach. Collaboration has a dual advantage for probation and parole agencies. Primarily, better offender management strategies can be developed due to more information at a supervisor’s disposal. This information can result in more effective management of resources, ultimately promoting increased community safety, while at the same time conserving resources. Secondly, collaboration can result in better information sharing among the public, legislators, and other agencies that have an investment in effective sex offender management. This collaboration can encourage community supervision agencies to employ evidence-based practices.

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