

SECTION 1: SUPERVISION OF SEX OFFENDERS IN THE COMMUNITY: AN OVERVIEW OF THE TRAINING

Exercise 2: Case Study

Goals of the Case Study

The purposes of this group exercise are:

- ◆ To provide participants with an opportunity to consider how they might apply the information presented in the training to their own work.
- ◆ To encourage participants to interact with one another and share their perspectives on a case study and on the specific challenges associated with the safe and effective supervision of sex offenders in the community.
- ◆ To foster a discussion between participants and faculty members regarding their responses to the case study and the issues and concerns it highlights.

Introduction

This training covers many aspects of sex offender supervision. The case study, which is based on a real case, has been designed to provide a framework for discussion and application of the principles presented in the training. There is no one right answer to any of the questions. Rather, the questions are designed to encourage discussion among group members about the unique supervision challenges posed by sex offenders. You may not have enough time to work through all of the questions. You may work through as much material as possible in the time allotted and, should you desire to do so, continue your discussions outside of this training.

Case Study

The Instant Offenses

Mike, a 41-year-old man, is charged with and convicted of fondling the breasts of a child under the age of 14. While the authorities strongly suspect that he engaged in sexual intercourse with the child against her will (rape), the victim would only substantiate facts sufficient to bring charges and convictions for the less serious offenses—indecent assault and battery.

The Facts of the Case

Several years before he was arrested, Mike began living with his two daughters (ages 9 and 11 years when he moved in with them) and their mother (they had divorced several years before; Mike had to move back to her home because of financial troubles). While maintaining residence with them, Mike engaged in sexual activity on numerous occasions with his older daughter. The sexual assaults took place over the course of a 12-month period when his oldest daughter was 13 years old.

The sexual abuse was discovered after the victim told a friend at school what had been happening. The friend immediately reported the allegations to a school counselor. The counselor then reported the abuse to the Department of Social Services (DSS) and the Police Department.

As a result of the assaults, Mike's two daughters were placed in the custody of DSS, who took responsibility for finding a suitable and safe place for them to reside.

The Perpetrator's Prior Criminal Record

Mike does not have a lengthy or significant criminal record. When he was 30 years old, he was charged with two counts of criminal non-support for failing to pay child support for his two daughters. These charges were dismissed.

The Perpetrator's Sentence for the Instant Offenses

Mike received a 2.5-year split sentence (approximately half to be served in jail and approximately half to be served on probation) for his conviction of indecent assault and battery on a child under 14 years of age. He served 11 months in jail, where he received substance abuse counseling. He chose not to participate in sex offender treatment while incarcerated because of his fear of being stigmatized and assaulted by his fellow inmates for being a sex offender.

The Perpetrator's Family, Educational, and Employment History

Mike has not seen his parents since he was very young. His parents were divorced when he was 5 years old and both died shortly thereafter (his father in a car accident and his mother from a drug overdose). Mike was raised by a number of different relatives who, he claims, physically and sexually abused him on numerous occasions over a period of many years. He does not interact with or know the whereabouts of any of his relatives except for his half-sister and his two daughters. He appears to have a positive and supportive relationship with his half-sister.

Mike had significant behavioral and academic problems in junior high and high school. He was expelled in the 10th grade and never returned to school. He says that he "hated" his educational experience because all of his teachers gave him failing grades and he was ridiculed unmercifully by his classmates. He claims that he had no friends in school.

Mike has a very unstable employment history, with lengthy periods of unemployment and dependence upon state and federal assistance. He is considered unskilled and has worked inconsistently as a construction laborer, a warehouse attendant, and a clerk in a hardware store.

The Perpetrator's Substance Abuse History and Mental Health Issues

During the investigation of the sexual assaults, Mike revealed that he began using drugs and alcohol on a very regular basis in junior high school. He said that he believes that he now suffers from multiple substance addictions and Post Traumatic Stress Disorder (PTSD). He reported daily usage of marijuana and alcohol, and weekly usage (or as often as he could afford to purchase it) of cocaine.

During his initial interviews with the investigating officers, Mike said that his PTSD is a result of his multiple tours of duty in the Vietnam War, and the trauma associated with the hundreds and hundreds of violent deaths that he witnessed as a soldier on the "front lines." Mike is, however, too young to have served in Vietnam, and his psychological and psycho-sexual evaluations revealed that his PTSD is the result of the many sexual and physical assaults he endured as a child.

Summary of the Perpetrator's Post-Release Community Supervision

After his release from jail, Mike reported immediately to probation. He appeared to be very interested in living safely in the community and participated actively in his first appointment. His probation officer described him in his first report as "seemingly very responsible, remorseful, and credible." During his first few months on probation, Mike appeared to be in compliance with his community release conditions. He attended weekly group therapy sessions to address his sex offending behavior and weekly Alcoholics Anonymous meetings. During his office visits at the probation department, Mike always adamantly denied having any deviant thoughts, feelings, or fantasies; stated that he never had any unsupervised contact with minors; and asserted that he was making very good progress in his sex offender treatment groups.

Mike's first place of residence while on probation was in a tent on his half-sister's property, several hundred yards away from her house. Although Mike's probation officer could not reach Mike by phone in his tent, he did require that Mike be in his tent or within plain view of his tent after dark each evening. Mike's probation officer occasionally conducted unannounced home visits and always found Mike to be in compliance with his curfew.

After becoming employed at a local warehouse, Mike asked his probation officer for permission to move from his tent into his own apartment. Mike's request to move was viewed by his probation officer as a very positive step in his life. For the first time in many years, Mike was earning enough money to cover his own living expenses.

Two months after his move, however, the probation department received an anonymous call indicating that Mike was living with a woman and two young children in his apartment. While conducting an unannounced home visit in response to this call, Mike's probation

officer saw a number of toys and some children's clothing. Mike claimed that these were items that he was gathering to send to his daughters and strongly asserted that he was the only person residing in the apartment. Mike's probation officer gave him 2 hours to "resolve" the situation and told him that the probation and police departments would increase the intensity of their surveillance of him.

Several weeks after the unannounced home visit, Mike testified in a Care/Protection Hearing for the Department of Social Services. The Department of Social Services, which had taken custody of Mike's daughters after the original disclosure of sexual abuse, had received a call from a school guidance counselor about an unsupervised car ride that Mike had taken with his younger daughter (you will remember that Mike was convicted for sexually assaulting his older daughter). While testifying, Mike admitted that he did take an unsupervised car ride with his younger daughter. (The Department of Social Services had been allowing him to have some supervised contact with her and had permitted Mike's girlfriend to monitor their visits.) Mike claimed, however, that his actions in the car revealed the progress he had made during his sex offender treatment. During the car ride, which included stops at his apartment and a convenience store, Mike testified that he warned his younger daughter that he sometimes fantasized about her. After purchasing her something to eat at the convenience store, Mike told her that if he ever offered her money to engage in sexual activities with him, she should say "no." He then dropped her off at school. Mike's younger daughter was very upset by the conversation she had with her father and reported it immediately to a school guidance counselor.

During the court proceeding, Mike's probation officer also found out that while Mike was living in a tent on his half-sister's property, the Department of Social Services had given temporary custody of his two daughters to his half-sister. Mike and his daughters had, therefore, resided at the same address for several months while he was on probation—unbeknownst to both his probation officer and DSS.

Case Study Questions

Section 1, Exercise 2

1. Are Mike's instant offenses and his background similar to any of the offenders that you have supervised? What are the unique supervision challenges associated with sex offenders who have profiles similar to Mike's?
2. Have you also supervised sex offenders who possess more stable social, educational, and family backgrounds than Mike? Are there particular challenges associated with supervising sex offenders who seem to have very prosocial lifestyles (e.g., those who are consistently employed, live with their families, have advanced academic backgrounds, etc.)?