Colorado Sex Offender Management Board

• WHITE PAPER ON ADULT SEX OFFENDER HOUSING

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Executive Summary

It is the purpose of this White Paper to identify the problems associated with sexual offenders finding affordable, appropriate, and stable housing. The SOMB recognizes that homelessness among sex offenders presents a threat to public safety in Colorado. The goal of this White Paper is to outline the problem and suggest possible strategies to address the problem. Factors contributing to Colorado's sex offender housing problems, among others, include housing and residence restrictions, the economy, employment options, public misinformation and beliefs, movement across jurisdictional boundaries, offenders choosing inappropriate housing options (e.g. situations where there may be exposure to drugs and alcohol, and pornography, or that provide unauthorized access to children) and then being required to move upon discovery, and offenders having difficulty with identification of housing rules and restrictions across different stakeholders and jurisdictions. The SOMB also recognizes that finding affordable, appropriate, and stable housing is an issue for many citizens in Colorado, and may in particular also be an issue for victims of sexual assault. By identifying the concerns related to housing for sex offenders, the SOMB in no way means to ignore the reality of this concern for many others as well.

Recommendations for effectively addressing the sexual offender housing problem include increased use of shared living arrangements (SLAs), community corrections beds, and housing for offenders with special considerations (e.g. developmentally disabled, physically disabled, elderly, mentally ill, dual diagnosis, etc.); developing county-based and state transitional housing, both short-term and long-term, for incarcerated sex offenders returning to the community and on probation; enhancing discharge planning for reintegration; encouraging the continuation of making decisions about housing for sex offenders on a case-by-case basis, and enhancing consistency of supervision conditions between probation and parole, and across different probation and parole jurisdictions; enhancing communication among agencies; identifying resources for sex offenders not under supervision; addressing the need for emergency housing during a natural disaster; mitigating the impact of sex offender registration laws on housing availability; enhancing sex offender registry data collection; providing community and policymaker education, as well as professional education for community corrections staff; seeking funding and grants to supplement limited resources; exploring an increase in the amount of sex offender surcharge allocation to sex offenders; enhancing collections and cost recovery efforts; holding a summit of key stakeholders; continuing Colorado Criminal and Juvenile Justice Commission (CCJJ) involvement; and exploring the possibility of a prohibition on residence/zoning restrictions statewide.

Statement of Concern

In 2009, the Colorado Sex Offender Management Board (SOMB) began discussing growing concerns about the impact of homelessness and related

housing challenges for sex offenders upon public safety. A task force was convened in the Colorado Department of Public Safety (CDPS) under the auspices of the SOMB. As this discussion continued, the SOMB has come to recognize that homelessness and a lack of affordable, appropriate, and stable housing for sex offenders has become a public safety issue in Colorado and in other states around the country. When sex offenders do not have housing, their access to employment, education, transportation, and treatment is also impacted (Willis & Grace, 2008). This overall instability in an offender's life makes supervision more difficult, thereby increasing the risk for reoffending and decreasing victim and community safety. The Colorado SOMB seeks to identify the issues affecting housing options that are unintended consequences which negatively impact public safety.

A fundamental component of the sex offender containment model for protecting community safety is the ability for law enforcement and members of the Community Supervision Team (CST) to know where the sex offender resides. As offenders become less able to maintain housing, monitoring efforts are hampered, the containment and supervision system becomes less effective and victims and the community are placed at risk (Washington State Institute for Public Policy - WSIPP, 2006).

The Colorado SOMB anticipates that the number of sex offenders who are homeless or transient will continue to increase for the foreseeable future. This trend is partly a result of communities choosing to enact local residence restriction laws or zoning regulations that may prohibit offenders from living in their primary or family residence and simultaneously lowers the availability of housing alternatives. These laws vary drastically from jurisdiction to jurisdiction, producing a piecemeal approach to the management of sex offenders. The SOMB has identified two Colorado populations of sex offenders most likely to be impacted by these local regulations: (1) those supervised by criminal justice agencies, and (2) those no longer supervised but still registered as a sex offender.

Specific to Colorado, there were 14,756 registered sex offenders in Colorado as of November 8, 2011. In 2009, 470 juveniles who have committed sexual offenses were under probation supervision, while 185 juveniles who have committed sexual offenses were in the Colorado Division of Youth Corrections (CDYC). For adult sex offenders, 1,301 were in the community under Sex Offender Intensive Supervised Probation (SOISP) while 1,137 were in the community on regular probation supervision (Colorado State Judicial Annual Report, 2010), and 1,349 were in the community under parole or community corrections supervision through the Colorado Department of Corrections (CDOC). Of the 13,727 registered sex offenders, 247 were registered as transient or homeless in an informal survey of local law enforcement agencies. Colorado had 3 per 1,000 people who were homeless in 2008 (data360.org). Colorado's population according to the 2009 census data is 5,024,748. This means that Colorado has a homeless rate of .3% amongst the general population, while 1.8% of registered

sex offenders were homeless. Therefore, sex offenders are six times more likely to be homeless than the general population (CDPS, 2010).

Other states have also recognized that their homeless sex offender population is growing. In California, the number of sex offenders registered as homeless or transient has increased 60% from 2006 to 2007 following the passage of Jessica's Law, which placed residence restrictions on where sex offenders could live (Thompson, 2007). Offenders who are no longer under supervision may simply fall through the cracks and live in the community unmonitored. Law enforcement faces the ongoing challenge of tracking offenders who are constantly on the move, and the public is at greater risk because more offenders have moved "underground" (WSIPP, 2006). Colorado does not maintain statistics on registered sex offenders that differentiate by residence location such as homeless shelters, parking lots, automobiles, campers or campgrounds, under bridges, public parks, or other alternative housing sites that homeless and transient offenders use as their designated address.

Introduction and Methodology

The SOMB Housing Committee was created in 2009 and members of the sex offender management community, law enforcement, and local housing experts were solicited for their assistance. The committee began meeting monthly to start the process of investigating the problem and researching possible responses. A literature review was initially conducted to determine what other states had already identified as problems and potential solutions. Next the focus turned to an investigation of the scope of the problem in Colorado and what various local jurisdictions were already doing to either help alleviate, or conversely to contribute to, the problem. Over time, the scope of the problem and alternative responses became clear. General consensus was reached on the recommendations contained herein. Discussions ensued and it was decided that this White Paper should be prepared making specific recommendations to the Colorado General Assembly, the Governor's Office, the SOMB, city and county decision makers, and other such policymakers. Individuals contributed substantially to individual sections of the paper, the committee as a whole worked to integrate the various components, and the document was edited and submitted to the SOMB and the CDPS for approval and release.

The SOMB has chosen to adopt the Colorado Community and Interagency Council on Homelessness (CICH) definition of homelessness as follows:

An individual is considered homeless if he or she is:

- Sleeping in places not meant for human habitation, such as cars, parks, sidewalks, or abandoned or condemned buildings;
- Sleeping in an emergency shelter;

- Spending a short term (30 consecutive days or less) in a hospital or other institutions, but ordinarily sleeping in the types of places mentioned above;
- Living in a transitional/supportive housing but having come from the streets or emergency shelters;
- Staying temporarily with family or friends while looking for a permanent place to live;
- Staying temporarily in a hotel or motel paid for by others; paid for by vouchers while looking for shelter or housing:
- Being evicted within a week from a private dwelling unit and having no subsequent residence identified and lacking the resources and support networks needed to obtain access to housing; or
- Being discharged from an institution and having no subsequent residence identified and lacking the resources and support networks needed to obtain access to housing.

(The Colorado Statewide Homeless Count, Executive Summary, February 2007).

The Colorado Sex Offender Registration Act (C.R.S. § 16-22-101 *et sec.*) does not currently contain a definition of homelessness. The statute does reference "residence" status as well as a "temporary resident." "Residence" in the Act is defined as:

> "a place or dwelling that is used, intended to be used, or usually used for habitation by a person who is required to register pursuant to section 16-22-103. "Residence" may include, but is not limited to, a temporary shelter or institution, if the owner of the shelter or institution consents to the person utilizing the shelter or institution as his or her registered address as required by 16-22-106 (4) or 16-22-107 (4) (a) and if the residence of the person at the shelter or institution is capable of verification as required by section 16-22-109 (3.5). A person may establish multiple residences by residing in more than one place or dwelling."

C.R.S. § 16-22-102 (5.7)

A "temporary resident" is defined by the Act as:

> "...a person who is a resident of another state but in Colorado temporarily because that person is: (a) Employed in this state on a full-time or part-time basis, with or without compensation, for more than fourteen consecutive business days or for an aggregate period of more than thirty days in any calendar year; or (b) Enrolled in any type of educational institution in this state on a full-time or part-time basis; or (c) Present in Colorado for more than fourteen consecutive business days or for an

aggregate period of more than thirty days in a calendar year for any purpose, including but not limited to vacation, travel, or retirement."

C.R.S. § 16-22-102 (8)

Therefore, registered sex offenders in Colorado who do not meet the definition of living in a "residence" based on being homeless are not specifically referenced by Colorado statute.

Current Housing Data

Colorado does not maintain formal statistics on how many homeless individuals are sex offenders. General data on homelessness is not current and is based on various estimates. The United States Interagency Council on Homelessness has recently issued its report, "Opening Doors." This federal plan deals with the larger issue of homelessness in America in general, across the entire country, and does not address the more specific issues related to registered sex offenders. Colorado's sex offenders face the same housing challenges as any other citizens as reflected in this Federal Plan; however, they face many additional challenges as a result of their status as sex offenders. These challenges may result in a loss of housing that carries with it a public safety risk not shared with the general population (Hanson & Harris, 1998). The Federal Plan discusses the scope of homelessness in America and sets forth a plan for "interagency collaboration that aligns mainstream housing, health, education, and human services to prevent Americans from experiencing homelessness in the future." (Preface to Opening Doors, Federal Strategic Plan To Prevent And End Homelessness, June 2010). It proposes a set of strategies that call upon the federal government to work in partnership with the private sector, philanthropy, and state and local governments to employ cost effective, comprehensive solutions to end homelessness. The plan includes 10 objectives and 53 different strategies and outlines four key goals, none of which were specific to offenders in general, or to sex offenders.

Information from the Colorado Community and Interagency Council on Homelessness (CICH) indicated "agencies from across the state submitted estimates of unsheltered homeless persons who were in locations where they could not be counted with an address. These estimates identified a total of 1,218 homeless persons. Combined with all the surveyed homeless, and the number of unsheltered homeless who were counted but not surveyed and a component obtained from a Colorado domestic violence report, the Colorado Community and Interagency Counsel on Homelessness (ICH) estimated that 17,421 people were

homeless in Colorado on August 26, 2006." This appears to be the most recent data available. [1]

Further, according to recent U.S. Census data, Colorado's poverty rate has risen steadily since the late 1990s. Some services are available to help low-income families remain housed, but these programs do not begin to meet the demand, and do not address the needs of sex offenders in our communities. Of particular concern is the additional challenge registered sex offenders have in trying to find shelters or transitional housing as a result of policies, which exclude such individuals or families from shelters or transitional housing.

The SOMB wishes to again be clear that the focus on homelessness for sex offenders in no way minimizes the impact of such issues on the citizens of Colorado in general, including the victims of sexual assault.

Summary of Offenders in the Community

Convicted sex offenders living in the community could be under the jurisdiction of a variety of different management systems or none at all. The majority of offenders who are prosecuted and convicted receive community supervision (65%) at the time of sentencing from the court (Center for Sex Offender Management – CSOM, 2000). Community supervision sentences may include probation or community corrections (half-way house) placement. Other offenders come into the community on parole either in a community corrections setting or a private residence after serving time in prison. Once an offender has completed a sentence, the offender is no longer under any form of supervision and is not subject to any restrictions or tracking, other than registration by local law enforcement.

Factors Contributing to Colorado's Limited Sex Offender Housing Options

Housing and Residence Restrictions

> A number of years ago Colorado observed several jurisdictions contemplating enacting housing and residence restrictions on where sex offenders may reside after a concerned citizen notified the media of a Shared Living Arrangement (SLA) in her neighborhood. (SLA's are residences where more than one convicted sex offender resides while receiving intensive correctional and treatment services). An editorial was published in a Denver newspaper recommending that this practice be banned. The Colorado General Assembly became aware of what local jurisdictions were doing and received a request to pass a state law restricting sex offender residences. As a result, the General

[1] Colorado Community and Interagency Counsel on Homelessness (August, 2006)

> Assembly requested that the Sex Offender Management Board (SOMB) conduct a formal study on the safety issues pertinent to SLA's, and residence and zoning restrictions.
>
> As requested, a research study was conducted in 2004 in reference to the proximity of sex offender residences to schools and childcare centers and the related impact on community safety.
>
> The findings of this research revealed that among sex offenders who reoffended, there were not a greater number of sex offenders living within close proximity to schools and childcare centers than sex offenders who did not live in close proximity to schools and childcare centers. In addition, sex offenders who received positive support (i.e. family, friends, treatment, SLA's, and employers who were aware of the sex offender's issues and held the offender accountable in a supportive fashion) had significantly lower numbers of probation violations and re-offenses than those with no support or negative support (CDPS, 2004). It should be noted that this finding has been supported by numerous other research studies related to residence restrictions and recidivism rates regarding the reintegration of sex offenders (Minnesota Department of Corrections, 2003 & 2007; Ohio State University, 2009; Levenson, Zandbergen, & Hart, 2008).[2]

The SOMB recently published a white paper recognizing that there has been considerable research conducted that focuses on the successful reintegration of sex offenders back into the community. As a result of this research, common themes emerged that significantly reduced recidivism: stable housing or living accommodations; secure employment; positive support systems; and adequate financial resources (Colorado SOMB, 2010).

The White Paper noted several states which have passed residence restriction laws and have also conducted empirical studies showing such residency restriction laws have actually proven counterproductive because they often cause destabilization of sex offenders (Iowa, California, Florida, and Ohio). Consequently, it has been noted such ordinances in fact may inadvertently exacerbate the factors correlated with recidivism (Ohio State University 2009), thereby increasing crime and other costs to society.

A recommendation against residence restrictions was made by the Colorado SOMB in 2004 indicating placing restrictions on the location of supervised sex offender residences may not deter sex offender re-offense and should not be used as a universal sex offender management strategy. Furthermore, it was suggested by the SOMB the imposition of residence restrictions may increase the risk of re-

[2] Colorado SOMB. (2010). White Paper on the use of Residence Restrictions as a Sex Offender Management Strategy. Colorado Department of Public Safety.

offense by forcing sex offenders to live in communities where positive support systems may not exist or where they are removed from accessible treatment resources. These restrictions may also result in sex offenders being pushed out to remote areas where their ability to live anonymously increases, therefore decreasing the ability to monitor them effectively, and creating an unacceptable threat to victim and public safety. These counter-productive residence restrictions have been further criticized by the Association for the Treatment of Sexual Abusers (ATSA, 2005). Unfortunately, these studies and recommendations from the SOMB and other organizations with expertise in sex offender management issues have not prevented local governments from restricting the locations where sex offenders may reside through either county zoning regulations or municipal ordinances.

The Economy

As with any group experiencing poverty, sex offender stability is impacted. Unlike other populations, though, this instability interferes with offenders' ability to pay for community treatment, restitution, court costs, supervision fees, polygraphs and sex offender registration costs. At the same time, other federal government agencies have moved to exclude sex offenders from receiving government services such as low interest loans for housing. These governmental agencies are prohibited by policy or statute from assisting individuals who are on probation or parole, further limiting their ability to assist sex offenders in finding employment and stable housing.

From 2008 – 2009, Colorado incomes have seen a reduction of almost 7%.[3] While the average rent for apartments in the Denver-Metro area has remained somewhat constant, the average rent for single family residences has continued to rise. Apartment rent increased from $834 per month in 2005[4] to $840 in 2010[5]. The average rent for a single family home rose from $929 to $1,036 during the same time period.[6]

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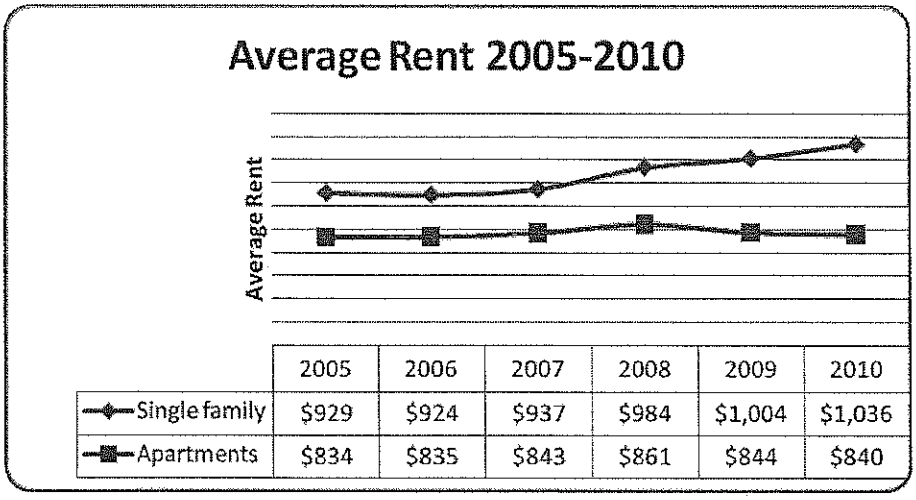
[3] *Department of Revenue Annual Report – 2010*

[4] Stroh, G. (2009). *Denver Area Apartment Vacancy and Rent Survey, First Quarter 2009.* Retrieved from http://dola.colorado.gov/app_uploads/docs/Executive%20Summary-2009-01.pdf

[5] Colorado Division of Housing (2010). *Vacancies in Colorado Fall as Rents Rise.* June 11, 2010. Retrieved from http://divisionofhousing.blogspot.com/2010/06/vacancies-in-colorado-fall-as-rents.html

[6] Stroh, G (2009). *Metro Denver Area Residential Rent and Vacancy Survey, First Quarter 2010.* Colorado Division of Housing. Retrieved from http://dola.colorado.gov/cdh/vacancy/Single_fami_Den_Vac_Surveys/2010Q1_SF.pdf



	2005	2006	2007	2008	2009	2010
Single family	$929	$924	$937	$984	$1,004	$1,036
Apartments	$834	$835	$843	$861	$844	$840

(It should be noted that while there was a slight decrease in apartment rent for the first quarters of 2009 and 2010, it was followed by an increase to $899 in the 2nd quarter of 2010.)

As more homeowners face foreclosure, there is more competition for rental units. This may continue to drive the average monthly rent upward, and decrease the availability of affordable housing for sex offenders.

Employment Barriers

Research has established that a felony conviction or time in prison may make individuals significantly less employable (Blumstein & Nakamura, 2010; Rodriguez & Emsellem, 2011). Finding and maintaining employment is directly related to the economy and the recent economic decline has impacted many community members, including sex offenders. When unemployment rates are high, it is reasonable to expect that offenders with a felony record, and especially sex offenders who experience increased restrictions in order to protect public safety, will experience significant problems securing and maintaining stable employment and housing. What makes this concerning is the fact that steady employment is correlated with the ability to pay for treatment, and ultimately with lower criminal recidivism. Colorado has shown a steady rate of unemployment at 7.9%, which increased to 8.8% in April, 2011 (Colorado Department of Labor, 2011). While Colorado's minimum wage remained at $7.36 per hour when the federal minimum wage was decreased to $7.24 per hour in January, 2010, low wages for those who are employed make it challenging for offenders to reach economic stability (U.S. Department of Labor, Bureau of Labor Statistics).

The most recent available national data suggest that 9.7 percent of 30 to 34 year-old men today have been in prison; the highest rate recorded since these kinds of data became available in the 1970s. In 2008, about one in 33 working-age adults was an ex-prisoner and about one in 15 working-age adults was an ex-felon. For

men specifically, about one in 17 adult men of working-age was an ex-prisoner and about one in 8 was an ex-felon in 2008. In GDP terms, these reductions in employment due to felony conviction cost the U.S. economy between $57 and $65 billion in lost output (Schmitt and Warner 2010).

Sex offenders face numerous barriers preventing them from obtaining employment. In a study conducted by Brown, Spencer, & Deakin in 2007, primary barriers included deficits in education, skills, and the availability of only low-paying jobs. In addition, half of the employers surveyed indicated they would not hire a sex offender due to the perceived risk to staff and potential staff reaction. Another study conducted by Burchfield & Mingus in 2008 revealed that registered sex offenders faced problems on the job due to electronic monitoring. Evidently employers were hesitant to deal with the complexities of the monitoring and did not want to risk losing employees with the potential for them to go to jail for a violation. A study conducted by Robbers in 2009 in Virginia using 153 registered sex offenders revealed that half lost a job due to their history of sex offending, typically after it was discovered by a coworker. The majority of offenders lied to employers, withholding that they were sex offenders when accepting employment, but later were terminated when their status was discovered through the registry or community notification. Anecdotal evidence suggests that prospective employers are increasingly asking about sex offender registration status as part of the employment application process and it is becoming more common to perform background checks on all perspective employees.

Another issue is many sex offenders are under the supervision of a criminal justice agency where the offender is usually mandated to have employment as a condition of community supervision. However, in order to protect community and victim safety, these offenders typically also have restrictions that may limit their employment options. Offenders are often required to disclose their offense to their employer, abide by a curfew, refrain from contact with anyone under the age of 18, and attend regular appointments with their supervising officer. This, in combination with the fact they have a sexual conviction (which may often be a felony) and are involved with the criminal justice system, makes them less desirable to potential employers. In a time when employment is hard to come by, known sex offenders encounter additional barriers and loss of employment impacts their ability to find and maintain stable housing which in turn may increase their risk for reoffending.

Public Misinformation and Beliefs

Members of the public have a legitimate concern for community safety with regards to sexual offenders in the community. The SOMB believes it important for the public to have accurate information upon which to base decisions related to safety and protection. This section identifies a number of beliefs about sexual offending and seeks to provide accurate information where available.

Belief: Sex offenders who live near children are more likely to sexually offend.

Fact: A Minnesota Department of Corrections study in 2003 indicated that residence restrictions would not have deterred offenses against children. The follow up study in 2007 further revealed that none of the sexual recidivists returning to prison in 16 years contacted juvenile victims near a school, park, or daycare. Thus, residence restrictions would likely not have prevented those sexual offenses.

A study conducted by Ohio State University in 2009 revealed that as the proportion of homes with children increased, the likelihood of sex offenders residing in that area decreased. This is contrary to what community members may believe and different from what the media typically portrays. The fact is that most sex offenders who choose to offend against a stranger prefer anonymity.

Belief: Sex offenders typically offend against stranger victims.

Fact: According to the Bureau of Justice Statistics (2000), 93% of child sexual abuse victims know their abusers. Children are at the highest risk of being sexually victimized by people they know including acquaintances, family friends, and family members.

Belief: Sex offending will not occur in a community if all registered sex offenders are required to move out.

Fact: Banishment is often correlated with an inability to track sex offenders, an increase in homeless sex offenders, and decreased access to resources for sex offenders, including treatment (Davey and Rood, 2006; Thompson, 2007). When offenders are prohibited from residing in particular areas, they may choose to live in the area anyway and provide inaccurate registration information to law enforcement or they may stop registering altogether either due to homelessness or to avoid detection in the prohibited area. Lack of registration increases secrecy which can contribute to recidivism and therefore threaten community safety. On the other hand, recidivism is significantly reduced with stable housing, steady employment, and available treatment resources (Willis and Grace, 2008), thereby increasing community safety. The Colorado SOMB recognizes that sex offenders have to live somewhere and it is safer for victims and communities if law enforcement and other offender management professionals know the offender's location (WSIPP, 2006).

Belief: All sex offenders reoffend.

Fact: Sex offenders with stable housing, employment, and social support are much less likely to commit a new sex offense (Willis & Grace, 2008). The SOMB has reviewed a multitude of sex offender recidivism studies with a wide range of

recidivism rates. While the SOMB notes that certain studies indicate a higher level of sexual recidivism[7], recidivism studies do appear to show that a certain percentage of sexual offenders will not sexual recidivate. Recidivism rates are also much lower for offenders who participated in long-term and intensive treatment and supervision programs (Lowden, Hetz, Harrison, Patrick, English, & Pasini-Hill, 2003). Recidivism has been indicated as being between 5% and 24% according to various studies following offenders for three to 15 years (Hanson & Bussierre, 1998; Hanson & Morton-Bourgon, 2005; Bureau of Justice Statistics, 2003; Harris & Hanson, 2004). The rates fluctuate in different studies for a variety of research and statistical reasons and it must be noted that because the majority of sexual assaults remain unreported, recidivism rates are necessarily lower than actual re-offense rates. Still, the literature suggests that some sex offenders can be safely managed in the community with the proper resources and containment.

Belief: Sex offenders cannot be treated.

Fact: The SOMB has reviewed a number of studies on the effectiveness of treatment as a sexual recidivism reduction measure, and has noted a number of studies, some of which that show such a reduction and some of which do not. In terms of the studies showing a reduction in sexual recidivism, sex offenders who successfully complete treatment were found to have lower recidivism rates than non-treated sex offenders in a number of studies (Alexander, 1999; Aos, Phipps, Barnoski, & Lieb, 2001; Hall, 1995; Hanson, Gordon, Harris, Marques, Murphy, Quinsey, & Seto, 2002; Losel & Schmucker, 2005; Hanson, Bourgon, Helmus, & Hodgson, 2009). On the other hand, there are a number of studies that do not show such a reduction and therefore, the impact of treatment on sex offender recidivism is still in question.[8]

Belief: The majority of sex offenders are caught, convicted, and are in prison.

Fact: Nationally, approximately 60% of convicted adult sex offenders receive community supervision upon sentencing (CSOM, 2000). Similarly, approximately two-thirds of convicted sex offenders in Colorado are granted community supervision. In addition, sex offenses are significantly under reported and the majority of sex offenses and sex offenders remain undetected (Tjaden & Thoennes, 2000).

Belief: Sex offense rates are higher than ever and continue to climb.

Fact: Overall, the rate of forcible rape was down by 6.4% from 2004 to 2008 (Uniform Crime Report, 2009). In terms of the National Crime Victim Survey

[7] See for example, Hanson, Steffy and Gauthier (1993), which found a sexual recidivism rate of 42% over a 19 year follow-up period, and Langevin, et al. (2004), which found a 61% sexual recidivism rate of 61% over a 25 year follow-up period.

[8] See for example, Rice and Harris (2003).

data, the trend for reported rape has been down over the period of 1999 through 2008 with a decrease of 53% (National Crime Victimization Survey, 2009). As reported by the National Child Abuse and Neglect Data System, the rate of substantiated child sexual assault cases by Child Protective Services decreased by 5% from 2005 to 2006, and overall, the rate of decrease was 53% from 1992 to 2006 (Finkelhor & Jones, 2008). Again, it is important to consider high non-reporting rates of sexual violence when evaluating information that indicates an overall decrease in the occurrence of sexual assault.

Belief: All sex offenders are pedophiles.

Fact: Pedophilic behaviors are uncommon and occur in less than three percent of the population (Seto, 2008). Pedophilia is a diagnosis and requires certain criteria in order to meet the standard for a diagnosis in the DSM-IVR. Consequently, just because a sex offender sexually assaults a child does not mean the offender will be qualified for a diagnosis of "pedophile." Research in Colorado, verified by polygraph, has demonstrated many repeat offenders violate across wide age groupings and gender classes (Heil, Alhmeyer, & Simons, 2003).

In summary, accurate information about sex offenders enables the public and sex offender management professionals to best provide for community safety.

Movement Across Jurisdictional Boundaries

Moving from one jurisdiction to another, and back again, creates obstacles to obtaining stable housing for sex offenders. There are many reasons why sex offenders move between jurisdictions either inter-state or intra-state. For example, offenders may be required to move when cities pass specific ordinances restricting where sex offenders can live. These ordinances may include a broad prohibition preventing any sex offenders, or anyone with a felony sexual conviction, from residing within a city. Others prohibit more than one sex offender from living in a single residence or prevent sex offenders from living within a specified distance of a school, daycare center, swimming pool, or other child-related location. Such ordinances may have the effect of banishing offenders from their communities. As noted above, this destabilizes the offender without any documented benefit to community safety.

Merely finding affordable housing which will accept sex offenders can be a challenge. Most sex offenders have limited job opportunities, therefore, they have limited resources to pay for housing, and most shelters will not allow sex offenders. If an offender requires public transportation for work, medical, or supervision issues, they may have to change residences based on the proximity to employment or of transportation. This does not always coincide with housing that is affordable and available for sex offenders, and may interfere with accessibility to treatment programs.

While a sex offender may be able to live at the residence of a friend or family member, those individuals do not always understand their address will be posted on the sex offender registry website, and that their neighbors will therefore know that a sex offender lives there. They also may not realize that home inspections are often required by supervising agencies. Because law enforcement is required to verify a sex offender's residence, there is also likely increased law enforcement activity at that residence. Posting of registry information, home inspections, and increased law enforcement activity are all components of effective offender containment and help to protect public safety. However, they also may cause a friend or landlord to evict the offender.

As budgets undergo continued cuts and funding becomes more limited for local jurisdictions, more cities and counties are charging fees for registering sex offenders. For offenders who are not in a stable environment, this may add more costs than the sex offender can afford. Indigent offenders become homeless and may move because of increased police contact and public complaints.

The committee has heard from law enforcement representatives about a growing problem in registering homeless offenders. Some municipalities and counties appear to have adopted their own definition of homeless, while others simply refuse to register offenders who appear homeless and do not have a traditional mailing address. Such policies have the effect of pushing the registrant outside of jurisdiction boundaries. Sometimes this moves the offender from a city to the unincorporated county, and sometimes it pushes the registrant to a neighboring city. If the move requires the offender to give up a residence with supportive friends or family members, or moves him/her further from employment or treatment, such a move is likely counterproductive. As offender housing becomes limited, he/she may tend to migrate to larger metropolitan areas. Denver and Colorado Springs cannot be expected to be the cities where sex offenders migrate when they find themselves pushed out of housing in their former residence, their parole destination, or where they have supportive family members, or where they can find employment. Options to resolve this problem are being explored by the Colorado Criminal and Juvenile Justice Commission, and Colorado would benefit from a timely solution.

Without a stable housing environment for sex offenders, there is a constant fluctuation of offenders from one jurisdiction to another, requiring local law enforcement to deal with an increase in the registry workload without any additional resources. Consequently, the community has less access to accurate, up-to-date sex offender information because of delays built into reporting, completing the data entry, and uploading the new information into a system with public access. In addition, address verification efforts undertaken by law enforcement can be delayed, adding time and cost. Once an offender goes underground, he/she can be lost to the registration system completely; impacting society's efforts to monitor and contain the offender.

Conditions of Community Supervision

All sex offenders in Colorado under criminal justice supervision are subject to specialized terms and conditions of supervision in order to protect victim and community safety. These additional terms and conditions of supervision may place limits on where a sex offender may go, may live, or what a sex offender may do based upon these safety considerations, including the provision to restrict access to pornography, drugs and alcohol, and unauthorized contact with children. The Community Supervision Team (CST)—comprised of the supervising officer, the treatment provider, and the polygraph examiner—makes decisions related to a sex offender's conditions of supervision (i.e., where an offender can live, what type of job he or she can have, etc.) on a case-by-case basis given the individual criminogenic needs and risk factors of the sex offender. Supervising officers in Colorado receive specific training in how to effectively assess and manage sex offenders in the community. While these specialized terms and conditions of supervision are necessary for offenders to remain in the community safely, they may also impact a sex offender's ability to secure and/or maintain stable housing. The CST prioritizes supervision and treatment resources to minimize the disruption of the protective factors for all offenders while focusing first on community and victim safety objectives. The goal of supervision is to reduce risk by working with the offender to develop a plan that addresses his/her risk and needs. These needs include: secure suitable housing, tailoring treatment, and addressing high-risk behavior by imposing restrictions.

Inconsistent Housing Rules

Offenders who may be returning to the community from county jail or prison after a significant period of unemployment, must immediately find and pay for housing, but may not have resources to immediately meet this need. Supervising agencies often assists indigent offenders in the initial steps of maintaining stability in the community by providing financial support with offender service money. However, general prohibitions on residency with minors, access to internet, and pornography, as well as home inspections or home searches conducted by probation or parole may deter friends or family who would otherwise support and accommodate a homeless offender.

As previously discussed, research suggests that stability in family, community, and employment can reduce criminal recidivism (Pryzbylski, 2008).[9] In fact, recidivism reduction research indicates that successfully addressing work and family issues pays off to the benefit of the greater community (National Research Council, 2008).

[9] "Tensions of daily life – violent associates, few opportunities for legitimate employment, lack of safe housing, even the need to comply with correctional supervision conditions – can also create stressful situations that can precipitate a relapse to drug use."

Some sex offenders also have concurrent mental illness, and meeting the treatment and housing needs of mentally ill offenders upon release from custody is often complicated and costly (National Research Council, 2008). Supportive group housing for people with serious mental illness is a successful evidence-based strategy designed to provide either transitional or long-term housing to this population. A large body of research has demonstrated the effectiveness of such programs in increasing employment rates and in increasing housing stability (National Research Council, 2008).[10]

In an attempt to keep homeless offenders stabilized, supervising agencies may send supervised sex offenders to homeless shelters. Shelters increasingly provide services to families, with children. When these shelters become unavailable to sex offenders, as sometimes occur, offenders are turned out on the streets, and those seeking to supervise offenders, struggle to find alternatives which are few and far between. There may be no other viable housing options which will inevitably lead to homelessness and increased failure rates which can mean new victims.

Access to Legal Resources

Indigent sex offenders are often without access to legal counsel since Colorado's public defender statutes and Rules of Criminal Procedure contemplate the termination of court-appointed representation upon the imposition of a sentence. These statutes and rules do not allow for this type of legal representation on behalf of sex offenders seeking to terminate their registration requirements. C.R. of Crim. Pro. 44(e) reads, "Unless otherwise directed by the trial court or extended by an agreement between counsel and a defendant, counsel's representation of a defendant, whether retained or appointed, shall terminate at the conclusion of trial court proceedings and after a final determination of restitution...." This means that a sex offender may still be under supervision but has no legal right to a public defender. Therefore, legal representation is not available again until a new offense has occurred, such as a violation of registration laws or probation.

Getting accurate and complete information from jurisdictions may be difficult for offenders who are required to develop knowledge of zoning, municipal ordinances, registration fees and practices (e.g., the limited hours of operation for a police registration office), shelter requirements, landlord requirements, employment disclosure requirements, and other ordinances.

Similarly, all sex offenders, including those whose sentences have been fully discharged, are currently required to register in Colorado, until they obtain a court

[10] See *also* Roman, C.R., McBride, E.C., and Osborne, J. (2006). *Principles and Practice in Housing for Persons with Mental Illness Who Have Had Contact with the Justice System.* The Urban Institute, Washington, DC.

order relieving them of that obligation. This can be costly to the offender with an equally difficult de-registration process.

The consequences to sex offenders are significant if they are unable to satisfy the terms of community supervision, as potential outcomes include revocation of probation and parole which may result in incarceration. Nevertheless, the system may not operate in a consistent manner in its responses to the questions posed by offenders seeking to comply with the housing rules.

Resources to Effectively Manage Sex offenders and Enhance Public Safety in Colorado

Shared Living Arrangements (SLA)

A Shared Living Arrangement (SLA) is a separately contained living unit in which more than one adult sex offender in treatment resides for the purpose of increased public and community safety, increased accountability, intensive containment, and more consistent treatment interventions provided by treatment providers. All treatment providers are approved and monitored by the SOMB.

The benefits of a SLA include:

- Increased community and victim safety
- Increased monitoring while living in the community (e.g. weekly schedules, accountability logs, work schedules, and journals)
- Frequent inspection and monitoring by members of the community supervision team, and more intensive treatment involvement (Minnesota DOC, 2004)
- Lower sexual recidivism for moderate to high risk sex offenders (CDPS, 2004)
- Decreased non-sexual recidivism (CDPS, 2004)
- Decreased involvement in high risk behaviors, supervision non-compliance, and treatment contract violations (CDPS, 2004; Lutze, Bouffard, & Falconer, 2009)
- Increased earlier detection of offender recidivism and violation behavior by treatment providers, supervising officers, and law enforcement (CDPS, 2004)
- Increased offender engagement in treatment and compliance, and provides structure and consistency for the offender (Lutze, Bouffard, & Falconer, 2009)
- Increased offender accountability and reduces criminal thinking, by imposing the expectation that all offenders living in SLAs will report any violations to the CST (Minnesota DOC, 2004)
- Greater effectiveness of the community supervision team, and provides the offender with a closer connection to treatment and the team

- A creative, cost-effective way to enhance community safety[11]
- Monitored housing options for sex offenders, including reentry from the DOC and DYC and residential treatment programs
- Reduced negative impact of isolation, anonymity, privacy, and secrecy [12] (Wilson, Cortoni, & McWhinnie, 2009)
- Promotion of healthy adult relationships, lifestyle, and community activities[13] (Grubin, 1997; Willis, 2008)
- SLAs are unobtrusive to neighbors, although landlords and property management professionals are always informed of the sex offense and registration requirements
- Pre-approval of the SLA residence based on a variety of public safety factors (CDPS, 2004)
- Providing sex offenders with the type of support[14] that research shows decreases criminal and technical violations (CDPS, 2004)
- Quicker failure observation
- Failure to comply with the terms of SLA will promptly result in removal from the SLA, and transfer to a more secure setting (jail) before an offender escalates and creates new victims

SLAs are not:

- A halfway house community corrections program or a residential treatment program
- A motel housing numerous sex offenders
- For offenders who are not amenable to or not participating in treatment[15]
- For offenders who are not under probation or parole supervision
- An assisted living environment for sex offenders who cannot live on their own based upon developmental disabilities or serious mental illness
- A substitute for a homeless shelter for indigent sex offenders
- An option where local ordinances prohibit certain numbers of sex offenders from residing in the same residence

[11] Sex offenders living in SLA's pay for their own housing, treatment, and monitoring services.

[12] Social support and stable housing have a direct link to reduction in loneliness, negative social influences, and lifestyle instability, which are known to lead to recidivism among sex offenders.

[13] Correlated with successful participation in treatment and community supervision. Stable housing and social support relationships contribute to reduced sexual recidivism and general criminality

[14] Having someone significant to the offender and/or a roommate who attends treatment with the offender, has a positive relationship with the supervising officer and treatment provider, and is well versed in the offender's supervision and treatment requirements.

[15] Severe denial or psychopathy

SLA Demographic Information in 2010[16]

- There are currently approximately 1500 adult sex offenders under community supervision in the state of Colorado (April 2010).
- There are 6 sex offense specific treatment programs that currently provide SLAs
- There are currently 127 sex offenders residing in 57 SLAs in Colorado, which represents about 8.5% of supervised sex offenders in Colorado.
    - 102 offenders in 49 SLA's in Denver
    - 20 offenders in 6 SLA's in Boulder-Longmont area
    - 5 offenders in 2 SLA's in Unincorporated Arapahoe County

Community Corrections

It is difficult to accurately estimate how many sex offenders are in community corrections programs at any one time partly because the numbers fluctuate and also because Colorado programs are not presently required to list the principle offense for which the offender is incarcerated until termination. A fair estimate from records from the Colorado Department of Public Safety, Division of Criminal Justice, Department of Community Corrections, indicates there were not more than 100 out of a total of 3,200 residential offenders in community corrections at any one time in 2009. While most community corrections boards and programs will consider taking a small number of sex offenders, the majority are placed in the First, Fourth, Eight, Seventeenth, or Eighteenth Judicial Districts (Jefferson County, El Paso County, Larimer County, Adams County, Arapahoe County). The programs that include special programming and a greater degree of offense specific training for staff are located in Jefferson County, Larimer County, and El Paso County. The Phoenix Center located in Adams County has the highest number of sex offenders per capita of any program and works diligently to effectively supervise them as required by SOMB and community corrections standards.

Between July 2008 and June 2010 community corrections programs provided information regarding 191 consecutive terminations of individuals whose current offense was described as a sex crime. It should be noted other offenders in community corrections may have had a history of a sex offense, but were in community corrections placement for a non-sexual crime conviction.

Of the 191 offenders studied, 140 were Diversion offenders (offenders sentenced to community corrections as a direct sentence), 27 were Condition of Parole offenders, 23 were Transition offenders (offenders released from prison and placed in community corrections as part of their discharge), and one was a Condition of Probation client. Offenders in community corrections programs must be approved by a local community corrections board prior to placement in a

[16] The Office of Sex Offender Management, which staffs the Colorado Sex Offender Management Board, obtained the demographic information from approved treatment providers in March 2010.

halfway house. "Diversion" offenders refers to felons who are placed in a community corrections program by the court because they need more supervision than they can receive through probation, but less than may be required by a direct prison sentence. "Condition of Parole" offenders are released on parole and reside in a community corrections program and are typically in need of additional services or programming as they transition back in the community. "Transition" offenders are placed in a community corrections program to help them transition back into the community as they approach their parole eligibility dates, near the end of their prison sentence.

Though the entry of offense descriptions was not entirely consistent, approximately 70% of the offenders were convicted of a sex offense related to minors, most often either Sexual Assault on a Child, Criminal Attempt to Commit Sexual Assault on a Child, or Sexual Exploitation of a Child. The next most common offense, Failure to Register as a Sex Offender, constituted 11% of the offenders. The average length of sentence of the offenders studied was about 71 months (5 years and 11 months). The average length of stay in the residential portion of placement was 230 days (less than one year), and successful clients then graduated to non-residential status or were placed on parole, where offenders remained under long term supervision.

Regarding demographics, approximately 98% of the community corrections offenders are male with an average age of 35.18 and a median age of 31.19 years old. About 17% of offenders were employed at the time of entry and 52% were employed at discharge and the average level of education at the time entry was 12.32 years with virtually no change at termination.

Escape from a community corrections program accounts for nearly 11% of the program failures system-wide. At about 5%, the rate of escape among sex offenders is less than half the rate for non-sex offending clients. New crimes accounted for less than 1% of all terminations; in the data collected, none of these new offenses appeared to be sexually-oriented. Unfortunately approximately 58% of sex offenders in community corrections failed the program as the result of technical violations. These violations were often directly connected to the special requirements for sex offender supervision and included unauthorized contact with the victim, unauthorized possession of nonsexual pictures of children, failure to comply with offense specific treatment requirements, failure to progress in treatment, and whereabouts violations that did not rise to the level of escape. Diversion clients were slightly more successful than Condition of Parole clients, who were slightly more successful than Transition clients.[17] A considerable housing challenge for sex offenders in community corrections on non-residential status is a result of returning to custody while under the supervision of the Department of Corrections/Parole. If the period of incarceration lasts longer than a few days, there may be challenges related to an offender needing to secure new housing.

[17] Community Corrections Information and Billing System database.

Specialized Conditions of Probation and Parole Supervision for Sex offenders in Other Types of Housing (non-SLA)

Probation and Parole Officers who are charged with the responsibility of supervising sex offenders released back into the community must determine the appropriateness of any potential residence in which the offender requests to reside. The Probation or Parole Officer must consider several factors prior to approving any residence including; the proximity of the residence or employment to any victim, the local laws and zoning ordinances, and the presence of any minors residing in or visiting the residence.

SOMB Standard (2008) 5.500 (H) Conditions of Community Supervision states,

> "The residence and living situation of sex offenders must be approved in advance by the supervising officer in consultation with the community supervision team. In determining whether to approve the residence, the supervising officer will consider the level of communication the officer has with others living in the residence, and the extent to which the offender has informed household members of his/her conviction and conditions of probation/parole/community corrections, and the extent to which others living in the residence are supportive of the case management plan"

If the residence is not approved, the probation and parole officers will work with the sex offender to find an alternative residential placement or placement in a homeless shelter, as opposed to allowing the sex offender to reside in an unsafe, problematic residence or become homeless. Parole currently has authorization to pay for up to two weeks' worth of rent if an offender has no other means to secure a residence. Some probation departments use their very limited offender service funds to assist with crisis housing. However, once assistance is exhausted, the offender must find other resources. Ultimately, if an offender is unable to secure a stable residence while under probation supervision, it is considered a violation of probation conditions.

Global Positioning Systems (GPS)

Global Positioning Systems (GPS) is a monitoring tool used nationwide for many offenders, but has received special attention for its value with sex offenders. GPS is an electronic device that allows a supervising officer to monitor and track where an offender is located in real time 24 hours a day. The technology also allows for exclusion zones to be set so a supervising officer may be alerted if an offender is in a prohibited area, such as the victim's residence.

While GPS can be an effective management tool, it is not a guaranteed measure and has its limitations. It requires manpower to be monitored "live" because

violations must be tended to immediately. Consequently, most officers view summaries of offender movements on a daily basis and respond accordingly. In addition, as with any form of technology, GPS also has issues that can render inaccuracies. GPS needs to be used wisely and in combination with other forms of monitoring.

Recommendations

Based on the above, the following recommendations are offered:

1. Approved Use or Increased Use of Shared Living Arrangements (SLAs) in All Jurisdictions

SLAs are a viable intervention alternative that research has proven effective for the management of moderate-high risk sex offenders in the community. Studies also demonstrate SLAs enhance community safety and provide greater accountability for sex offenders. Currently, a number of local jurisdictions have ordinances or zoning regulations that prohibit multiple offenders from living in the same residence, thereby indirectly outlawing SLAs. This has led to a disproportionate number of SLAs being located in Denver (102/127). This places an undue burden on Denver resources, and causes offenders sentenced in one jurisdiction to be supervised in another jurisdiction further from the supervising agency. It may also require offenders to be relocated from the community where he/she has positive support from family, friends, and employment. It also prevents community supervision teams from managing sex offenders in the most effective fashion in the community because officers are required to travel further to provide supervision without any additional resources or support. Supervising agents must travel outside of their jurisdiction, and into a neighboring jurisdiction, with less knowledge of the surrounding local community, and less knowledge of supportive services available to the offender or the supervisor, should either require assistance. In addition, time constraints prevent supervising officers from visiting the offender's residence, treatment, employer, etc. when distance is involved. Obviously this is less than desirable from a public safety standpoint.

The SOMB approved the following resolution on September 16, 2011:
The SOMB does not support sex offender residence restrictions or zoning restrictions that are counter-productive to the effective supervision of sex offenders.

The issue of residence and zoning restrictions on sexual offenders appears to be a matter of statewide concern. The SOMB believes that all communities have the responsibility to successfully manage sex offenders living in their community and can increase public safety and provide effective management of sex offenders through the use of SLAs. Therefore, the SOMB strongly encourages communities to allow the use of SLAs as a sex offender management strategy in their

jurisdiction, and recommends, if necessary, legislative action to standardize this proven containment tool.

While SLA's are one effective viable option for housing and managing moderate to high risk sex offenders currently under supervision, especially offenders at risk of probation revocation, it is not always the best option for all offenders. For lower risk sex offenders, homeless and/or unemployed sex offenders, and unsupervised sex offenders SLAs are likely not an effective option (CDPS, 2004). The intensity of supervision efforts need to match offender risk. In addition, offenders are required to self-pay for services so if they are unemployed and homeless it is unlikely that they have the ability to sustain in a SLA. Lastly, SLA's are intended only for offenders under supervision and in treatment. Unsupervised offenders are inappropriate candidates for SLA placement.

2. Increased Training of Community Corrections Staff and Use of Community Corrections Beds

There appear to be three significant barriers impacting placement of sex offenders into community corrections programs. The first barrier is the lack of appropriate training for community corrections staff on sex offender management. In order for community corrections to be a viable and appropriate alternative for sex offenders, additional training is necessary to ensure that the community corrections milieu provides for the management necessary to maintain community safety and victim protection.

The second barrier is the significant public opposition to putting sex offenders into a community setting. As a result, most local community corrections boards and County Commissioners are reluctant to accept offenders with any history of sexual offenses. Some community corrections board members have privately expressed an unwillingness to personally shoulder what they perceive to be the extraordinary risk associated with the placement of sex offenders in their local programs. There is also a fear the public may retaliate after a sex offender fails in a program and ultimately causes the shut-down of an entire program. Many of these programs are privately owned and the proprietors face significant challenges maintaining harmony in the community, given recidivism is a constant worry. The lack or affordability of insurance for community corrections programs is also a significant factor in programs reluctance to accept sex offenders into their programs. The effectiveness of fact-based public education to overcome this hesitation is unclear, in part because some community corrections board members and programs decline to publicly support the change in zoning ordinances that would be necessary to place more than one offender at a time in some community facilities. Some community corrections programs have taken the position they would rather "stay under the radar" of community notice.

The third common barrier to community corrections placement is the nature of sex offender supervision itself. While the regulations that govern sex offender

management in the community are well crafted and rational, they are sufficiently numerous and complex to present a real challenge for many local community corrections programs, given the fact that the state (with some exceptions) does not pay extra money for the additional work of supervising this unique population in a community corrections facility that generally does not house sex offenders. Some programs have determined from an economic standpoint, the additional time and effort required to properly manage sex offenders means it is not feasible to accept a sex offender at the current per diem rate. Recently, there have been financial incentives provided through grants allowing for an increased per diem, provided by the Division of Criminal Justice grant and by HB10-1360 for sex offender parolees (the bill added 10 community correction beds specifically for sex offenders on parole). Still, the numbers of sex offenders accepted for treatment under these grants remains small.

Community corrections programs in Colorado have generally done well, in part because local officials and community leaders understand most offenders will return to the community at some point, and it is preferable from the perspective of public safety to have them filtered through the supervision and treatment afforded by community corrections. Since the enactment of Colorado's Lifetime Supervision Act in 1998, many sex offenders receive indeterminate probation or prison/parole sentences, which include the possibility of a life sentence. For some citizens, despite the great variation in the risks and needs posed by individual offenders, there seems to be a willingness to simply contain sex offenders in prison for as long as possible. However, without fact-based public education, at least for local officials and community leaders, even a change in the sentencing scheme is unlikely to produce a meaningful increase in the number of sex offenders accepted by community corrections where containment is actually increased.

3. Increased Use of Housing for Offenders with Special Considerations (e.g. Developmentally Disabled, Physically Disabled, Elderly, Mentally Ill, Dual Diagnosis, etc.)

It is not uncommon for sex offenders to have other significant issues, which require special attention separate from their criminal sexual behavior. Special populations often experience significant issues with housing due to limited or lacking income and other resources as a result of a disability, age, mental status, etc. When offenders receive disability or SSI benefits, unfortunately it is not uncommon for offenders to lose them due to their offense/incarceration because of federal laws. Consequently, the SOMB is alerted to homeless offenders with special needs on a regular basis, especially in rural areas where affordable appropriate housing options are virtually non-existent. Special assistance or programming for these offenders is needed to ensure that they are not homeless.

Independent of the challenges posed by meeting the needs of special populations, many government approved housing programs prohibit sex offenders due to

federal rules. This is common with other programs designed to help offenders with special needs due to their sex offender status.

4. Develop County-Based and State Transitional Housing for Incarcerated Sex Offenders Returning to the Community

Sex offenders returning to the community from incarceration are at risk because they are often starting over in multiple aspects of their lives. Sex offenders face more barriers to obtaining housing than other types of offenders. Research indicates the most important factors impacting recidivism in relation to reintegration is stable accommodations and employment (Willis & Grace, 2008). Yet, sex offenders are frequently rejected for housing due to the nature of their offense and the social stigma that is associated with their crimes.

Until recently, transition and housing resources for these offenders have been virtually non-existent. The CDOC was awarded the Second Chance grant in late 2010, which provides some services to assist these offenders with the intention of increasing their successful reintegration into the community. The SOMB is currently working in collaboration with CDOC to help ensure the programs are effectively implemented for the sex offender population. The grant includes funding for assistance with a symposium and funding for a research project, an increased per diem for sex offenders in community corrections programs, financial assistance for treatment and polygraph exams, and funding for a research project for the updated parental risk assessment. The grant is only authorized for one year, however, and only serves the Denver metropolitan area. Currently rural areas lacking shelters may not provide any public housing options for sex offenders at all. Long term programming needs to be developed for successful transition for offenders coming into the community from prison. It is in everyone's interest for these offenders to be successful upon reentry. Options to be considered may include specialized short-term parole housing, use of community corrections or community-corrections like facilities, jail or detention facilities that could operate like short-term work release programs, and other group living facilities for sex offenders without resources.

5. Develop Short-Term Transitional Housing Options for Re-entry/Probation

Currently there is virtually no short term housing option for sex offenders. One suggestion has been to use work release space inside the jails offenders experiencing housing challenges.

In some jurisdictions throughout the state, work-release as a condition of probation may be a resource in assisting homeless sex offenders in regaining stability in the community while providing an additional layer of containment.

It is imperative while in the work release facility, the offender is allowed to report to the probation officer, attend treatment, and search for appropriate housing. The

added structure of a work release sentence allows the Community Supervision Team (CST) to stabilize the offender without the immediate need to worry about housing. In some jurisdictions, the offender is required to pay rent for the work release sentence, but this is typically far less than he or she would pay for an apartment. In many cases, the probation officer will assist the offender with offender services funding to pay for treatment and polygraphs in order to allow the offender to meet his or her financial obligation to the work release facility.

As the offender nears termination from the work release facility, the CST should step up efforts to assist the offender to find an appropriate residence in the community. This may require communication with work release staff to get special permission to leave the facility for this purpose.

It is noted the recommendation for a work release sentence for a homeless sex offender is not meant as an additional punishment or sanction, but rather is meant to provide a level of structure and support that increases the likelihood of success, increases containment, and allows for the time to adequately plan for the defendant's needs.

However, some county jails have a policy prohibiting sex offenders from participating in their work release program. Other jurisdictions may have jails and other un-utilized or underutilized facilities that could be made available for short-term transitional housing. It is recommended jurisdictions explore short-term housing options for sex offenders on probation or for those returning from incarceration.

6. Enhance Discharge Planning for Reintegration

The reintegration of sex offenders is challenging for many reasons, but success in this area is especially important because research indicates it is correlated with decreased recidivism (Willis & Grace, 2008). The CDOC presently provides discharge planning inside all 19 prisons, reintegration services in each parole department, and a community reintegration center. There is one specialist located in each prison who provides classes of 10 week duration focusing on necessary aspects of successful reintegration such as housing, employment, and life skills. In addition, each parole office has one specialist dedicated to providing reintegration services for parolees and assists with housing, employment, and other areas as needed. Lastly, there is a community reintegration center located in Denver that offers a wide spectrum of services, on a limited basis, to parolees in order to foster successful reintegration. Currently, there is one reintegration specialist who works specifically with parolees who have sexual offense histories. Given budget and staffing limitations, not all who wish to take advantage of these services are able to do so, and priority is given to those with the highest level of need. In addition to state resources, collaboration is done with private, non-profit, and faith-based organizations that may provide reentry resources for offenders as well.

These services and efforts are essential, but given the significant barriers faced by the offenders more resources are needed. The demand for discharge planning and reintegration services clearly outstrips the resources available and additional resources would benefit offenders in making a successful reintegration back into the community.

Recently the CDOC was awarded a Second Chance Grant for reintegration and is actively working toward bridging the gap in this area by providing funding for housing (including SLA's), an incentive and increased per diem to community corrections for taking sex offenders, funding for treatment and polygraphs in prison, and the coordination of a symposium to educate community groups about working with sex offenders. The grant is only funded for one year but the CDOC plans to apply again in hopes of continuing to provide additional discharge services for sex offenders. It is recommended that expanded grant funding for discharge services continue to be pursued and agency resources be dedicated to this effort, where such resources are available.

7. Continue to Make Decisions About Housing for Sex Offenders Under Supervision on a Case-by-Case Basis; and Enhance Consistency of Supervision Conditions Between Probation and Parole, and Across Different Probation and Parole Jurisdictions

As previously indicated, offenders supervised by probation or parole are required to have their residence approved by the supervising officer. Most jurisdictions and officers address this on a case by case basis rather than a global restriction on residence location. Given the research about residence restrictions, it seems appropriate these restrictions on where a sex offender can reside be based on an individual's risk factors rather than a general restriction for all sex offenders under community supervision.

Though probation and parole are both state agencies, they operate under different branches of state government and there is sometimes inconsistency in how program conditions are implemented and enforced with offenders. This can result in confusion and failure on the part of sex offenders. What might result in the imposition of intermediate sanctions in one district may result in a revocation in another. It is essential offenders have clear, concise expectations with swift and relevant consequences so the risks of intentional or unintentional misunderstandings are minimized. Otherwise, manipulation is more likely to occur.

While these concerns do not directly relate to housing for offenders, there are still differences and the potential for conflict when managing offender housing issues. It would be unfortunate to have differing regulations impacting parole and probation clients who find themselves in the same treatment program or SLA. Problems of consistency exist, when for legitimate reasons, offenders are moved from one part of the state to another and now face the challenge of complying

with different expectations of a new supervising officer. This also occurs when an offender is supervised by a community corrections officer and either a probation or parole officer at the same time. Certainly with the cooperation of all members of a CST, conflicts can be avoided; however, this leads to an ad hoc containment approach and inconsistencies from one team to another.

It is recommended probation and parole work collaboratively when possible to enhance consistency of supervision conditions across agencies and between individual jurisdictions and regions.

8. Enhance Communication Among Agencies

A continual issue for many agencies and stakeholders is consistent communication. The SOMB attempts to promote this in a variety of different ways through the use of a website with announcements, subcommittees including stakeholders and community members, training, and involvement in many cross-agency activities. However, there are so many local, state, and federal agencies representing different types of professions and stakeholders that it remains a challenge to ensure collaboration.

Effective communication is essential in order to effectively manage resources, remain up to date with research and best practice, and for networking. Currently there is also no universal or formal method for local agencies or entities to communicate or provide comprehensive accurate information to offenders. There is a need for some form of clearing house. Currently some offenders are informed of their obligations by their probation officers, others get their information from their parole officer, and others get their information from their community corrections case manager, while other offenders get information from law enforcement officers who meet with them briefly to perform either quarterly or annual registration. Consequently, there is often the probability of duplicating services, efforts, or creating conflicts as offenders' progress from one level of containment to another.

It is recommended, where possible, agencies and jurisdictions communicate with each other and work together to solve the problem of sex offender reintegration and housing.

9. Identify Resources for Sex Offenders not Under Supervision

There is an overall lack of resources for offenders who are not presently under court ordered supervision. It seems many such offenders experience similar housing barriers as those under supervision, but they lack any guidance or resources because they do not have a treatment provider or supervising officer to report to for support or guidance. Often the only available contacts are law enforcement because the only form of supervision is sex offender registration. As a result, their only contact with "the system" is with the police agent updating their information for registration purposes. Law enforcement is not adequately

equipped or trained to handle these demands and they cannot devote significant resources to referring offenders to housing, but instead must ensure they are being tracked. Consequently, the SOMB has received several requests from law enforcement to create some type of list or website they can provide to offenders in need of housing or other resources. Again, this need goes beyond the SOMB's scope of responsibility as well. Hence, the board is reaching out to community programs and for federal grant money needed to provide state coordination of these services.

10. Address the Need for Emergency Housing During a Natural Disaster

The SOMB has formed a committee to address the issues related to registered sex offenders during a natural disaster. This committee plans to create guidelines for various key stakeholders (local law enforcement and government, the American Red Cross, Probation and the CDOC, etc.) to manage sex offenders during such a situation. Emergency housing for sex offenders needs to be a consideration during these times, and it is recommended agencies and entities responsible for managing evacuees during a natural disaster plan for the housing of sex offenders in such a way as to ensure the safety of other evacuees while still ensuring adequate housing and management of the offender. The General Assembly should also consider enacting a requirement that offenders who are displaced as a result of a natural disaster deal with their registration requirements in a prescribed fashion.

11. Mitigate the Impact of Sex Offender Registration Laws on Housing Availability

While sex offender registration is intended to increase public safety, keep offenders from operating in secrecy (which is part of their offending cycle) and assist law enforcement in a variety of ways, unfortunately at times it has negatively impacted sex offenders' ability to obtain housing. Landlords or leasing agents are increasingly prohibiting sex offenders from renting property due to fear the address may be listed on a public registry. Some standard rental contracts now contain clauses requiring disclosure of past sex offenses, and exclusion of any sex offender. It is understandable someone would not want to share in the embarrassment and shame of publicizing their address due to the commission of a sexual offense. However, registry information includes the name of the offender, not just the address, which can impact the entire family living at the address, including children. This information has the potential to impact people other than the offender, like the offender's family and in some situations the victim. The implementation of community notification for high risk sex offenders has also impaired housing because of community pressure. It is recommended public education prepared for property managers and landlords include information regarding the best use of the sex offender registry as well as finding a balance between public safety and successful offender reintegration opportunities.

12. Enhance Sex Offender Registry Data Collection

Currently the state of Colorado Crime Information Center (CCIC) system is used for sex offender registration. This system is consistent with the National Crime Information Center (NCIC) system but is not specific to Colorado state laws or the Federal Adam Walsh Act. There are private for profit corporations that offer to sell their proprietary software as well as competing software programs developed by government agencies that are in wide use. If the CCIC system were more specialized, then data could be analyzed on the sex offender population in the community, such as whether they are living in their car, under a bridge, in a field, or in a park or campground as previously discussed. As this is a matter of statewide concern, the SOMB recommends that the State adopt and impose a single more comprehensive and specialized software program for all jurisdictions in the state to register sex offenders so that this data can be collected and that when an offender relocates from one jurisdiction to another, that offender can be more efficiently tracked. The current system does not allow for the unique reporting of data which Colorado seeks in order to better contain offenders and provide for community safety.

As the sex offender population ages, and sex offenders experience more health difficulties, it is expected more and more hospital placements of varying duration will occur for this population. Currently an offender who is hospitalized for more than five (5) days must de-register his/her past address, and then register his/her new address at the hospital, only to reverse the process five (5) days after discharge from the hospital. This is both expensive for the local jurisdiction and the offender and often comes at a time when the offender has significant difficulties with compliance. It is suggested that managing infirm registrants be addressed legislatively.

Registering these offenders is better than the alternative of them no longer complying with the registration requirements or losing track of them altogether. There is a lack of agreement on the part of local officials regarding the propriety of simply pushing the homeless population out onto neighboring jurisdictions by refusing to allow the homeless to register, in spite of their efforts and willingness to do so.

It would be helpful if the General Assembly amended existing statutes to clarify and eliminate registration barriers created when a jurisdiction refuses to register a homeless offender, or an offender who is living in a location not otherwise intended for human habitation. This could be done with the adoption of a definition of homelessness/transience. This also appears to be a matter of statewide concern.

13. Provide Community and Policymaker Education

Education is the key to solving many problems. There are many misperceptions about sex offenders that can potentially have devastating consequences on their success in the community. Unfortunately, it is not only lay people who may believe myths about sex offenders but also professionals. It is essential that the people who make policies and/or pass laws are educated and aware of the research about effective management of sex offenders in addition to the unintended consequences of implementing ineffective policy.

Colorado has used the SOMB to educate stakeholders and community members, but due to limited resources, there are large gaps. It is recommended that community education efforts targeting members of the public, professionals, and policymakers be continued to ensure public support for evidence-based policies designed to support sex offender reintegration and housing while balancing the need for public safety.

14. Seek Funding and Grants to Supplement Limited Resources

Each state in the nation is experiencing significant economic and budget shortfalls. Thus, government is making continual cuts. In order to improve access to services for sex offenders and respond to a systemic problem, additional resources are required. Some suggestions have been made utilizing existing resources, but ultimately to adequately address the problem more resources are needed. It is recommended that all agencies working with sex offenders seek grant funding where available to assist with sex offender housing and reintegration issues.

15. Explore an Increase in the Amount of the Sex Offender Surcharge Allocation to Sex Offenders, Possible Cost Recovery Efforts, and Enhance Collections.

Currently each sex offender is assessed a fee at the time of sentencing to be paid into the Sex Offender Surcharge fund. It is recommended that this fee be reviewed and consideration be given to increasing the fee in order to better fund sex offender programming through the Probation Department. In addition, the Probation Department and CDOC should continue to review ways to assess costs paid for sex offenders to the offender and seek cost recovery. Finally, it is recommended the Probation Department continue to explore ways to maximize collections of assessed fees to the offender. Any enhanced resource availability for Probation and the CDOC could then be used to assist with offender service and resource needs.

16. Hold a Summit of Key Stakeholders

The SOMB has always emphasized collaboration among stakeholders when dealing with sex offenders with a focus on public safety. It is a basic principle of the board's standards, supported by research, and clearly makes sense. Hence, when addressing a serious problem experienced by sex offenders and those managing and treating them, it seems appropriate that all interested parties should come together to share information and resources, consider all aspects involved, and strategically develop a sound solution.

Presently Colorado is experiencing a situation in which individual municipalities are resistant to taking responsibility for sex offenders in their jurisdiction. This is evidenced by local residence restrictions, zoning restrictions, prohibitive sex offender registration fees, refusal to register certain offenders, and Courts sentencing offenders to reside outside of their own jurisdiction. The end result has been a large volume of offenders being forced into one or two metropolitan areas, which taxes resources and burdens the systems in that one area. Pushing offenders out of a community and making them "someone else's problem" is not only unethical but it is an ineffective way to manage and supervise this population because it causes a fractured system of accountability, and creates an unsafe community. It has also contributed to the housing problem for sex offenders, which overall increases risk to the public.

In a perfect world, each community would provide housing, employment, therapy, registration, and containment for each offender who came out of that respective community. The world is not that simple and a statewide response and approach to offender management, monitoring, and containment is the only viable approach and is what the legislature has called for.

Ultimately, the goal is to hold a statewide summit including all stakeholders impacted by the sex offender housing issue. This would promote education, communication, sharing of information and resources, strategic planning, and encourage all municipalities to provide appropriate services for sex offenders within their community and jurisdiction.

There is no authority tasked with this responsibility, nor is there available funding within existing budgets for such an undertaking.

The SOMB functions in part to assist with statewide issues and provide resources by facilitating numerous subcommittees that focus on current sex offender issues, but the Board and staff to the Board cannot adequately implement, facilitate, and follow up on agreements or recommendations generated from such a summit, without adding staff. Thus, grant funding is required for an additional position.

17. Continue Colorado Criminal and Juvenile Justice Commission (CCJJ) Involvement

The Colorado Commission on Criminal and Juvenile Justice (CCJJ) is a Governor appointed board that utilizes task forces made up of stakeholders in the field to assist in analyzing specific legal issues in order to make formal recommendations to the state legislature. Every year the commission addresses different topics and helps provide guidance to law makers. In 2011, the CCJJ chose to address sex offender sentencing and registration issues and as a result proposed numerous amendments to the current statute. Given there continues to be a task force in place involving many key stakeholders and experts in the field, it is logical that the CCJJ could formally address topic so that state wide legal issues, like home rule and residence restrictions could be appropriately discussed. This would give credence not only to the problem at hand but also to the recommendations provided at a statewide level.

18. Explore the Possibility of a Prohibition on Residence/Zoning Restrictions Statewide

Colorado is a "Home Rule" state, in that local jurisdictions have the authority to make their own rules or ordinances independent from state law. This is normally viewed as being positive, but it has negatively impacted sex offender management in Colorado because each municipality has the discretion to impose zoning and residence restrictions. This has caused a number of problems including fractured offender supervision, movement of offenders from one jurisdiction to another, negative impacts on law enforcement efforts to track offenders, difficulty with state discharge planning, higher overall costs of offender management, greater risk of recidivism, and an inability to utilize effective community programs set up on a statewide basis.

The imposition of zoning regulations has prohibited the use of SLA's and residence restricting municipal ordinances has the potential to cause significant negative issues for sex offenders. Colorado has been seriously impacted by zoning regulations but not as much by residence restrictions. There are presently six jurisdictions in Colorado that have residence restrictions implemented (Greenwood Village, Lonetree, Englewood, Commerce City, Greeley, and Castle Rock), with two of them also having Loitering restrictions. It should also be noted that Greeley includes juvenile offenders in their residence restriction so youth offenders may be legally required to attend school, but also legally required not to reside near one.

To date the SOMB has been active in staying apprised of these local ordinances and engaged in public education with local policy makers when it appears that such an ordinance is being considered. Though this has proven to be somewhat effective in preventing further cities from passing the laws, it is clearly a reactive means of managing the problem and is not always well-received. One way to stop

local jurisdictions from enacting these ordinances could be through state legislation preempting such local laws. Thus, the impact of home rule should be discussed by addressing the significance of this problem as a statewide concern and the potential need for a state wide consistent policy of offender management that enacts a prohibition against residence/zoning restrictions.

Bibliography:

Alexander, M. (1999). Sex offender treatment efficacy revisited. *Sexual Abuse: A Journal of Research and Treatment.* 11(2):101-116.

Aos, S., Phipps, P., Barnoski, R., & Lieb, R. (2001). *The Comparative Costs and Benefits of Programs to Reduce Crime.* Washington State Institute for Public Policy. Doc. No. 01-05-1201.

Association for the Treatment of Sexual Abusers (2005). Press release. Retrieved from: http://www.atsa.com/pubPPapers.html

Blumstein, A., & Nakamura, N. (2010). *Potential of Redemption in Criminal Background Checks.* U.S. Department of Justice. Document No. 232358.

Brown, K., Spencer, J., & Deakin, J. (2007). Reintegration of Sex Offenders: Barriers and Opportunities for Employment. *Howard Journal of Criminal Justice. 46 (1).* 32-42.

Building Changes. (2008). *Housing Sex Offenders.* Seattle, Washington.

Burchfield, K.B., & Mingus, W. (2008). Not in My Neighborhood: Assessing Registered Sex Offenders' Experiences With Local Social Capital and Social Control. *Criminal Justice and Behavior. 35.* 356.

Bureau of Justice Statistics. (2003). *Recidivism of Sex Offenders Released from Prison in 1994.* Doc. No. NIJ–198281.

Bureau of Justice Statistics (2000). *Sexual Assault of Young Children As Reported to Law Enforcement: Victim, Incident, and Offender Characteristics.* No. NCJ-182990.

Bureau of Justice Statistics (1997). *Sex Offenses and Offenders: An Analysis of Data on Rape and Sexual Assault.* No. NCJ-163392.

Center for Sex Offender Management. (2000). Community Supervision of the Sex Offender: An Overview of Current and Promising Practices

Colorado Community and Interagency Counsel on Homelessness. (2008). *Recommendations to Governor Ritter.* Retrieved from: http://www.coloradocoalition.org/!userfiles/Advocate/FINAL_COUNCIL_REPORT_OCT_27_2008.pdf

Colorado Department of Labor. (2011). Unemployment Information. Retrieved from: http://www.colorado.gov/cs/Satellite/CDLE-Main/CDLE/1240336821467

Colorado Department of Public Safety (CDPS), Sex Offender Management Board (SOMB). (2004). *Report on Safety Issues Raised by Living Arrangements for and Location of Sex Offenders in the Community.* March 15, 2004.

Colorado Department of Public Safety (CDPS). (2010). Survey of Law Enforcement on Registered Sex Offenders and Homelessness. Unpublished.

Colorado Department of Public Safety (CDPS). (2010). *Survey of Treatment Providers.* Lifetime Supervision Report. Retrieved from: http://dcj.state.co.us/odvsom/sex_offender/SO_Pdfs/2010%20Lifetime%20Report.pdf

Colorado Department of Revenue. (2010). Annual Report. Retrieved from: http://www.colorado.gov/cs/Satellite?c=Document_C&childpagename=Revenue-Main%2FDocument_C%2FXRMAddLink&cid=1251588251973&pagename=XRMWrapper

Colorado Division of Housing (2010). *Vacancies in Colorado Fall as Rents Rise.* June 11, 2010. Retrieved from: http://divisionofhousing.blogspot.com/2010/06/vacancies-in-colorado-fall-as-rents.html

Colorado Rules of Criminal Procedure. (2008). Retrieved from: http://www.michie.com/colorado/lpext.dll?f=templates&fn=main-h.htm&cp

Colorado Sex Offender Management Board. (2010). White Paper on the Use of Residence Restrictions as a Sex Offender Management Strategy.

Colorado Sex Offender Management Board (SOMB). (2010). Standards and Guidelines for the Assessment, Evaluation, Treatment, and Behavioral Monitoring of Adult Sex Offenders.

Colorado Sex Offender Registration Act. Colorado Revised Statutes 16-22-101 – 16-22-115.

Colorado Statewide Homeless Count. (2007). Executive Summary. Retrieved from: http://www.ucdenver.edu/academics/colleges/SPA/BuechnerInstitute/Centers/CEPA/Publications/Documents/HomelessExecutive%20Summary-FINAL-2-27-07.pdf

Community Corrections Information and Billing System Database. (2010).

Davey, M. (2006). *Iowa's Residency Rules Drive Sex Offenders Underground.* New York Times. March 15, 2006.

Finkelhor, D., & Jones, L.M. (2008). *Updated Trends in Child Maltreatment, 2006.* Crimes Against Children Research Center.

Grubin, D. (1997). Inferring predictors of risk: Sex offenders. *International Review of Psychiatry, 9(2), pp. 225-231.*

Hall, G.C.N. (1995). Sexual Offender Recidivism Revisited: A Meta-Analysis of Recent Treatment Studies. *Journal of Consulting and Clinical Psychology. Vol. 63.* 802-809.

Hanson, R.K., Bourgon, G., Helmus, L., & Hodgson, S. (2009). The Principles of Effective Correctional Treatment Also Apply to Sexual Offenders. *Criminal Justice and Behavior, 26(9).* 865-891.

Hanson, R. K., & Bussiere, M.T. (1998). Predicting Relapse: A Meta-Analysis of Sexual Offender Recidivism Studies. *Journal of Consulting and Clinical Psychology, 66(2).* 348-362.

Hanson, R.K., Gordon, A., Harris, A.J.R., Marques, J.K., Murphy, W., Quinsey, V.L., & Seto, M.C. (2002). First Report of the Collaborative Outcome

Data Project on the Effectiveness of Treatment for Sex Offenders. *Sexual Abuse: A Journal in Research and Treatment. Vol. 14. No. 2.*

Hanson, R. K., & Harris, A. (1998) *Dynamic Predictors of Sexual Recidivism.* Public Works and Government Services Canada. Cat. No. JS42-82/1998-01E.

Hanson, R.K., & Morton-Bourgon, K. (2005). The Characteristics of Persistent Sexual Offenders: A Meta-Analysis of Recidivism Studies. *Journal of Consulting and Clinical Psychology, 73(6),* 1154–1163.

Harris, A.J.R., & Hanson, R.K. (2004). *Sex Offender Recidivism: A Simple Question 2004-03.* Public Safety and Emergency Preparedness Canada.

Heil, P., Alhmeyer, S., & Simons, D. (2003). *Crossover Sexual Offenses.* Sexual Abuse: A Journal of Research and Treatment. 15(4).

Levenson, J.S., Zandbergen, P., & Hart, T. (2008). Residential proximity to schools and daycare centers: Influence on sex offense recidivism, an empirical analysis. Lynn University, Boca Raton, FL.

Losel, F., & Schmucker, M. (2005). The effectiveness of treatment for sexual offenders: A comprehensive meta-analysis. *Journal of Experimental Criminology, 1.* 117-146.

Lowden, K., Hetz, N., Harrison, L., Patrick, D., English, K., & Pasini-Hill, D. (July 2003). *Evaluation of Colorado's Prison Therapeutic Community for Sex Offenders: A Report of Findings.* United States Department of Justice.

Lutze, F.E., Bouffard, J., & Falconer, S. (February 2009). *Washington State's Reentry Housing Pilot Program Evaluation: Year 1 Report.* Washington State University

Minnesota Department of Corrections. (2007). *Residential Proximity & Sex Offense Recidivism in Minnesota.* St. Paul, MN.

Minnesota Department of Corrections. (2004). *Level Three Sex Offenders Residential Placement Issues: 2003 Report to the Legislature.* Revised February 2004.

Minnesota Department of Corrections. (2003). *Level Three Sex Offenders Residential Placement Issues.* St. Paul, MN.

National Crime Victimization Survey. (NCVS) (2009). *Criminal Victimization, 2008.* U.S. Department of Justice, Bureau of Justice Statistics, Bulletin. Michael Rand. September 2009. NCJ 227777.

National Research Council. (2008). *Parole, desistance from crime, and community integration.* Washington D.C.: National Academies Press.

Ohio State University. (2009). Assessing housing availability under Ohio's sex offender residency restrictions. Columbus, OH.

Pryzbylski, R. (February 2008). *What Works: Effective Recidivism Reduction and Risk-Focused Prevention Programs.* Division of Criminal Justice, Colorado Department of Public Safety. Retrieved from: http://dcj.state.co.us/ors/pdf/docs/WW08_022808.pdf.

Robbers, M.L.P. (2009). Lifers on the Outside: Sex Offenders and Disintegrative Shaming. *International Journal of Offender Therapy and Comparative Criminology. 53.*

Rodriguez, M.N., & Emsellem, M. (2011). *65 Million Need Not Apply: The Case for Reforming Criminal Background Checks for Employment.* The National Employment Law Project.

Roman, C.R., McBride, E.C., & Osborne, J. (2006). *Principles and Practice in Housing for Persons with Mental Illness Who Have Had Contact with the Justice System.* The Urban Institute, Washington, DC.

Rood, L. (2006). *New Data Shows Twice as Many Sex Offenders Missing.* Des Moines Register. January 23, 2006.

Sedlak, A.J., Finkelhor, D., Hammer, H., & Schultz, D.J. (2002). *National Estimates of Missing Children: An Overview.* U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. NISMART, October 2002.

Seto, M. C. (2008). Pedophilia: Psychopathology and Theory. In D. R. Laws and W. T. O'Donohue (Eds.), *Sexual Deviance: Theory, Assessment, and Treatment* (2nd edition) (pp.183-212). New York: Guilford Press.

Schmitt, J. and Warner, K. (2010). *Ex-offenders and the Labor Market.* Center for Economic and Policy Research. November 2010.

Stroh, G. (2009). *Denver Area Apartment Vacancy and Rent Survey, First Quarter 2009.* Retrieved from: http://dola.colorado.gov/app_uploads/docs/Executive%20Summary-2009-01.pdf

Stroh, G (2009). *Metro Denver Area Residential Rent and Vacancy Survey, First Quarter 2010.* Colorado Division of Housing. Retrieved from http://dola.colorado.gov/cdh/vacancy/Single_fami_Den_Vac_Surveys/2010Q1_SF.pdf

Thompson, D. (2007). *Sex Offenders Go Homeless to Comply with State Law.* Associated Press. October 31, 2007.

Tjaden, P., and Thoennes, N. (2000) *Full Report of the Prevalence, Incidence, and Consequence of Violence Against Women.*

Uniform Crime Report (UCR). (2009). *Crime in the United States, 2008.* U.S. Department of Justice, Federal Bureau of Investigation. September 2009.

United States Interagency Council on Homelessness. (2010). Opening Doors, Federal Strategic Plan to Prevent and End Homelessness.

United States. (2010). Preface to Opening Doors, Federal Strategic Plan to Prevent and End Homelessness.

United States Department of Housing and Urban Development's (HUD). (2009). Third Annual Homeless Assessment Report (AHAR) to Congress.

U.S. Department of Labor, Bureau of Labor Statistics. (2010).

Velazquez, T. (2008). *The Pursuit of Safety Sex Offender Policy in the United States.* VERA Institute of Justice, September 2008.

Washington State House Services Committee. (2009). *HB 1143 Analysis.* Washington State House of Representatives.

Washington State Institute for Public Policy (WSIPP). (2006). *Sex Offender Sentencing in Washington State: Failure to Register as a Sex Offender - Revised*

Willis, G.M., and Grace, R.C. (2008). The Quality of Community Reintegration Planning for Child Molesters: Effects on Sexual Recidivism, *Sexual Abuse: A Journal of Research and Treatment, vol. 20: pp. 218 – 240.*

Wilson, R.J., Cortoni, F., and McWhinnie, A.J. (2009). Circles of Support & Accountability: A Canadian National Replication of Outcome Findings, *Sexual Abuse: A Journal of Research and Treatment, vol. 21: pp. 412 - 430.*