

Halloween Restrictions

On October 31 of every year sex offenders in Nevada and a growing number of other states are subjected to various types of restrictions and laws depending on the state and city they are located in.

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California has a law known as “Operation Boo”, New York has a law known as “Halloween: Zero Tolerance” and many other states have passed “No Candy” laws. Nevada at this time does not have a law in their statutes that restrict the activities of sex offenders on Halloween. What Nevada sex offenders have to endure is a thing called Operation Scarecrow.

Nevada Department of Public Safety

October 24, 2012

Lieutenant Colin Webb

Division Parole & Probation – Southern Command- Las Vegas

Sex Offender Unit

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Media Advisory

Parole and Probation Officers in Las Vegas Conducts Eighth Annual Halloween Operation Scarecrow

LAS VEGAS NV: Officers from the Nevada Department of Public Safety – Division of Parole and Probation (NDPS/DPP), in an effort to provide enhanced safety for children who may be targeted by sexual predators during the holiday, will conduct the eighth annual Halloween Operation: Scarecrow. The purpose of this operation is to eliminate contact between supervised sex offenders and children by meeting with and providing specific direction to these high risk and high profile offenders. These offenders have been directed to avoid coming into contact with children in any way and to remove items such as candy and decorations, which could lure children to or near their residences.

Additional surveillance and home contacts will be conducted to ensure offender compliance.

The Division of Parole and Probation will be working in teams consisting of officers and Sergeants assigned to the Sex Offender Unit. The objective of the teams is to target the most serious sex offenders under the Division’s supervision.

Beginning October 1, 2012, and throughout the month until October 30th, officers within the Sex Offender Unit began providing their offenders with the “Offender Halloween Restrictions” and were instructed to avoid contact with children during the Halloween holiday, and to avoid participation in any Halloween-related festivities involving or potentially involving children.

Home contacts and surveillances will be conducted at offender residences to spot potential violations of the “Offender Halloween Restrictions” literature provided to the offenders during the month of October 2012. Officers will attempt to make as many contacts as possible during the operation.

Observed violations will be addressed on a case-by-case basis.

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Brian Sandoval
Governor
Chris Perry
Director
Bernie Curtis
Chief
Parole & Probation

The focus of the operation is to ensure that the offenders who meet the following criteria have no contact with children:

- Tier 2 and Tier 3 offenders, whose offense involved a child victim; or
- Tier 2 and Tier 3 offenders with a “no contact with children” clause as part of their Probation, Parole or Lifetime Supervision conditions.

NOTE: The media will be permitted to ride along with one of our two-officer field teams on October 31, 2012 from 1445 hrs through 2045 hrs. To schedule a ride along, please contact the DPP Public Information Officer, Captain Douglas Maul at (702) 486-3121. The Sergeants in the Sex Offender Unit will assign each media crew to a specific officer team. All media teams will be Briefed concerning safety and conduct during this operation.

WHAT: Operation: Scarecrow 8

WHERE: Las Vegas community at large

WHEN: Beginning 1445 hrs on Wednesday October 31, 2012

CONTACT: Lieutenant Colin Webb, Sex Offender Unit NDPS/DPP at (702) 486-3049

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Nevada sex offenders who are on parole or probation are given a special set of conditions every Halloween that they have to sign and follow. These conditions consist of a curfew, turning off all lights, no decorations, no passing out candy and no answering the door unless it's your officer and they tell you that you know it will be them because they will be on extra enforcement that night.

['Operation Scarecrow' Imposes Rules on Nevada's Sex Offenders](#)

If the sex offender violates these conditions they are subject to a parole violation and could be sent back to prison for an unspecified amount of time.

Currently these laws and conditions are being questioned about their effectiveness, legalities and the reasoning behind imposing them.

In California a lawsuit has been filed claiming an ordinance violates First Amendment Rights.

[Sex Offenders Sue to Overturn Simi Valley Halloween Restrictions](#)

Elsewhere, studies have been done to analyze if there is any evidence or statistics to justify these Halloween laws and conditions for sex offenders.

[How Safe are Trick-or-Treaters](#)

[Sex offender statistics](#)

These studies show that there are no increased rates of sex offences on or before Halloween. Therefore raising questions about the wisdom of diverting law enforcement resources to attend to a problem that does not appear to exist.

My personal experiences with Nevada's Operation Scarecrow started on the first Halloween after my release from prison. I was working the night shift at a big manufacturing shop when I was called on my cell phone and asked to come out to the parking lot. When I got out there I was confronted by four parole officers. I was asked some questions about what was I doing. Well it was quite obvious that I was working seeing that the shop was out of town in an industrial park and I had just come out of the building. I was then asked where my car was and what was in it. I pointed to hit and told them I would have to go in the building to get the keys. They said it wasn't necessary, made a few sarcastic comments displaying how tough they were and left.

This is a good example of how law enforcement resources were misused. These officers were wasting tax payer's money by going out to an industrial park where there was no houses and no children trick or treating. Therefore they were not serving the purpose of Operation Scarecrow which was to check on the worst offenders at their homes to make sure they were complying with the special conditions made up by the Department of Public Safety, Parole and Probation.

A couple of years ago my wife and I were watching the news when they ran the Operation Scarecrow story for the upcoming Halloween night. I discussed with my wife how the story used no statistics and misleading information to justify the Department of Public Safeties Operation Scarecrow on Halloween night.

She decided to try and do something so she contacted a reporter and presented some facts, studies and statistics to show that there is no justification of diverting law enforcement resources for a problem that's not there. The facts show that the child is more likely to be sexually abused in their own home than they are by a neighbor when they're out trick or treating on Halloween night.

After a few emails and supplying information the reporter responded to us saying his assignment editor didn't see the news value in providing this aspect to their Operation Scarecrow program. Just not the kind of story they want to do.

My wife and I have had many obstacles to overcome because of my being labeled a “Sex Offender”. But we haven’t given up. We will continue to fight for our rights and by putting our story on Nevadans for Civil Liberties is just another way of continuing our fight.