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**COLORADO SEX OFFENDER MANAGEMENT BOARD**

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*CRITERIA, PROTOCOLS AND PROCEDURES  
FOR COMMUNITY NOTIFICATION REGARDING  
SEXUALLY VIOLENT PREDATORS*



Colorado Department of Public Safety  
Division of Criminal Justice  
Office of Domestic Violence &  
Sex Offender Management

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Dear Law Enforcement Officer:

In 1999, the Colorado General Assembly passed legislation (§16-13-901 through §16-13-905, C.R.S.), which mandated community notification regarding sexually violent predators, effective December 31, 1999. The General Assembly directed the Sex Offender Management Board (SOMB) to establish protocols and procedures for carrying out community notification, which are found in this publication, *Criteria, Protocols and Procedures for Community Notification Regarding Sexually Violent Predators (Criteria, Protocols and Procedures)*. The *Criteria, Protocols and Procedures* are rooted in the governing philosophy of public safety, current research in the field, and the Guiding Principles of the *Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders*. Since the initial publication in 1999, new statutory language and best practices have necessitated revisions of the *Criteria, Protocols and Procedures*.

These *Criteria, Protocols and Procedures* are distributed to all law enforcement agencies throughout the state. Law enforcement is responsible for carrying out community notification in your jurisdiction. When choosing to notify via a town hall-style meeting, they are required to convene a local multi-disciplinary team to assist (and participate) in the notification process. **To ensure appropriate training for local agencies and statewide consistency in notification practices, each local law enforcement agency shall request assistance in carrying out the initial town hall-style notification meeting.** The CNTAT is also available to conduct additional training regarding the *Criteria, Protocols and Procedures*, to answer questions, and to provide on-site assistance with education meetings regarding sexual offending and sexual assault in individual communities/jurisdictions.

Please feel free to contact the CNTAT with any questions regarding these *Criteria, Protocols and Procedures* or the community notification process at the Division of Criminal Justice, Office of Sex Offender Management at (303) 239-4499.

Thank you for your commitment to increasing public safety in Colorado.

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# Introduction

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In 1992, the Colorado General Assembly passed legislation that created the Sex Offender Treatment Board to develop standards and guidelines for the assessment, evaluation, treatment and behavioral monitoring of sex offenders. The General Assembly changed the name to the Sex Offender Management Board (SOMB) in 1998 to more accurately reflect the duties assigned to the SOMB.

In 1999, the Colorado General Assembly passed legislation (§16-13-901 through §16-13-905, C.R.S.) that mandated community notification regarding sexually violent predators (SVPs) (see Definitions, page 12). In 2006, Senate Bill 06-022 was enacted to amend §16-13-901 C.R.S., §16-13-906, §18-3-414.5, and §18-3-412.5. Also in 1999, the Colorado General Assembly directed the SOMB, in collaboration with the Department of Corrections, the Judicial Department, and the Parole Board, to establish protocols and procedures for carrying out community notification.

With the passing of Senate Bill 06-022, all individuals designated as SVPs are automatically subject to community notification. This new statutory language eliminated the need for criteria to determine whether or not the sexually violent predator was subject to community notification.

Community notification, or **the release of relevant information about sexual offenders to law enforcement, public and private entities and the general public, is intended to increase public safety and enhance strategies for crime detection and prevention.** The intent of community notification is to reduce risk to the community. These *Criteria, Protocols and Procedures* address the means by which communities should be notified regarding SVPs.

In establishing the *Criteria, Protocols and Procedures* for carrying out community notification, the General Assembly wanted to ensure that the notification is provided in a manner that: 1) is as specific as possible to the population within the community that is at risk; 2) includes general information and education concerning sex offenders, including treatment and supervision of sex offenders; and 3) attempts to minimize the risk of vigilantism. The highest priority of the *Criteria, Protocols and Procedures* is community safety.

These *Criteria, Protocols and Procedures* do not stand alone. The SOMB has developed the *Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders (Standards and Guidelines)*, to establish a basis for the systematic treatment and behavioral monitoring of convicted sex offenders. While developing the *Standards and Guidelines*, Guiding Principles (see Appendix A) were established, which form the philosophical foundation of the

*Standards and Guidelines.* These Guiding Principles are also relevant in the development of the protocols and procedures for community notification regarding SVPs and are based on a governing philosophy of public safety.

The SOMB and the Division of Criminal Justice (DCJ) have established a State Community Notification Technical Assistance Team (CNTAT) to provide assistance to local law enforcement agencies when carrying out community notification. The CNTAT includes individuals with expertise in sex offender management, sex offender supervision, and law enforcement.

**Law enforcement shall consult with the CNTAT prior to conducting their first community notification.** The CNTAT is also available, upon request through the local law enforcement agency, to assist communities in providing general information/education concerning sex offenders (such as treatment, management and supervision).

Community Notification does not affect current notification practices to victims of crime. Victims who register in the Post-Sentence Victim Notification Program will be notified of an offender's status. This includes any crime that is listed in the Victim Rights Act and includes both sex offenses and other crimes in addition to those that may qualify an offender as a SVP. However, every effort should be made to appropriately notify victims residing in the community prior to any notification process. (See 10.050 for additional information).

It is the SOMB's intent to ensure that the Guiding Principles regarding community safety and a victim's rights to safety and self-determination are clearly implemented in the community notification process. Consequently, it is important to note that every effort should be made to protect the privacy and prevent the re-victimization of any victims of sexually violent predators subject to community notification. It is imperative that no direct or indirect identifying information regarding the SVP's victims be released as a part of this process.

The intended benefits of community notification are the basis for these *Criteria, Protocols and Procedures*. Some of these include:

- **Public safety.** Knowing that a person with a history of sexually assaultive/abusive behavior lives nearby, citizens can better protect themselves, their children, and their neighbors' children.
- **The right to know.** Community residents and parents in particular, have the right to know if a potentially dangerous person is living in their neighborhood.
- **Increased surveillance and supervision.** Community notification alerts convicted offenders that the larger community, not just the criminal justice system, is monitoring them.
- **Communication among community groups.** Community notification can increase collaborative efforts among community members as well as between

community members and law enforcement to promote public safety through the sharing of information and education.

- **Treatment tool.** Some offenders are able to commit offenses in part because of anonymity. Community notification may serve as an external control that limits the offender's ability to live in secrecy.

In addition, there are potential negative consequences of community notification that these *Criteria, Protocols and Procedures* attempt to minimize. Some of these include:

- **Possible identification of victims through the community notification process.** This is especially risky when victims are related to or known to offenders. In addition, community notification in communities where the offender's victim(s) reside may lead to secondary victimization of the victim by the process.
- **Unofficial dissemination of information** resulting in 'notification' beyond that which is authorized by state law.
- **Development of an unwarranted sense of community safety or complacency.** Notification can lead citizens to believe that they are aware of all sex offending risk once they have been notified regarding the proximity of a convicted SVPs. **In fact, the majority of sex offenders are not caught or detected.** Additionally, research indicates that only between 19% and 23% of rapes and sexual assaults are reported to law enforcement and, **depending on the study, at least 93% of children who are sexually abused know their offender.**
- **Unintended negative consequences** may include increases in plea-bargaining to lesser offenses to avoid the SVP determination, lack of compliance with offender registration requirements and the possibility that some offenders will go underground to avoid notification. The process can be burdensome and time consuming for local law enforcement and notification teams when they are not adequately funded. Local law enforcement may have difficulty de-notifying and re-notifying communities when offenders move. Also, there is the risk of innocent citizens being misidentified as offenders due to previously or inaccurately released address information.
- **The risk of vigilantism or harassment** of an offender or their family members due to notification. This is a concern expressed in the statute and relates to recidivism. Sex offenders who are stable (residence, employment, support/services) are less likely to sexually recidivate. Thus, ensuring that sex offenders are not victims of vigilantism is in the best interest of everyone. Like other materials developed by the SOMB, these protocols and procedures are based on the best practices known today for community notification. Existing best practices, the limited research available and case law from around the country have been reviewed in this document's development.

The SOMB will continually remain current on the emerging literature and research and will modify these *Criteria, Protocols and Procedures* periodically on the basis of new and relevant findings.

Finally, it is important to note the limitations of these *Criteria, Protocols and Procedures*. The group of offenders who are subject to the Sexually Violent Predator designation is limited by the following:

1. The crime of conviction
2. The dates of the crime and conviction,
3. The relationship the offender had with the victim
4. The outcome of the Sexually Violent Predator Assessment Screening Instrument (SVPASI).

While research conducted by the Division of Criminal Justice indicates that these offenders are, collectively, at high risk for possible sexual re-offense, they do not represent all dangerous sex offenders. Other offenders who may be dangerous, but who are not, by law, subject to community notification include all non-convicted and unidentified sex offenders, all sex offenders convicted prior to July 1, 1999 and all sex offenders convicted of crimes other than those identified by statute used to potentially identify SVPs. Consequently, citizens may erroneously view community notification as the tool that will assist them in being safe from sexual assault in their communities.

**Under no circumstances should citizens assume that these *Criteria, Protocols and Procedures* are a complete or substantial deterrent to sexual assault in their communities.**

Questions concerning these *Criteria, Protocols & Procedures* may be addressed to the Sex Offender Management Board at the Division of Criminal Justice, 700 Kipling Street, Suite 3000, Denver, CO 80215, by phone at (303) 239-4499 or via email at [SOMB@state.co.us](mailto:SOMB@state.co.us).



# Legislative Intent

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Section 16-13-901, C.R.S. states, the general assembly hereby finds that persons who are convicted of offenses involving unlawful sexual behavior and who are identified as sexually violent predators pose a high enough level of risk to the community that persons in the community should receive notification concerning the identity of these sexually violent predators. The general assembly also recognizes the high potential for vigilantism that often results from community notification and the dangerous potential that the fear of such vigilantism will drive a sex offender to disappear and attempt to live without supervision. **The general assembly therefore finds that sex offender notification should only occur in cases involving a high degree of risk to the community and should only occur under carefully controlled circumstances that include providing additional information and education to the community concerning supervision and treatment of sex offenders.**

The community notification statutes create a process by which information can be shared with the community.



# Current Community Notification Laws

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With the passing of Senate Bill 06-022 on May 20, 2006, all individuals designated as sexually violent predators (SVPs), are automatically subject to Community Notification. Therefore, on or after May 30, 2006, a SVP shall be subject to community notification pursuant to the criteria, protocols & procedures established by the SOMB pursuant to §16-13-904 and §16-13-903 (1), C.R.S.

In order to be designated a SVP, the individual has to be convicted\* on or after July 1, 1999, of one or more of the following offenses, or of an attempt, solicitation, or conspiracy to commit one or more of the following offenses. Additionally, the offense had to be committed on or after July 1, 1997 pursuant to §18-3-414.5 (a) (II) (A-E), C.R.S.:

- Sexual assault
- Unlawful Sexual Contact
- Sexual Assault on a Child
- Sexual Assault on a Child/Position of Trust

\*Convicted includes guilty pleas, nolo contendere, or deferred judgment/sentence

Law enforcement should be notified immediately when a SVP is moving into their jurisdiction. This should be done by the SVP's supervising officer, case manager, or the assigned official of the releasing facility. The local law enforcement agency shall notify the Colorado Bureau of Investigation, and the SVP's status shall be entered in the central registry of persons required to register as sex offenders pursuant to §16-22-110, C.R.S. Sexually Violent Predators must register quarterly pursuant to §16-22-108 (d), C.R.S.

The local law enforcement agency for the jurisdiction in which a SVP who is subject to community notification resides shall be responsible for carrying out any community notification regarding said SVP. Such community notification shall only occur under the circumstances and in the manner specified by these Criteria, Protocols and Procedures pursuant to §16-13-904. The local law enforcement agency shall request the CNTAT's assistance at the initial community notification completed in their jurisdiction and may request assistance from them in carrying out any subsequent community notification, §16-13-905 (1), C.R.S.

The legislation provides liability protection for entities conducting community notification when they act in good faith. Nothing in this legislation limits or abrogates the sovereign immunity granted to public entities pursuant to the "Colorado Governmental Immunity Act", Article 10 of Title 24, C.R.S.

# History of Community Notification Laws

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In 1999, the Colorado General Assembly passed §16-13-901 through §16-13-905, C.R.S., which mandated community notification regarding certain sexually violent predators (SVPs).

These initial laws required that the Sex Offender Management Board, in collaboration with the Department of Corrections, the Judicial Department, and the Parole Board, establish:

1. Criteria to apply when determining whether to petition the Parole Board or the court for a determination that a SVP is subject to community notification;
2. Criteria to apply by a local law enforcement agency in determining when to carry out a community notification; and
3. Protocols and procedures for carrying out community notification.

In order to be designated an SVP, the individual had to have been convicted on or after July 1, 1999, of one or more of the following offenses committed on or after July 1, 1997:

- a. Sexual assault in the first degree, in violation of §18-3-402;
- b. Sexual assault in the second degree, in violation of §18-3-403;
- c. Sexual assault in the third degree, in violation of §18-3-404 (1.5) or (2),
- d. Sexual assault on a child, in violation of §18-3-405; or
- e. Sexual assault on a child by one in a position of trust, in violation of §18-3-405.3

These crime types were **repealed, and replaced and re-categorized** in the Colorado Revised Statutes, 2001. The crime types listed in the previous section of this document ("*Current Community Notification Laws*") reflect the newest statutory language.

# Purpose of Community Notification

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**Prevent crime** by notifying community residents of sexually violent predators (SVPs) living in their neighborhoods. Notification laws are based on the assumption that notifying neighbors about sex offenders living near to them will help prevent further sexual assault. Protection of the public, including former victims, from sex offenders is a paramount interest of the entire criminal justice system.

**Assist law enforcement** by providing additional information regarding the location of SVPs. Information may be used to investigate sexual assault cases and to secure the support of communities in the supervision process.

**Educate the community** by informing the public about sexual offenders, sexual offending, varying types of sexual offenders, treatment interventions for these offenders, and the role and limits of the criminal justice agencies that monitor and supervise sex offenders. It is important that communities know what to do once they are notified that sex offenders live in their neighborhoods. Information on how community members can protect themselves and their families and the potential negative impacts of vigilante behavior are provided.

In carrying out the multiple purposes of community notification, these related goals are important to consider and include:

**Promote sensitivity to victims** by assessing the potential impact on victims and providing safeguards to reduce the possibility of disclosure of victim identity, re-victimization and harassment. Victims' families and the family members of sex offenders should be afforded the same considerations.

**Find the balance between a community's right to safety and access to public information and the constitutional protections provided to convicted offenders.** The offender has to live somewhere and the community has a right to safety. Community notification should not impede the equally desirable goal of moving offenders into law abiding lifestyles and achieving a successful reintegration into the community. The intent of community notification is not to impose additional "punishment" on the offender, but to enhance public protection by increasing accountability through greater information sharing between the criminal justice system and the community. Persons found to have committed a sexual offense have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Registration and community notification serve as a means of monitoring and tracking the whereabouts of sex offenders in the community.

# Definitions

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**Community** for the purposes of this handbook community means the area in which the offender resides. This can be a complex issue but should not be confused with jurisdiction. The community includes the people who live in the geographical area around the offender, as well as people who are connected in some manner to the offender (e.g. - relation, interest, employment, friends, etc.). In rural areas this can include a large area but a smaller number of people and in an urban area it may include a smaller area with a large number of people.

**Community notification** is done in two ways in the state of Colorado.

1. **Passive:** All sex offenders who are required to register with their local jurisdiction are considered to be subject to **passive** community notification in that the sex offender registry is a passive way to provide information to the citizenry.
2. **Active:** Sexually violent predators (SVPs) are the only offenders subject to **active** community notification. In Colorado, that can take the form of a highly structured educational meeting with the citizenry, or an alternative method (e.g., media release, phone calls, postal mail, agency website, or local television) as deemed appropriate by the local law enforcement agency under the provisions of **Section 10.020**. For the purposes of this document, the term community notification refers to these methods of community notification only.

The release of relevant information about sexual offenders to law enforcement, public and private entities and the general public, is intended to increase public safety and enhance strategies for crime detection and prevention. The intent of community notification is to reduce risk to the community.

**Community notification laws** allow or mandate that law enforcement, criminal justice or corrections agencies provide citizens relevant information about certain convicted sex offenders living in their communities. These laws are distinct from sex offender registration laws.

**State Community Notification Technical Assistance Team (CNTAT)** is the group of people established by the SOMB and the Division of Criminal Justice to assist local law enforcement in carrying out community notification and to provide general community education concerning sex offenders. The CNTAT represents experience and expertise in the management, treatment and supervision of sex offenders and in law enforcement.

**Convicted** for the purpose of this document, means having received a verdict of guilty by a judge or jury, having pleaded guilty or *nolo contendere*, or having received a deferred judgment and sentence.

**Federal laws** have been enacted that require states to comply with the sexual offender registration and notification process. These include:

- **The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act** required states to establish sex offender registration for convicted offenders, and a system to track them. This Act was repealed with the passage of the Adam Walsh Child Protection and Safety Act.
- **Megan’s Law** amended the Jacob Wetterling Act by requiring states to inform community residents about the presence of certain convicted sex offenders in their neighborhoods.
- **The Pam Lychner Act** amended the Jacob Wetterling Act by mandating lifetime registration for some sex offenders and mandating a National Sex Offender Registry.
- **The Adam Walsh Child Protection and Safety Act (AWA)** was signed into Federal law in 2006. This law mandates a universal registry, requires stricter sex offender registration requirements for both adult and juvenile offenders, and provides the public with more information about registered sex offenders. Colorado was granted substantial implementation of AWA in November 2013 based on the current C.R.S.

Local community notification teams are teams developed and led by local law enforcement agencies and are utilized when carrying out community notification meetings. They include interdisciplinary membership including child abuse and sex crimes investigators, prosecutors, supervising probation/parole officers or community corrections case managers, victim advocates or service providers and sex offender treatment providers. Team members will be utilized at different times depending on the requirements of a particular community notification meeting.

Sex Offender Management Board (SOMB) is a statutorily mandated state board responsible for the development and approval of a variety of policy issues regarding the management and treatment of sex offenders. This includes the *Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders* and the *Standards and Guidelines for the Evaluation, Assessment, Treatment and Supervision of Juveniles Who Have Committed Sexual Offenses*. It has also developed the *Lifetime Supervision Criteria*, *Standards for Community Entities that Provide Supervision and Treatment for Adult Sex Offenders Who have Developmental Disabilities*, a *Report of Safety Issues Raised By Living Arrangements for and Location of Sex Offenders in the Community*, and a *Sexual Predator Risk Assessment Screening Instrument*. The SOMB has also developed these *Criteria, Protocols and Procedures for Community Notification Regarding Sexually Violent Predators*.

Please visit the SOMB website for more information or free resources at <https://www.colorado.gov/dcj>

Sex offender registration laws require convicted sex offenders who are living in a community to notify law enforcement officials of the address at which they are residing. Law enforcement is required to make this information available to the affected public.

Sexually Violent Predator (SVP) is an offender who is identified as being as high risk for another criminal offense, pursuant to § 18-3414.5, C.R.S., or who is found to be a sexually violent predator or its equivalent in any other state or jurisdiction, including but not limited to a military or federal jurisdiction, verified by Colorado law enforcement/CBI.

An SVP must meet the following criteria:

1. Eighteen years of age or older as of the date the offense is committed or who is less than eighteen years of age as of the date the offense is committed but is tried as an adult pursuant to §19-2-517 or §19-2-518, C.R.S.
2. Convicted on or after July 1, 1999 of one of the following offenses or of an attempt, solicitation, or conspiracy to commit one of the following offenses committed on or after July 1, 1997.
  - A. Sexual assault in the first degree, in violation of §18-3-402;
  - B. Sexual assault in the second degree, in violation of §18-3-403;
  - C. Sexual assault in the third degree, in violation of §18-3-404 (1.5) Or (2);
  - D. Sexual assault on a child, in violation of §18-3-405; or
  - E. Sexual assault on a child by one in a position of trust, in violation of §18-3-405.3;

As per the 2001 Colorado Revised Statutes, the above crime types are now categorized as:

- A. Sexual assault
  - B. Unlawful Sexual Contact
  - C. Sexual Assault on a child
  - D. Sexual Assault on a child/Position of Trust
3. Whose victim was a stranger to the offender or a person with whom the offender established or promoted a relationship primarily for the purpose of sexual victimization;
- and
4. Based upon the results of the most current revision of the Sexually Violent Predator Assessment Screening Instrument (SVPASI), which includes an assessment for the presence of psychopathy or a personality disorder, developed by the Division of Criminal Justice in consultation with and approved by the Sex Offender Management Board established pursuant to §16-11.7-102 (1), C.R.S., is likely to subsequently commit one or more of the offenses specified above under the circumstances specified above.

**Victim notification laws** mandate that crime victims who want to receive information about an offender's status in the criminal justice system or about the release status of the offender(s) who victimized them are provided with this information, §24-4.1-302.5 (1) (a, b and c), C.R.S.

**Vigilantism**, for the purposes of this document, is the unlawful attacking or harassment of an identified sexually violent predator, his or her family/household members, or his or her property.

# CN1.000 Responsibilities of the Probation Officer

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- 1.010 When a sex offender is identified as a sexually violent predator (SVP) according to the results of the Sexually Violent Predator Assessment Screening Instrument (SVPASI), the probation officer shall recommend in the pre-sentence investigation report (PSI) that the court make a determination that the sex offender is a SVP pursuant to §18-3-414.5, C.R.S. A SVP shall be subject to community notification, pursuant to §16-13-903, C.R.S. and shall register quarterly.
- 1.020 In addition to notifying local law enforcement of the SVP's address **within forty-eight hours** after the SVP has been placed on supervision, the SVP's supervising probation officer shall begin coordinating with local law enforcement to plan community notification. (See Appendix D - Notification of Arrival)
- 1.030 Supervising probation officers shall notify local law enforcement when an offender absconds or has a change in residence or employment.
- 1.040 Persons determined to be SVP or who have been identified in other states as its equivalent, or jurisdictions who are applying to the Judicial Branch for probation supervision in Colorado through the interstate compact process, shall be given notice that they will be subject to community notification in Colorado and agree to this condition in writing prior to their acceptance for supervision.



# CN2.000 Responsibilities of the Court

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2.100 Based on the results of the Sexually Violent Predator Assessment Screening Instrument, **the court shall make specific findings of fact and enter an order concerning whether or not the defendant is to be labeled as a sexually violent predator (SVP).** If the defendant is found to be a SVP, the defendant shall be required to register quarterly pursuant to §16-22-108 (d) and §18-3-414.5, C.R.S. The SVP shall automatically be subject to community notification.

# CN3.000 Responsibilities of the Parole Board

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- 3.100 Section 18-3-414.5 (2) C.R.S. If the Department of Corrections receives a mittimus that indicates that the court did not make a specific finding of fact or enter an order regarding whether the defendant is a sexually violent predator (SVP), the department shall immediately notify the court and, if necessary, return the defendant to the custody of the Sheriff for delivery to the court, and the court shall make a finding or enter an order regarding whether or not the defendant is a SVP; except when the court was not required to make the finding when imposing the original sentence.
- 3.200 Section 18-3-414.5 (3) C.R.S. When considering release on parole or discharge for an offender who was convicted of one of the offenses specified in subparagraph (II) of paragraph (a) of subsection (1) of this section, if there has been no previous court order, the parole board shall make specific findings concerning whether the offender is a SVP, based on the results of a sexually violent predator assessment. If no previous assessment has been completed, the parole board shall order the Department of Corrections to complete a SVP assessment. If the parole board finds that the offender is a SVP, the offender shall be required to register pursuant to the provisions of §16-22-108, C.R.S., and shall be subject to community notification pursuant to part 9 of article 13 of title 16 C.R.S.

# CN4.000 Responsibilities of the Department of Corrections

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4.010 Section 18-3-414.5 (2) C.R.S. If the Department of Corrections receives a mittimus that indicates that the court did not make a specific finding of fact or enter an order regarding whether the defendant is a sexually violent predator (SVP) on a qualifying case, the department shall immediately notify the court and, if necessary, return the defendant to the custody of the sheriff for delivery to the court, and the court shall make a finding or enter an order regarding whether the defendant is a SVP; except when the court was not required to make the finding when imposing the original sentence.

4.020 The Department of Corrections personnel shall notify the local law enforcement agency no later than two days before the SVP is to be released from the Department of Corrections of:

1. The jurisdiction in which the offender plans to reside
2. The offender's address
3. The fact that the offender is an SVP and subject to community notification

Section 18-3-412.5 (2) (c), C.R.S. (See Appendix D - Notification of Arrival)

## CN5.700 Responsibilities of the Parole Officer

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- 5.010 Pursuant to §16-13-903(3) and §183-412.5(2), C.R.S., the Parole Officer shall notify local law enforcement of the sexually violent predator's (SVP's) address within forty-eight hours after the SVP has been placed on parole supervision. The SVP's supervising parole officer shall notify the local law enforcement agency for the jurisdiction in which the SVP resides or plans to reside that the SVP is subject to community notification and begin coordinating community notification with local law enforcement, §16-13-903 (3) and §18-3-412.5 (2)(c), C.R.S. (See Appendix D - Notification of Arrival).
- 5.020 Supervising parole officers shall notify local law enforcement when an offender absconds or has a change in residence or employment.
- 5.030 Persons determined to be SVP or who have been identified in other states as its equivalent, or jurisdictions who are applying to the Department of Corrections for parole supervision in Colorado through the interstate compact process, shall be given notice that they will be subject to community notification in Colorado and agree to this condition in writing prior to their acceptance for supervision.

# CN6.000 Responsibilities of Law Enforcement Agencies

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- 6.010 The local law enforcement agency shall notify the Colorado Bureau of Investigation (CBI) of the sexually violent predator's (SVP's) status. That information shall be entered in a timely manner in the central registry of persons required to register as sex offenders. **When possible, the timing of the public posting shall be coordinated with local law enforcement in regards to community notification considerations, §16-13-903 (3), C.R.S.**
- 6.020 The law enforcement agency for the jurisdiction in which a SVP who is subject to community notification resides shall be responsible for the development of the local community notification team (see CN 9.000) and for carrying out any community notification. **This community notification shall only occur as outlined in these Criteria, Protocols and Procedures specified by the SOMB pursuant to §16-13-905 (1), C.R.S.**
- 6.030 Law enforcement agencies, when providing community notification, should conduct community notification with the assistance of a local community notification team (see CN 9.000 and CN10.000).
- 6.040 Law enforcement agencies may request assistance in carrying out any community notifications from the CNTAT by contacting the Division of Criminal Justice at 700 Kipling Street, Suite 3000, Lakewood, Colorado 80124 or by calling 303-239-4499. **To ensure appropriate training for local agencies and statewide consistency in notification practices, each local law enforcement agency shall request assistance in carrying out the initial town hall-style notification meeting.**

# CN7.000 Responsibilities of the Colorado Bureau of Investigations (CBI)

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- 7.010 Once the Colorado Bureau of Investigation (CBI) receives information from local law enforcement agencies regarding a sexually violent predator's (SVP's) status, that information shall be entered in a timely manner in the central registry of persons required to register as sex offenders. **When possible, the timing of the public posting shall be coordinated with local law enforcement in regards to community notification considerations, §16-13-903 (3), C.R.S.**
- 7.020 CBI should assist local law enforcement in determining the SVP status for out-of-state offenders (§16-13-902-03 C.R.S.).

# CN8.000 Responsibilities of the State Community Notification Technical Assistance Team

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- 8.010 The Community Notification Technical Assistance Team (CNTAT) is responsible for assisting local law enforcement agencies in carrying out community notification. This CNTAT shall include persons with expertise in sex offender management, sex offender supervision, and law enforcement, §16-13-906(1) C.R.S.
- 8.020 to ensure appropriate training for local agencies and statewide consistency in notification practices, CNTAT shall provide assistance to local law enforcement in carrying out the initial town hall-style community notification meeting. The CNTAT shall be available, upon request, to assist in subsequent community notifications, to provide training, and to assist law enforcement in providing general information concerning sex offenders, including treatment, management, and supervision of sex offenders within, the community pursuant to §16-13-906(2) C.R.S.
- 8.030 The CNTAT is responsible for the development and subsequent revisions of curriculum and guidelines for community notification procedures and distribution to law enforcement throughout the state.

To contact the Community Notification Technical Assistance Team, contact the Division of Criminal Justice at 303-239-4499.



# CN9.000 Responsibilities of Local Community Notification Teams

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- 9.010 The local community notification team is an interdisciplinary group available to assist law enforcement agencies in the town-hall-style community notification process. The teams, in conjunction with law enforcement agencies, provide information about the specific sexually violent predators (SVPs) subject to notification as well as general public education concerning sexual assault, sex offenders, and community safety.
- 9.020 These teams can be developed within a single law enforcement jurisdiction or multiple law enforcement jurisdictions. The law enforcement agency(s) responsible for the community notification will lead the team. A core group of team members should be established and should assist with the determination of which agencies/organizations should be included in a particular town-hall style community notification.
- 9.030 Recommended members for the local community notification team may include, but are not limited to:
- Crimes against children investigator/detective
  - Child protection worker (Social Services)
  - Sex crimes investigator/detective
  - District Attorney, Deputy District Attorney, or designee
  - Command staff representative from the local law enforcement agency
  - Probation Officer
  - Parole Officer
  - Community Corrections (Case Manager or designee)
  - Victim Advocate (law enforcement, D.A.'s Office, child advocacy center, etc.)
  - Victim service provider
  - Sex offender treatment provider (SOMB Approved/Listed)  
See Approved Provider List at <https://www.colorado.gov/dcj>
- 9.040 Team members may change from meeting to meeting depending on the SVP being released into the community or the nature of the meeting.
- 9.050 The CNTAT is available to assist in developing local teams and to assist with planning, training and conducting local community notification meetings.

# CN10.000 Protocols and Procedures for Law Enforcement Agencies Carrying Out Community Notification Meetings Regarding Sexually Violent Predators

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The following activities are required when a community is being notified of a sexually violent predator moving into the area. Each Colorado community offers its own unique culture and as such, it is the responsibility of local law enforcement to determine the best method of community notification based on the needs and interests of their respective community. Examples of notification strategies include one (or a combination of) the following:

- Town hall-style meeting
- Press release
- 911 reverse calls
- Mailings
- Agency website
- Social media
- Local television channel

10.010 Community notification should be coordinated and facilitated by a sworn officer of the local law enforcement agency. The geographic scope of dissemination must relate to the threat posed by the offender. **It is recommended that notification take place as promptly as possible (there is no statutory deadline/requirement).** The average timeframe from the time the SVP registers until notification varies depending on the method of notification. If a town hall-style meeting is to be utilized, the meeting date is usually held 2-3 weeks post-registration to allow sufficient time for planning and public notice of the meeting.

10.020 All methods of community notification are permitted and must include the actual SVP bulletin, pursuant to §16-13-901. Statute also requires educational information and such information is available on the SOMB website via the following link: <https://www.colorado.gov/pacific/dcj/somb-resources#>. As a reminder, the general education and information shall discuss, at a minimum, the following:

- Sexual assault
- Sex offenders and their treatment and management

- Resources for community members who are impacted by the crime or the notification process

- 10.030 **The law enforcement agency shall confirm the accuracy of the SVP's residence prior to any notification of agencies and organizations.** Thus, notification should occur **after** the SVP has registered with the law enforcement agency.
- 10.040 SVP information shall be made available to the public as law permits through the sex offender registry and the posting shall be coordinated with the Colorado Bureau of Investigation (CBI) in regards to community notification considerations.
- 10.050 The local law enforcement agency shall ensure that the offender acknowledges in writing his or her awareness of the upcoming community notification and potential media coverage. The agency may complete this notification or it may arrange for the supervising criminal justice agency to inform the offender. (See Appendix D - Advisement to Subject of Community Notification Meeting).
- 10.060 Law enforcement agencies can and should share this information internally and among their partner agencies. They should include general information regarding offending patterns and behaviors as well as the status of current criminal justice supervision. Jurisdictions shall be notified that are in proximity to the SVP's residence and place of employment, if it is a jurisdiction other than the one where the SVP lives, and any jurisdiction through which the SVP travels regularly or frequently.
- 10.070 **The law enforcement agency shall ensure that the victim or parent, custodian or guardian of a child victim (if applicable) is contacted regarding the date and type of any planned community notification prior to notification occurring.** (An exception can be made only when the victim has expressly indicated that he/she wishes to have no further contact regarding community notification activities or when the law enforcement agency is unable to locate the victim after multiple attempts with substantial effort). When there is a victim advocate with a positive relationship with the victim, local law enforcement shall ensure that victim advocate notifies the victim. It is strongly encouraged that law enforcement utilizes the services of their office, D.A.'s victim witness, or local agency's victim advocate to make this notification.
- 10.080 Under no circumstances shall information be released that could directly or indirectly be utilized to identify the victim(s) sexually assaulted by the SVP.
- 10.090 A completed SVP Bulletin shall be provided to specific agencies, organizations and groups as identified by the local community notification team after the educational portion of the community notification has been provided. Face to face or phone contact may be utilized in addition to the required written communication. These targeted notifications may include specific agencies or organizations that fall within the SVP's identified pattern of behavior. Targeted notification can be general in scope (such as notifying agencies/organizations that care for children because the

SVP's sexually assaultive behavior is toward children) or it may be more specific in scope (such as specifically notifying schools because the SVP has a history of enticing children at playgrounds or notifying the local Boy Scout troop because the SVP's previous crime took place while he was an Assistant Scout Master). Targeted notification may include organizations that serve primarily children, women or vulnerable adults, public and private schools, child day care centers, day care providers, group homes, shelters, foster homes, churches, and businesses. (See Appendix D - SVP Community Notification Bulletin).

Written information in the Bulletin shall include:

- Name
- Photo
- Physical description
- Crimes of conviction (unless they would positively identify the victim, e.g. incest)
- Preferred age range of target victim(s), including multiple ranges when appropriate
- **Whether the victim was a stranger or known to the SVP (If the victim was related, information should indicate that the offender knew the victim. DO NOT IDENTIFY THE VICTIM)**
- Authority for releasing the information
- Conditions of release
- The address of the SVP
- Vehicle information
- Type of work
- Compliance with conditions of supervision
- The current general criminal justice status of the offender (i.e.: 'absconded and highly dangerous' or 'has served his/her sentence and is not wanted by law enforcement' or 'is currently under the supervision of the DOC Parole Office')
- Conveyance that vigilantism will not be tolerated
- Phone number to call with questions (including a contact person when possible)
- Resources for community members who are impacted by the crime or the notification process
- How to contact law enforcement or the supervising agency if agency personnel observe the offender engaging in risky behavior (parked outside of a school or on a playground at a day care center)
- The number of sex offenders registered state-wide, county-wide and within the local law enforcement jurisdiction, if available
- A statement regarding risk from sex offenders who are not registered or otherwise identified by the criminal justice system
- A statement about the benefits of having specialized supervision and treatment
- Information about general safety measures for the public
- A statement that the information provided is current and accurate, but that it may change with the passage of time

Additional information that can be released may also include the following:

- Modus operandi (omitting any information that could identify specific victims)

- The workplace address of the SVP should be released only in rare circumstances and after consulting with the supervising officer or CNTAT when the SVP is unsupervised, as this information can potentially negatively impact the offender's successful reintegration and make him/her higher risk for recidivism if employment is lost.
- Any additional educational material regarding sexual assault, sex offenders, their supervision and treatment, sexual assault laws, and community notification practices.

The SOMB website link can be included for resources and educational information about sex offenders at: <https://www.colorado.gov/pacific/dcj/somb-resources#>.

#### 10.100 When an SVP is residing in an institution (that is not a criminal justice related facility), hospital, or nursing home.

It is not uncommon for some sex offenders in general to have co-occurring issues and require supplemental services beyond that of just sex offender treatment. Furthermore, some high-risk sex offenders, like SVPs, may require assistance for issues that ultimately require them to be in an inpatient setting (e.g., mental health, physical disability, developmental disability, etc.). The majority of the time, regular community notification procedures should be utilized, but there may be some unique circumstances that require individualized planning and discretion. Please consider the following before conducting a notification in such instances:

1. Is the offender required to register with law enforcement while at this location?
2. Is the offender at this location long enough to require a change in registration?
3. Is the offender in the location voluntarily (e.g. mental health hold, I.L.D., etc.)?

If you answered "yes" to all of the above questions it is likely that notification is statutorily mandated. If you answered no, there may be some discretion and you are encouraged to contact the CNTAT for technical assistance (303-239-4499).

# CN11.000 Notifying Communities When Sexually Violent Predators Relocate

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11.010 Prior to notifying the community regarding a sexually violent predator's (SVP's) relocation, the local law enforcement agency shall verify that the SVP has left the community.

11.020 Local law enforcement should notify the same group of agencies, organizations and groups and local community members who were initially notified. This may include, but not be limited to press releases, email, mailings, flyers delivered door to door or social media. The notification shall include the following information regarding the departing SVP (See Appendix D - Community Notification of SVP Change of Residence):

- Name
- Address from which the SVP is moving
- City, town or county where the SVP is planning to re-locate
- Approximate date of the re-location
- Phone number for questions (and contact person when possible)

11.030 When an SVP is relocating within the same jurisdiction a new notification may be warranted (unless the SVP is homeless or transient - see CN10.020). Law enforcement is not required to hold a meeting but may need to do alternative notification versus just notifying participants from a past notification that the SVP has moved. Law enforcement should consider the following to determine if a new notification is warranted:

- Location of new address and distance from previous residence (i.e. Were residents already notified of SVP's presence during last notification?)
- Time lapse since the last notification was conducted
- The stability of the population for the community in which the SVP is moving (i.e. - Have new residents moved to the community since the last notification? Were they previously notified of his/her presence?)

Please contact the CNTAT with questions or for technical assistance in these matters (303-239-4499).

# CN12.000 Criteria For Additional Community Notifications

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- 12.010 Additional community notification regarding a sexually violent predator (SVP) may be made while the SVP is living in the community. **If there are identified high risk behaviors being exhibited at any time while the offender is residing in the community, an additional community notification may be initiated.** These high-risk behaviors are any behaviors that would lead the supervising officer or law enforcement officer in consultation with other professionals involved with the SVP to believe that the offender is at increased risk of re-offense. These behaviors may include, but are not limited to:
- Being out of compliance with treatment or supervision conditions
  - Having absconded

It would **not** be appropriate to hold an additional community notification if the SVP is arrested, being revoked from community supervision, or placed in a secure facility.

An additional community notification **should** be held if the SVP has moved and is posing a risk to a *new population* (see CN 10.000 & CN11.000 for details).



# CN13.000 General Public Education Meetings

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13.010 General public education meetings may be held to educate the public at any time. Such meetings would **not** be related to an identified sexually violent predator (SVP). The meetings are strongly encouraged to increase public awareness and safety. They should include general information and education concerning the following topics:

- Sexual assault
- Victim impact
- Sex offenders (including treatment and supervision of sex offenders and the risk to communities from unidentified and un-apprehended sex offenders)
- Community notification and other laws concerning sexual assault and sexual offenses
- What community members can do to protect themselves and assist law enforcement agencies
- Resources for community members impacted by the crime of sexual assault or the notification process
- Why vigilantism is counterproductive to community safety

13.020 Local law enforcement agencies are encouraged to have one or more public meetings not related to a specific community notification as a means to educate the community and build relationships, which can promote successful community notifications in the future. Invitations should be extended to schools, day care centers, senior centers and businesses/organizations that primarily serve children, women, or vulnerable adults.

- This could include churches, libraries, and organizations, such as the Boy or Girl Scouts of America clubs, YMCAs, and children’s sports leagues.
- A notice may be published in the local newspaper about the meeting.
- Community residents and neighborhoods may be individually notified by email, mail, via agency website, flyers, or door-to-door contact.

13.030 Assistance with these meetings is available to local communities through a request to the State Community Notification Technical Assistance Team (CNTAT) at the Division of Criminal Justice at 303-239-4499.

# APPENDIX A: Guiding Principles

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From the *Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders*

The purpose of the Guiding Principles is to establish the core foundation principles from which the *Standards and Guidelines* are created and to provide guidance in the absence of a specific standard or guideline.

1. The highest priority of these Standards and Guidelines is to maximize community safety<sup>1</sup> through the effective delivery of quality evaluation, treatment and management of sex offenders.<sup>2</sup>
2. Sexual offenses are traumatic and can have a devastating impact on the victim and victim's family.

Sexual offenses violate victims, and can lead to common and serious consequences across all areas of victims' lives, including chronic and severe mental and physical health symptoms,<sup>3</sup> as well as social, family, economic, and spiritual harm.<sup>4</sup> Research and clinical experience indicate that victims of sexual abuse often face long-term impact and continue to struggle for recovery over the course of their lifetime.<sup>5</sup> The impact of sexual offenses on victims varies based on numerous factors. By defining the offending behavior and holding offenders accountable, victims may potentially

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<sup>1</sup> Center for Sex Offender Management (2007). Enhancing the Management of Adult and Juvenile Sex Offenders: A Handbook for Policymakers and Practitioners. *Center for Effective Public Policy, U.S. Department of Justice, Office of Justice Programs*, 2005-WP-BX-K179 and 2006-WP-BX-K004; C.S.R. 16.11.7-101, "To protect the public and to work toward the elimination of sexual offenses, it is necessary to comprehensively evaluate, identify, treat, manage and monitor convicted adult sex offenders who are subject to the criminal justice system..."

<sup>2</sup> Dowden, C., & Andrews, D. A. (2004). The importance of staff practices in delivering effective correctional treatment: A meta-analysis of core correctional practices. *International Journal of Offender Therapy and Comparative Criminology*, 48(2), 203-214; Hanson et al. (2009). The Principles of Effective Correctional Treatment Also Apply To Sexual Offenders; Mann, R. (2009). Sex offender treatment: The case for manualization. *Journal of Sexual Aggression*, 15(2): 121-131; Schmucker, M. & Losel, F. (2015). The effects of sexual offender treatment on recidivism: an international meta-analysis of sound quality evaluations. *Journal of Experimental Criminology*, 11(4):597-630.

<sup>3</sup> Chen et al. (2010). Sexual abuse and lifetime diagnosis of psychiatric disorders: Systematic review and meta-analysis. *Mayo Clinic Proceedings*, 85, 618-629; Tjaden, P. & Thoennes, N. (2006). Extent, nature, and consequences of rape victimization: Findings from the National Violence Against Women Survey. *Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice*; Walsh et al. (2012). National prevalence of posttraumatic stress disorder among sexually re-victimized adolescent, college, and adult household-residing women. *Archives of General Psychiatry*, 69(9):935-942; Wilson, D. (2010). Health Consequences of Childhood Sexual Abuse. *Perspectives in Psychiatric Care*. 46(1): 56-64.

<sup>4</sup> Morrison, Z. (2007). Caring about sexual assault: the effects of sexual assault on families, and the effects on victim/survivors of family responses to sexual assault. *Family Matters*, 76: 55-63; Tjaden & Thoennes (2006). Extent, nature, and consequences of rape victimization: Findings from the National Violence Against Women Survey. *Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice*.

<sup>5</sup> Campbell, R., Dworkin, E., & Cabral, G. (2009). An ecological model of the impact of sexual assault on women's mental health. *Trauma, Violence, & Abuse*, 10, 225-246; Cuevas et al. (2010). Psychological Distress as a Risk Factor for Re-Victimization in Children; Tjaden, P. & Thoennes, N. (2006). Extent, nature, and consequences of rape victimization: Findings from the National Violence Against Women Survey. *Washington, DC: U.S. Dept. of Justice, Office of Justice Programs, National Institute of Justice*; Finkelhor, D. (2009). The Prevention of Childhood Sexual Abuse. *Future of Children*, 19(2):169-194.

experience protection, support and recovery.<sup>6</sup> Professionals working with sexual offenders should be alert to how offenders' behaviors may inflict further harm on persons they have previously victimized.<sup>7</sup>

3. **Community safety and the rights and interests of victims and their families, as well as potential victims, require paramount attention when developing and implementing assessment, treatment and management of sex offenders.**
4. **Offenders are capable of change.**

Responsibility for change ultimately rests with the offender. Individuals are responsible for their attitudes and behaviors and are capable of eliminating abusive behavior through personal ownership of a change process. While responsibility for change is the offender's, the therapeutic alliance between the offender and the therapist is a predictive and important facet of responsivity leading to behavioral change.<sup>8</sup> A warm, direct, and empathic therapeutic approach contributes to an offender's motivation to change, as does the supervising officer's positive working alliance with the offender.<sup>9</sup>

5. **The treatment and management of sex offenders requires a coordinated response by the Community Supervision Team (CST) and will be most effective if SOMB providers and the entirety of the criminal justice and social services systems apply the same principles and work together.<sup>10</sup>**

Community safety is enhanced when treatment providers and community supervision professionals practice in their area of specialization and work together. This collaboration should include frequent and substantive communication about information that will assist in reducing an offender's risk to the community. When the

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<sup>6</sup> Whittle et al. (2015). A Comparison of Victim and Offender Perspectives of Grooming and Sexual Abuse. *Deviant Behavior*, 36(7): 539-564.

<sup>7</sup> Briere, J. & Scott, C. (2006). Principles of trauma therapy: A guide to symptoms, evaluation, and treatment. Thousand Oaks, CA: Sage Publications; Feiring, C. & Taska, L. (2005). The Persistence of Shame Following Sexual Abuse: A Longitudinal Look at Risk and Recovery. *Child Maltreatment*, 10(4): 337-349; Littleton, H. (2010). The impact of social support and negative disclosure reactions on sexual assault victims: A cross-sectional and longitudinal investigation. *Journal of Trauma & Dissociation*, 11, 210-227; O'Doherty et al. (2001). Recovery work with child victims of sexual abuse: A framework for intervention. *Child Care in Practice*, 7(1):78-88; Patterson, D. (2011). The Linkage Between Secondary Victimization by Law Enforcement and Rape Case Outcomes. *Journal of Interpersonal Violence*, 26(2): 328- 347.

<sup>8</sup> Beech, A. R., & Hamilton-Giachritsis, C. E. (2005). Relationship between therapeutic climate and treatment outcome in group-based sexual offender treatment programs. *Sexual Abuse: A Journal of Research and Treatment*, 17(2):127-140; Blasko, B., & Jeglic, E. (2014). Sexual offenders' perceptions of the client-therapist relationship: The role of risk. *Sexual Abuse: A Journal of Research and Treatment*, 28(4):1-20; Harkins, L. & Beech, A. (2007). A review of the factors that can influence the effectiveness of sexual offender treatment: Risk, need, responsivity, and process issues. *Aggression and Violent Behavior*, 12(6):615-627; Looman, J., Dickie, I., & Abracen, J. (2005). Responsivity Issues in the treatment of sexual offenders. *Trauma, Violence, & Abuse*, 6(4):330-353; Skeem et al. (2007). Assessing relationship quality in mandated community treatment: Blending care with control. *Psychological Assessment*, 19(4), 397-410.

<sup>9</sup> Labrecque, R. M., Schweitzer, M., & Smith, P. (2014). Exploring the Perceptions of the Offender-Officer Relationship in a Community Supervision Setting. *Journal of International Criminal Justice Research*, 1: 31-46; Ross, E., Polaschek, D., & Ward, T. (2008). The therapeutic alliance: A theoretical revision for offender rehabilitation. *Aggression and Violent Behavior*, 13(6):462-480; Skeem et al. (2007). Assessing relationship quality in mandated community treatment: Blending care with control. *Psychological Assessment*, 19(4):397-410.

<sup>10</sup> Center for Sex Offender Management (2007). Enhancing the Management of Adult and Juvenile Sex Offenders: A Handbook for Policymakers and Practitioners. *Center for Effective Public Policy, U.S. Department of Justice, Office of Justice Programs*, 2005-WP-BX-K179 and 2006-WP-BX-K004; Dowden, C., & Andrews, D. A. (2004). The importance of staff practice in delivering effective correctional treatment: A meta-analytic review of core correctional practices. *International Journal of Offender Therapy and Comparative Criminology*, 48(2):203-214; Lowenkamp, C., & Latessa, E. (2004). Increasing the effectiveness of correctional programming through the risk principle: Identifying offenders for residential placement. *Criminology and Public Policy*, 4(1):501-528.

CST members respect the individual roles and mutually agree upon their goals, the offender can be treated and managed more effectively.<sup>11</sup>

6. Community supervision is an opportunity, the success of which is dependent upon a sexual offender's willingness and ability to cooperate with treatment and supervision, and be accountable for their behaviors.<sup>12</sup> Accordingly, members of the Community Supervision Team should employ practices designed to maximize offender participation and accountability.<sup>13</sup>
7. Treatment and supervision are most effective when they are individualized, and incorporate evidence-based and research informed practices.<sup>14</sup>
8. Risk for future sexual offending varies and may increase or decrease. The intensity and duration of treatment and supervision should respond to these variations in risk.<sup>15</sup>

Individual assessment and evaluation of risk should be an ongoing practice. Treatment approaches and supervision plans should be modified accordingly. Effective management of risk balances the use of external controls with the development of individual protective factors and self-regulation in order to reduce risk, enhancing the offender's ability to live safely in the community.

9. Victims have the right to safety, to be informed and to provide input to the Community Supervision Team (CST).

Physical and psychological safety is a necessary condition for victims to begin recovery related to sexual abuse. Victims experience additional trauma when they are blamed or not believed, which may be more damaging than the abuse itself.<sup>16</sup> Victim impact

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<sup>11</sup> McGrath, B., Cummings, G., & Holt, J. (2002). Collaboration Among Sex Offender Treatment Providers and Probation and Parole Officers: The Beliefs and Behaviors of Treatment Providers. *Sexual Abuse: A Journal of Research and Treatment*, 14(1):49-65; Shingler, J. & Mann, R. E. (2006). Collaboration in clinical work with sexual offenders: Treatment and risk assessment. In W. L. Marshall, Y. M. Fernandez, L. E. Marshall, & G. A. Serran (Eds.), *Sexual Offender Treatment: Controversial Issues* (pp. 173-185). Hoboken, NJ: Wiley.

<sup>12</sup> Carter, M., Bumby, K., & Talbot, T. (2004). Promoting offender accountability and community safety through the Comprehensive Approach to Sex Offender Management. *Seton Hall Law Review*, 34, 1273-1297.

<sup>13</sup> D'Orazio, D., Thornton, D., & Beech, A. (2014). An External Evaluation of Colorado Sex Offender Management Board Standards and Guidelines. *Central Coast Clinical & Forensic Psychology Services, Inc.*; Woldgabreal et al. (2016). Linking Positive Psychology To Offender Supervision Outcomes: The Mediating Role of Psychological Flexibility, General Self-Efficacy, Optimism, and Hope. *Criminal Justice and Behavior*, 43(6):697-721.

<sup>14</sup> Ward, T., Gannon, T., & Yates, P. (2008). The Treatment of Offenders: Current Practice and New Developments with an Emphasis on Sex Offenders. *International Review of Victimology*, 15(2):183-208; Hanson et al. (2009). The Principles of Effective Correctional Treatment Also Apply To Sexual Offenders. *Criminal Justice and Behavior*, 36(9):865-891; Ward, T. & Gannon, T. (2014). Where has all the Psychology Gone: A Critical Review of Evidence-Based in Correctional Settings. *Aggression and Violent Behavior*, 19(4):435-446.

<sup>15</sup> Bonta, J., & Wormith, J. S. (2013). Applying the risk-need-responsivity principles to offender assessment. In L.A. Craig, L. Gannon, L., & T. A. Dixon (Eds.), *What works in offender rehabilitation: An evidence-based approach to assessment and treatment* (pp. 71-93). Hoboken, NJ: Wiley-Blackwell; Gallo et al. (2014). Treatment of high-risk high-need sexual offenders: The integrated risk need responsivity model (RNR-I). *Annals of Psychiatry and Mental Health*, 3(1), 1018:1-2; Hanson et al. (2009). The principles of effective correctional treatment also apply to sexual offenders: A meta-analysis. *Criminal Justice and Behavior*, 36(9), 865-891. Harkins, L., & Beech, A. R. (2007). A review of the factors that can influence the effectiveness of sexual offender treatment: Risk, need, and responsivity, and process issues. *Aggression and Violent Behavior*, 12(6):615-627; Parent, G., Guay, J., & Knight, R. (2011). An Assessment of Long-term Risk of Recidivism by Adult Sex Offenders: One Size Doesn't Fit All. *Criminal Justice and Behavior*, 38(2):188-209.

<sup>16</sup> Feiring, C. & Taska, L. (2005). The Persistence of Shame Following Sexual Abuse: A Longitudinal Look at Risk and Recovery. *Child Maltreatment*, 10(4): 337-349; Littleton, H. (2010). The impact of social support and negative disclosure reactions on sexual assault victims: A cross-sectional and longitudinal investigation. *Journal of Trauma & Dissociation*, 11(2):210-227; Najdowski, C., & Ullman, S. E. (2011). The effects of re-victimization on coping in women sexual assault victims. *Journal of Traumatic Stress*, 24(2): 218-

is substantially reduced when victims are believed, protected and adequately supported.

The CST can assist the victim in this by providing information and affording the victim representation in the supervision and management of the offender. Victim input and knowledge of the offender are valuable information for the supervision team.<sup>17</sup> Victims are empowered to determine their level of participation.

10. When a child is sexually abused within the family, the child's individual need for safety, protection, developmental growth and psychological well-being outweighs any conflicting parental or family interests.
11. The SOMB Standards and Guidelines are based on current and emerging research and best practices.<sup>18</sup>

Treatment, management, and supervision decisions should be guided by empirical findings when research is available. Since there is limited and emerging empirical data specific to sexual offending, decisions should be made cautiously to minimize unintended consequences.

12. A continuum of treatment and management options for sex offenders should be available in each community in the state. Additionally, efforts should be made to maximize continuity of care whenever a client transitions from one treatment setting to another to maximize positive treatment progress.<sup>19</sup>

It is in the best interest of public safety for each community to have a continuum of management and treatment options so that treatment is appropriately matched to the client.

13. Successful treatment and management of sex offenders is enhanced when the Community Supervision Team (CST) models and encourages family, friends, employers and other members of the community in pro-social support of the offender.<sup>20</sup>

Families, friends, employers and members of the community who have influence in the lives of offenders can meaningfully contribute to their successful functioning

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221; Patterson, D. (2011). The Linkage Between Secondary Victimization by Law Enforcement and Rape Case Outcomes. *Journal of Interpersonal Violence*, 26(2): 328- 347; Ullman & Peter-Hagene (2016). Longitudinal Relationships of Social Reactions, PTSD, and Re-victimization in Sexual Assault Survivors. *Journal of Interpersonal Violence*, 31(6) 1074-1094.

<sup>17</sup> Center for Sex Offender Management (2007). The Role of the Victim and Victim Advocate in Managing Sex Offenders (training curriculum). Silver Spring, MD.

<sup>18</sup> C.S.R. 16-11.7-103(e)(I), "The board shall research, either through direct evaluation or through a review of relevant research articles and sex offender treatment empirical data, and analyze, through a comprehensive review of evidenced-based practices, the effectiveness of the evaluation, identification, and treatment policies and procedures for adult sex offenders developed pursuant to this article."

<sup>19</sup> Boer, D. (2013). Some essential environmental ingredients for sex offender reintegration. *International Journal of Behavioral Consultation and Therapy*, 8(3-4):8-11; Scoones, C., Willis, G., & Randolph, G. (2012). Beyond static and dynamic risk factors: The incremental validity of release planning for predicting sex offender recidivism. *Journal of Interpersonal Violence*, 27(2), 222-238.

<sup>20</sup> Miller (2015). Protective Strengths, Risk, and Recidivism in a Sample of Known Sexual Offenders, *Sexual Abuse: A Journal of Research and Treatment*, 27(1) 34-50; Robbé et al. (2015). An Exploration of Protective Factors Supporting Desistance From Sexual Offending. *Sexual Abuse: A Journal of Research and Treatment*, 27(1):16-33; Tharp et al. (2013). A systematic qualitative review of risk and protective factors for sexual violence perpetration. *Trauma, Violence & Abuse*, 14(2):133-67.

in society. Family and friends should be included in the supportive network in a manner that is sensitive to the possible negative impact of the offense on them.<sup>21</sup>

**14. Information sharing among CST members is vital to public safety and offender success.**

Sexual offense-specific treatment is not conducted with the same degree of confidentiality as non-mandated treatment.<sup>22</sup> Sex offenders waive confidentiality with regard to therapeutic and/or public safety goals. When sensitive and private information is shared, the dignity and humanity of all involved must be respected.

**15. Sex offense-specific assessment, evaluation, treatment, behavioral monitoring and supervision should be humane, non-discriminatory and bound by the rules of ethics and law.<sup>23</sup>**

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<sup>21</sup> Wilson, R., & McWhinnie, A. (2013). Putting the 'Community' Back in Community Risk Management of Persons Who Have Sexually Abused. *International Journal of Behavioral Consultation and Therapy*, 8(3-4):72-79.

<sup>22</sup> Levinson J. & Prescott, D. (2010), Sex Offender Treatment Is Not Punishment, *Journal of Sexual Aggression*, 16(3); 275-285; McGrath et al. (2010). Current Practices and Emerging Trends in Sexual Abuser Management: The Safer Society 2009 North American Survey. Brandon, VT: Safer Society Press; Sawyer, S. & Prescott, D. (2011). Boundaries and Dual Relationships. *Sexual Abuse: A Journal of Research and Treatment*, 23(3):365-380.

<sup>23</sup> Birgden, A. & Cucolo, H. (2011). The Treatment of Sex Offenders: Evidence, Ethics, and Human Rights. *Sexual Abuse: A Journal of Research and Treatment*, 23(3) 295-313; Harrison, K. & Rainey, B. (2013). Legal and ethical aspects of sex offender treatment and management, Chichester, K, John Wiley & Sons, Ltd.



# APPENDIX B: Overview of Community Notification

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Per 16-13-901 through 16-13-906, and 18-3-414.5 C.R.S. and the *Criteria, Protocol and Procedures for Community Notification Regarding Sexually Violent Predators*

- 1) At the time the Court orders a pre-sentence investigation for a defendant who is convicted after July 1, 1999 of one of the sex offenses specified in §18-3-414.5 C.R.S. or of an attempt, solicitation, or conspiracy to commit one of those offenses, the Court shall order that a SVP risk assessment be conducted. The assessment, developed by the Colorado Division of Criminal Justice, shall be conducted by the probation officer and an evaluator approved by the Sex Offender Management Board (hereafter SOMB).
- 2) Based on the results of the assessment, the probation officer shall recommend that the Court make a finding and enter an order concerning whether or not the defendant should be designated a Sexually Violent Predator. When such a finding is made, the SVP is subject to community notification.
- 3) The Department of Corrections or supervising officer should notify law enforcement of the SVP by sending an Arrival Notice to the law enforcement agency where the SVP lives or plans to live, upon release. The Arrival Notice should contain the following information:
  - Name
  - Address
  - Date of Birth
  - Crime(s) of Conviction
  - SVP status
  - Community Notification Status
  - Criminal Justice Supervision Status

The Department of Corrections/supervising officer shall notify the law enforcement agency no later than **48 hours** before the SVP's scheduled release/placement on supervision. *It is recommended that the Department of Corrections notify the law enforcement agency as soon as a parole release date is identified to start the community notification planning process.*

- 4) The supervising officer shall also notify the law enforcement agency when an SVP changes residence, employment, or makes any other change that would place a new or different portion of the community at risk.



- 5) Upon the SVP's arrival in the community, he/she must register with the law enforcement agency pursuant to the requirements of §16-22-103 C.R.S.
- 6) The law enforcement agency shall notify the Colorado Bureau of Investigation (CBI), and CBI shall enter the information in the central sex offender registry in a timely manner and will update their website with the SVP's information. *When possible, the timing of the public posting shall be coordinated with local law enforcement in regards to community notification considerations, Section 16-13-903 (3), C.R.S.*
- 7) The law enforcement agency shall conduct community notification in accordance with the Colorado Sex Offender Management Board's *Criteria, Protocols and Procedures for Community Notification Regarding Sexually Violent Predators (Criteria)*, pursuant to 16-13-904, C.R.S.

# APPENDIX C: Law Enforcement Checklist

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**Note:** The following Checklist should not be used alone. It is designed to be used in conjunction with these *Criteria, Protocols and Procedures*. It is strongly recommended that the criteria be read in its entirety prior to conducting any notifications. References to specific criteria sections are in parentheses following instructions.

- 1) Sign and date the SVP Arrival Notice upon receipt. **The Arrival Notice should not be posted or distributed outside the law enforcement agency or law enforcement personnel.**
- 2) Confirm the SVP's physical residence address after the SVP registers and prior to any notification. Note confirmation on the SVP Arrival Notice (CN10.030).
- 3) Notify CBI of the SVP's status (as being subject to community notification) and CBI will enter that information in the central registry of persons required to register as sex offenders, considering community notification timeframes (CN6.010).
- 4) If notification will be provided via a town hall-style meeting and it is the first meeting in the law enforcement's jurisdiction, request assistance from the CNTAT at the Division of Criminal Justice at 303-239-4499 (CN6.040).
- 5) If providing community notification via a town hall-style meeting, convene a local or regional multi-disciplinary Community Notification Team to assist with the notification process (CN 9.000). Check the SOMB Provider List to be sure treatment representatives are approved to provide sex offense-specific treatment in Colorado. A list of approved SOMB providers can be accessed via the following link:  
<http://cdpsdocs.state.co.us/dvomb/SOMB/Lists/Adult.pdf>
- 6) Determine a date, time and place for a community notification meeting.
- 7) Contact the adult victim, or custodial parent/guardian of a child victim, or the person that will speak with the child victim, regarding the date and type of any planned community notification prior to the notification. If there is a victim advocate with an existing relationship with the victim, the law enforcement agency should ensure that the advocate notifies the victim (CN10.070).
- 8) Ensure that personal notification is made to the SVP that community notification will be conducted. Ensure that the SVP signs an Advisement form (See Appendix D) and is

informed that he/she **cannot attend**. The law enforcement personnel may want the supervising officer (when applicable) to make this notice (CN10.050).

- 9) Prepare a Meeting Notice as an **invitation** to the meeting and a Sexually Violent Predator Community Notification Bulletin for use during the meeting. The SVP's identity should **NOT** be released prior to the notification and educational information being given due to statutory requirements (CN10.020).
- 10) **Throughout the planning and notification process, it is imperative that law enforcement protect the victim's identity.** Under no circumstances shall information be released regarding any SVP that could directly or indirectly be utilized to identify the victim(s) sexually assaulted by the SVP (CN10.080).
- 11) Make the SVP information available to the public, as the law permits, through the local sex offender registry (§18-3-412.5 C.R.S.).
- 12) Determine the geographic scope of dissemination in your community as related to the threat posed by the SVP (CN10.010). The neighbors and targeted groups in the community must be notified.
- 13) Distribute the SVP Bulletin to other local law enforcement agencies that are in close proximity to the SVP's residence, place of employment, or through which the SVP travels regularly or frequently (CN10.060 & 10.090).
- 14) Coordinate and plan the notification:  
Determine the method of dissemination for the Meeting Notice (via email, flyers, mail, media, social media etc.)

(See Appendix D Forms & Bulletins: "Notice of Community Meeting Regarding Sexually Violent Predator).

Disseminate the Meeting Notice to residents of the SVP's immediate neighborhood (CN10.010 & CN10.090).

Disseminate the Meeting Notice to targeted community groups that fall within the SVP's identified pattern of behavior (CN10.090).

Determine whether media coverage is necessary and contact media, if appropriate. Anticipate media coverage that has not been requested.

- 15) Conduct the notification:

#### Town Hall Style Meetings

There should be a P.A. system and **law enforcement should control the microphone for questions from the audience OR have index cards and writing utensils available for the audience to write down questions.** The

questions can then be collected by law enforcement, reviewed, and then answered by the appropriate panel members/experts.

Have attendees sign in prior to sitting down, and advise attendees that it is likely only residents who sign in will be notified when the SVP moves or leaves the community.

The sign-in sheet should include the citizen's name, address, email, and phone number. The sign-in sheet is a record of all attendees and can be used for contact purposes as well as a suspect list for vigilantism (when applicable).

Establish ground rules. (See Appendix E for sample).

Utilize the SOMB curriculum as provided by the Division of Criminal Justice and these *Criteria, Protocols and Procedures*, which include general information and education about sexual assault and public safety (§16-13-901 C.R.S.).

Disseminate a paper copy of the SVP Bulletin with educational and public safety information to the attendees at the time that the SVP Bulletin is presented on the PowerPoint during the community notification meeting.

### Alternative Notification

Alternative notification may be conducted in lieu of a town hall-style Meeting (see CN10.020). The DVD created by DCJ and distributed to all law enforcement jurisdictions can be posted on the local television channel or the agency website. It is necessary to add the individual SVP bulletin at the end of the DVD each time a new notification is conducted.

Other methods can be used to notify citizens using the bulletin and the statutorily required educational information via the following SOMB link:

<https://www.colorado.gov/pacific/dcj/somb-resources>. This can be conducted electronically via email, agency website and social media accounts or it can be done by mail, newspaper or door to door.

Please note that the purpose of this option is to assist law enforcement in meeting public safety needs while remaining cost effective and utilizing resources appropriately. However, there are times when the town hall-style meetings are most appropriate and best meet community needs.

- 16) Community members who are unable to attend the meeting may go in person to the law enforcement agency and request the SVP Bulletin after notification is conducted. The law enforcement agency should keep a record of the names of residents who wish to be notified when the SVP moves or leaves the community. Those residents shall also be given the educational and public safety materials.
- 17) Upon verification that an SVP has moved or left the community, notify all law enforcement agencies where SVP Bulletins were distributed and other community members who have requested such notice (CN11.000). Also notify the law enforcement agency where the SVP relocates (§18-3-412.5 C.R.S.), using a Residence Change Notice (See Appendix D Forms and Bulletins.)
- 19) Work in conjunction with the CNTAT and local community notification team to conduct general public education meetings, not related to a specific SVP (CN12.00 & CN13.00).

# APPENDIX D: Law Enforcement Forms and Bulletins

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## FORMS REGARDING SEXUALLY VIOLENT PREDATORS



Colorado Department of Public Safety  
Division of Criminal Justice  
Office of Domestic Violence and Sex Offender Management  
700 Kipling Street, Suite 300  
Denver, CO 80215  
(303) 239-4442 or (800) 201-1325 (in Colorado)  
Website: <https://www.colorado.gov/dcj>

**NOT FOR PUBLIC VIEWING OR DISSEMINATION**

**NOTIFICATION OF ARRIVAL OF SEXUALLY VIOLENT PREDATOR**

DOC/PROBATION/PAROLE AGENCY:			
ADDRESS:	CITY:	STATE/ZIP:	PHONE:
DOC/PROBATION ML#:	PREPARED BY:		DATE:

*THE FOLLOWING INFORMATION IS BEING RELEASED PURSUANT TO COLORADO REVISED STATUTES 16-13-901 THROUGH 16-13-905, WHICH DIRECTS A SUPERVISING CRIMINAL JUSTICE AGENCY TO INFORM THE LOCAL LAW ENFORCEMENT AGENCY OF A SEXUALLY VIOLENT PREDATOR'S ARRIVAL IN THEIR COMMUNITY.*

*THE INDIVIDUAL SUBJECT OF THIS NOTIFICATION HAS BEEN CONVICTED OF A SEX OFFENSE THAT REQUIRES LAW ENFORCEMENT REGISTRATION. FURTHER, THEY HAVE BEEN DETERMINED TO PRESENT A HIGH POTENTIAL TO RE-OFFEND AND ARE THEREFORE SUBJECT TO COMMUNITY NOTIFICATION REGARDING THEIR RESIDENCE IN YOUR COMMUNITY.*

SVP NAME:			ARRIVAL DATE:
ARRIVING FROM (DOC OR PREVIOUS ADDRESS):		CITY:	STATE/ZIP:
CURRENT RESIDENCE ADDRESS:	CITY:	STATE/ZIP:	PHONE:

(PHOTO OF SVP)	FBI#:		SID#:	
	SS#:		FBI FINGERPRINT#:	
	DOB:	RACE:	SEX:	
	HT:	WT:	HAIR:	EYE:
	ALIAS:			
	SCARS/MARKS/TATTOOS/GLASSES:			

OFFENSE (S) OF CONVICTION (CURRENT CASE):			
CASE#:	COUNTY:	SENTENCE:	
RELEVANT CONDITIONS OF RELEASE:			
SEX OFFENDING PATTERN INFORMATION:			
TREATMENT STATUS:			
NAME OF WORKPLACE:		OCCUPATION:	
PHYSICAL ADDRESS OF WORKPLACE:	CITY:	STATE/ZIP:	PHONE:
VEHICLE INFORMATION:			
ALL OTHER CRIMINAL CONVICITONS:			
ADDITIONAL RISK CONCERNS:		PSIR AVAILABLE?	VICAP ENTRY?
SUPERVISING OFFICER OR DOC CONTACT:		PHONE:	
NAME (S) AND ADDRESS (S) OF VICTIM (S) IDENTIFIED THROUGH COURT RECORDS:			
(1)			
(2)			
(3)			

***Probation/Parole/DOC to Attach Order Authorizing Community Notification.***

<b>3 FOR LAW ENFORCEMENT AGENCY USE ONLY 3</b>			
NOTICE RECEIVED BY:		DATE:	TIME:
OFFENDER ADDRESS VERIFIED?	VERIFIED BY:		
DATE:	METHOD:	SVP ARRIVAL NOTICE FORM#	

## ADVISEMENT TO SUBJECT OF COMMUNITY NOTIFICATION MEETING

LAW ENFORCEMENT AGENCY:	
TO:	
ADDRESS:	
<p>Pursuant to Colorado Revised Statutes 16-13-901 through 16-13-905, this law enforcement agency will be conducting a Community Notification Meeting regarding your status as a Sexually Violent Predator and your residence in this community.</p> <p>The Community Notification Meeting has been scheduled on _____, at _____.</p> <p>Members of the community, including residents of your neighborhood and (possibly) the news media, have been invited.</p>	
BY LAW ENFORCEMENT AGENT:	
OFFENDER SIGNATURE:	DATE:
ADVISEMENT, FORM#:	

## NOTICE OF COMMUNITY MEETING REGARDING SEXUALLY VIOLENT PREDATOR

LAW ENFORCEMENT AGENCY:

Your presence is requested at a Community Meeting.

DATE:

TIME:

LOCATION:

Pursuant to Colorado Revised Statutes 16-13-901 through 16-13-905, the meeting is being held to provide information concerning the release of a Sexually Violent Predator into this community. Educational information regarding sexual offending will also be presented by a team of professionals involved in the management of sex offenders in our community. The goal of the meeting is to enhance public safety and protection.

VIGILANTISM, OR USE OF THIS INFORMATION TO HARASS, THREATEN, OR INTIMIDATE ANY OF THE FOLLOWING PEOPLE IS CRIMINAL BEHAVIOR AND WILL NOT BE TOLERATED: THE OFFENDER, THE OFFENDER'S SIGNIFICANT OTHERS, AND THE COMMUNITY NOTIFICATION TEAM.

The individual subject of the notification has been convicted of a sex offense that requires law enforcement registration. Further, they have been determined to present a high potential to re-offend and are therefore subject to community notification regarding their residence in this community.

This law enforcement agency has no legal authority to direct where a sex offender may live. Unless court restrictions exist, they are constitutionally free to live wherever they choose. Sex offenders have always lived in our communities, but they were not always required to notify law enforcement of their residence until registration laws were implemented pursuant to the Jacob Wetterling Act in 1994. Law enforcement may now share that information with members of their communities, and in the case of Sexually Violent Predators, law enforcement must actively notify citizens.

Due to the mature content of the information that will be presented, it is not advisable to bring children to the meeting. It is strongly encouraged that information presented at the meeting deemed to be appropriate for children be subsequently reviewed with children after the meeting. **Children under 15 unaccompanied by an adult will not be permitted to attend the meeting.**

If you are a part of an organization interested in attending, it is requested that your organization designate 1-2 representatives to attend the meeting and receive the notification materials.

If you have questions, please call \_\_\_\_\_ at \_\_\_\_\_.

If you are unable to attend the Community Meeting, you must call ahead and schedule an appointment to **receive the information.**

MEETING NOTICE, FORM#:





## SEXUALLY VIOLENT PREDATOR COMMUNITY NOTIFICATION BULLETIN

AGENCY:				
ADDRESS:		CITY:	STATE/ZIP:	PHONE:
AGENCY CASE#:	BULLETIN#:	PREPARED BY:		DATE:

THE \_\_\_\_\_ POLICE/SHERIFF'S DEPARTMENT IS RELEASING THE FOLLOWING INFORMATION PURSUANT TO COLORADO REVISED STATUTES 16-13-901 THROUGH 16-13-905, WHICH AUTHORIZES LAW ENFORCEMENT AGENCIES TO INFORM THE PUBLIC OF A SEX OFFENDER'S RELEASE WHEN THE OFFENDER HAS BEEN DETERMINED TO BE A SEXUALLY VIOLENT PREDATOR AND IS SUBJECT TO COMMUNITY NOTIFICATION. THE PURPOSE OF THIS NOTIFICATION IS TO ENHANCE PUBLIC SAFETY AND PROTECTION. VIGILANTISM, OR USE OF THIS INFORMATION TO HARASS, THREATEN, OR INTIMIDATE ANY OF THE FOLLOWING PEOPLE IS CRIMINAL BEHAVIOR AND WILL NOT BE TOLERATED: THE OFFENDER, THE OFFENDER'S SIGNIFICANT OTHERS, AND THE COMMUNITY NOTIFICATION TEAM.

FURTHER DISSEMINATION OF THIS BULLETIN BY CITIZENS IS DISCOURAGED. ADDITIONAL COMMUNITY MEMBERS NEEDING INFORMATION SHOULD BE REFERRED TO THE LAW ENFORCEMENT AGENCY.

THE INDIVIDUAL SUBJECT OF THIS NOTIFICATION HAS BEEN CONVICTED OF A SEX OFFENSE THAT REQUIRES LAW ENFORCEMENT REGISTRATION. FURTHER, HE/SHE HAS BEEN DETERMINED TO PRESENT A HIGH POTENTIAL TO RE-OFFEND AND IS THEREFORE SUBJECT TO COMMUNITY NOTIFICATION REGARDING HIS/HER RESIDENCE IN THIS COMMUNITY.

THIS LAW ENFORCEMENT AGENCY HAS NO LEGAL AUTHORITY TO DIRECT WHERE A SEX OFFENDER MAY LIVE. UNLESS COURT RESTRICTIONS EXIST, HE/SHE IS CONSTITUTIONALLY FREE TO LIVE WHEREVER HE/SHE CHOOSES. SEX OFFENDERS HAVE ALWAYS LIVED IN OUR COMMUNITIES, BUT THEY WERE NOT REQUIRED TO NOTIFY LAW ENFORCEMENT OF THEIR RESIDENCE UNTIL REGISTRATION LAWS WERE IMPLEMENTED PURSUANT TO THE JACOB WETTERLING ACT IN 1994. LAW ENFORCEMENT MAY NOW SHARE THAT INFORMATION WITH MEMBERS OF THE COMMUNITY, AND IN THE CASE OF SEXUALLY VIOLENT PREDATORS WHO ARE SUBJECT TO COMMUNITY NOTIFICATION, LAW ENFORCEMENT MUST ACTIVELY NOTIFY CITIZENS.

(PHOTO OF SVP)	SUBJECT NAME:			
	OTHER NAME (S) USED:			
	DOB:	RACE:	SEX:	
	HT:	WT:	HAIR:	EYE:
	SCARS/MARKS/TATTOOS/GLASSES:			

RESIDENCE ADDRESS:	
OCCUPATION:	
VEHICLE INFORMATION:	
OFFENSE (S) OF CONVICTION (CURRENT CASE):	
ALL OTHER CRIMINAL CONVICTIONS:	
RELEVANT CONDITIONS OF RELEASE:	
SEX OFFENDING PATTERN INFORMATION (DO NOT IDENTIFY VICTIM):	
CRIMINAL JUSTICE STATUS:	
SUPERVISING OFFICER OR DOC CONTACT:	PHONE:

THERE ARE \_\_\_\_\_ SEX OFFENDERS REGISTERED IN COLORADO, \_\_\_\_\_ IN \_\_\_\_\_ COUNTY, AND \_\_\_\_\_ IN \_\_\_\_\_.

THE \_\_\_\_\_ POLICE/SHERIFF'S DEPARTMENT IS AVAILABLE TO PROVIDE USEFUL INFORMATION REGARDING SEXUAL ASSAULT AND PERSONAL SAFETY, AND TO MAKE REFERRALS TO OTHER LOCAL RESOURCES TO HELP THOSE WHO HAVE BEEN IMPACTED BY SEXUAL ASSAULT OR THIS NOTIFICATION PROCESS. IF YOU HAVE INFORMATION REGARDING CURRENT CRIMINAL ACTIVITY OF THIS OR ANY OTHER OFFENDER, PLEASE CALL 911 OR \_\_\_\_\_. IF YOU OBSERVE THIS OFFENDER ENGAGING IN ANY HIGH-RISK OR INAPPROPRIATE BEHAVIOR, PLEASE CONTACT THIS AGENCY OR HIS/HER SUPERVISING OFFICER \_\_\_\_\_ AT PHONE # \_\_\_\_\_.

MOST SEX CRIMES ARE NEVER REPORTED AND MOST OFFENDERS ARE NEVER DETECTED. THE GREATEST RISK OF SEX OFFENSE IS FROM PEOPLE YOU KNOW. THE INFORMATION PROVIDED HERIN IS CURRENT AND ACCURATE AS OF THIS DATE, BUT IS SUBJECT TO CHANGE.

## COMMUNITY NOTIFICATION OF SEXUALLY VIOLENT PREDATOR CHANGE OF RESIDENCE

LAW ENFORCEMENT AGENCY:

REGARDING SEXUALLY VIOLENT PREDATOR COMMUNITY NOTIFICATION BULLETIN #:

Residents of the community are hereby notified of a change in residence address for

\_\_\_\_\_

who has been determined to be a Sexually Violent Predator (hereafter SVP).

SVP'S FORMER ADDRESS:

SVP'S NEW ADDRESS:

APPROXIMATE DATE OF RELOCATION:

Please call \_\_\_\_\_ at \_\_\_\_\_  
with questions or concerns.

VIGILANTISM, OR USE OF THIS INFORMATION TO HARASS, THREATEN, OR INTIMIDATE ANY OF THE FOLLOWING PEOPLE IS CRIMINAL BEHAVIOR AND WILL NOT BE TOLERATED: THE OFFENDER, THE OFFENDER'S SIGNIFICANT OTHERS, AND THE COMMUNITY NOTIFICATION TEAM.

RESIDENCE CHANGE NOTICE, FORM#:



# APPENDIX E: Conducting a Community Notification Meeting

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## Conducting Community Notification Meetings

The following instructions are designed to help minimize public fear and emotional reaction to the sexually violent predator's (SVP's) arrival in your community. Community education is the key element of a successful notification program (and statutorily required). The intent of community notification is not to impose harassment or additional punishment on the offender, but to provide information to those individuals or agencies that need to know about the offender's potential risk.

Community meetings are an excellent way to present sensitive information to the public. Sexual offenses evoke strong feelings in many people. These meetings give community members concrete information that addresses their concerns and fears and answers their questions about the offender and the criminal justice system. In this forum, the Community Notification Team addresses misinformation, quells fears, discourages vigilantism and offers action citizens can take to enhance their safety.

Your local Community Notification Team should include representatives from the agencies listed in these *Criteria, Protocols and Procedures* so that the notification process is a coordinated effort by all professionals involved with the SVP and his/her victim(s). The entire Team should attend the meeting, to share in the presentation and to be available for citizen's questions. Additional uniformed law enforcement officers should be present to ensure control and order in the meeting.

The SVP should **not** be invited or permitted to attend the meeting. Despite good intentions, the potential negative consequences of an SVP's attendance at a community meeting far outweigh any potential positive consequences. Furthermore, an SVP's presence could incite fear, panic, or anger by meeting attendees, resulting in disruption of the meeting and possible harm to attendees or the SVP.

It is advised that the Community Notification Team establish a set of ground rules at the beginning of the meeting, which will assist in maintaining control and order (see Appendix E).

It is also suggested that a uniformed law enforcement officer hold the microphone for individuals with questions (when applicable), again ensuring control and order during this time, or utilize index cards, which prevents the audience from ever speaking and ensures control is maintained throughout the meeting.

## PRE-MEETING PLANNING:

- The CNTAT must assist with the first notification and may assist with subsequent notification or education meetings. Roles of members can be discussed and determined and tips provided to ensure the meeting runs smoothly.
- The first task in preparing for a community education meeting is determining the date and time. It is best to schedule meetings Tuesday through Thursday evenings. Check your community calendar to be sure your meeting doesn't conflict with other activities that would draw a large crowd. Ideally the meeting should begin at 6:00pm and end no later than 7:30pm. Choose a location that will accommodate all citizens who wish to attend, including the mobility-impaired. Gauging the expected attendance of a meeting that will have a high level of emotional content can be problematic, so it is best to prepare for the greater rather than the lesser estimates. Churches and community halls work well for this type of meeting, as do grange halls in rural areas.
- Be sure there is adequate parking and that restroom facilities are available. Make sure to reserve a sound system and other necessary audio-visual equipment when securing the meeting location because you will be using a power point.
- Invite your local Community Notification Team to be on the panel.
- Schedule a pre-planning meeting to review the PowerPoint presentation with the local Community Notification Team and discuss expectations (A PowerPoint template is available by contacting the CNTAT at 303-239-4499.) The Chief of Police/Sheriff or a designee should attend to assign tasks and share expectations. Print the PowerPoint with the notes pages for each member of the Community Notification Team so each slide can be assigned for the community notification meeting. Review the bulletin, the SVP's supervision conditions, information that cannot be shared, and FAQs. It is recommended that this occur for every town hall-style meeting to ensure everyone is on the same page.
- Develop ground rules for your community meeting (See Appendix E).
- Invite the community to the meeting using a targeted mailing, in person by neighborhood canvassing, or by media. It is recommended that the **meeting be held 7 days after the public has received the Meeting Notice** to prevent the public from learning about the offender from other sources and to allow sufficient time for residents to plan to attend the meeting. (See Appendix D - Meeting Notice)
- Media coverage may be requested, if appropriate, such as when the SVP's risk is very high or he/she has absconded. It is recommended that the law enforcement agency develop relationships with media reporters who will regularly report on Community Notification meetings. This will help promote more accurate and responsible news coverage. Media notices should not include offender information prior to the meeting.
- Prepare enough handout material to support the presentation. It is recommended that material be handed out after the presentation, so the audience is not distracted by reading the materials.

- Practice the presentation **prior** to the meeting so that presenters become familiar with the material and to ensure the presentation fits into the allotted time.
- Arrive at the facility early, with time to prepare the room. Set out enough chairs to seat the expected audience. Be sure that the sound system or other audio-visual equipment to be used is hooked up and operational.
- Prepare a sign-in sheet and place it near the entrance door. The facilitator may state that signing in is not required of attendees, however, the sign-in sheet will be used if and when the SVP moves in the future. Otherwise, persons interested in being notified of changes must appear in person at the law enforcement agency.
- Remember, **children under the age of 15 who are unaccompanied by an adult will not be permitted to attend the meeting.** In fact, parents of children under the age of 15 should be strongly discouraged from bringing their children at all.
- Start the meeting on time. There will likely be an emotional crowd and starting the meeting late will only heighten the tension.

#### Ground Rules when conducting a community notification meeting:

##### Introduction:

We recognize that you are here because you are concerned about the presence of a Sexually Violent Predator (SVP) in your neighborhood. We recognize you may have concerns or fears for yourself and your loved ones. You will be given an agenda for the meeting. Please note that we will address specific information regarding the SVP after we present the educational information regarding sex offenders. The reason for the order of the agenda is to ensure that you have a context to better understand sexual offenders and the risks they pose in your community. We are taking this opportunity to provide you with important general information about sex offenders and personal safety because the SVP is not the only sex offender in any given neighborhood. We want to address all of your concerns, so we will take questions at the end of the meeting.

##### Ground Rules:

- The facilitator of tonight's meeting will begin the introductions of our panel. He (or she) will keep us on the agenda, field questions and begin and end the meeting on time. During the question and answer period at the conclusion of the presentation, questions will be taken one at a time. No editorials or commentaries please. Second questions will be taken only after all first questions are taken. Written questions will be collected midway and at the conclusion of the presentation. Appropriate panel members will do their best to answer your questions.
- We recognize that some of you may have personally been a victim of sexual assault or know people who have been a victim of sexual assault. This meeting is not the place to discuss your assault, however, victim service representatives are present at this meeting, and will be glad to assist you at the conclusion of this meeting. If you or someone you know needs to report a sexual assault, you



may approach one of the law enforcement officers present or a victim service representative after the meeting. They can assist you with where and how to make such a report.

- Anyone attempting to disrupt this meeting will be escorted out of the meeting by law enforcement.
- This meeting will begin and end on time.
- Please turn cell phones off or switch them to vibrate.

## COMMUNITY NOTIFICATION MEETING OUTLINE

### Suggested Format

#### I. INTRODUCTION

- A. Introduce Community Notification Team members and review their qualifications.
- B. Establish ground rules for the meeting.
- C. Set tone of meeting. Establish that meeting will be conducted in an orderly and respectful fashion. Let audience know you will answer all questions at end of presentation. Tell them this allows for a smoother and more complete presentation of important information. Chances are you will address their questions during the presentation. Allowing you to get all of the information out uninterrupted makes for a more efficient use of everyone's time and ensures it will be presented in a logical and reasonable manner.

#### II. OVERVIEW OF SEX OFFENDER LEGISLATION

- A. Review Federal Laws  
Jacob Wetterling Act (1994) requires states to establish sex offender registration for convicted offenders and a system to track them.  
Megan's Law (1996) requires states to inform community residents about the presence of convicted sex offenders in their neighborhoods.  
Pam Lychner Act (1996) amended the Wetterling Act by mandating lifetime registration for some sex offenders, and mandating a National Sex Offender Registry.  
Adam Walsh Act (2006) mandates a universal registry, requires stricter sex offender registration requirements for both adult and juvenile offenders, and provides the public with more information about registered sex offenders. Colorado was granted substantial implementation of AWA in November 2013 based on Colorado's current sex offender management and registration system.
- B. Review Colorado Laws  
Sex Offender Management Board (SOMB) was created in 1992 by Colorado General Assembly to develop standards and guidelines for the assessment, evaluation, treatment and behavioral monitoring of sex offenders. SOMB was directed in 1999 to establish criteria and procedures for community notification regarding Sexually Violent Predators (SVP).
- C. Definitions of sex offenses 18-3-401 C.R.S.
- D. Registration law 16-22-101 through 16-22-114 C.R.S.
- E. SVP Definition 18-3-414.5 C.R.S.
- F. Lifetime Sentencing and SOISP 16-13-801 C.R.S.
- G. Community notification law 16-13-901 C.R.S. Changes were passed in 2006 and 2008.

#### III. EDUCATIONAL INFORMATION

- A. Facts and Statistics about Sex Offending
- B. Sex Offender Characteristics
- C. Impact on Victims of Sex Offenses
- D. Community Sex Offender Management
- E. Community Protection and Safety Issues

#### IV. COMMUNITY RESPONSIBILITY



- A. The community has a vested interest in helping the offender be successfully managed in the community. (\*Discuss ways citizens can assist and explain the risk of offenders "going underground" which hinders law enforcement's ability to track them.).
- B. Sex offenders have the same need as other citizens to seek housing and seek employment.
- C. Harassment, intimidation, threats, and discrimination are counter-productive to goals of community management.
- D. Any citizen who uses this information to harass, threaten or intimidate a registered sex offender or his/her family, or anyone involved in his/her management will be subject to criminal prosecution.

V. **INFORMATION REGARDING SUBJECT OF NOTIFICATION**

- A. Review SVP Bulletin; go over item by item; refer to the forms in Appendix D.
- B. Offense(s) of Conviction (current case)
- C. All Other Criminal Convictions
- D. Sex Offending Pattern Information:
- E. **DO NOT IDENTIFY VICTIM**; use descriptors such as "The victim was an adolescent, known to the subject." Include preferred age range only if there is a clear pattern of offending behavior with a particular age, (2 to 3-year range) of target victims(s), and whether the victim was known to SVP.
- F. Describe the offense pattern of and how he/she operates (e.g., this SVP lures children into his home with his puppy). Describe known lures or risky behaviors that may signal danger. Refer audience to handouts that address characteristics of sex offenders.
- G. Describe SVP's relevant conditions of release.
- H. Explain de-notification procedure: If SVP moves or leaves the community, law enforcement agency will notify community members who have requested to be notified by signing in at the meeting or appearing in person at the law enforcement agency.

VI. **COMMUNITY PROTECTION AND SAFETY ISSUES**

- A. Discuss remaining handouts regarding personal security, talking to your children, how to report suspicious behavior and resource lists. (See Appendix F)
- B. General common sense safety strategies; engage community in developing plans to use this information to develop a safer neighborhood or community; it is a perfect time to recruit citizens to form block watches and discuss community resources.
- C. SVPs do not represent all dangerous sex offenders. Other offenders who may be dangerous, but who are not by law, subject to community notification include all un-convicted and un-identified sex offenders, all sex offenders convicted prior to July 1, 1999 and all sex offenders convicted of crimes other than those used to potentially identify sexually violent predators.
- D. Under no circumstances should citizens assume that the *Criteria*, or the community notification meeting itself, are a complete or substantial deterrent to sexual assault in their communities.



# APPENDIX F: Educational Information

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## 1. Who are Sex Offenders?

- There are currently 18,998 registered sex offenders in Colorado, including 16,962 adults and 2,046 juveniles (please see the *Educational Information About Juveniles Adjudicated of Sex Offenses* document for more information).
- There is no such thing as a “typical” sex offender; they come from all backgrounds, ages, income levels, and professions.
- Most sex offenders are “generalists” meaning that they commit a wide variety of offenses, not just sex offenses.<sup>24</sup>

## 2. Do they have “preferred” victims?

- There are different theories for why offenders “choose” a certain victim. Research indicates that some offenders seek out certain victim types, and others target victims who are seen as easily accessible.<sup>25</sup>
- Most offenders sexually assault a person they already know, including family members, friends, and acquaintances.<sup>26</sup>
- Existing research estimates that approximately 55% of reported online offenders (i.e., child sexual exploitation material offenders, also known as pornography offenders) have also committed unreported contact/hands-on offenses (based on offender self-report).<sup>27</sup>
- Offenders who have pre-pubescent victims (children under age 13) are most likely to engage in gender cross-over, meaning they are more likely to have abused both boys and girls.<sup>28</sup>
- Offenders with minor victims (under age 18) are most likely to cross-over between pre- and post-pubescent children.<sup>29</sup>

## 3. How likely are they to reoffend?

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<sup>24</sup> Lin, J. & Simon, W. (2016). Examining specialization among sex offenders released from prison. *Sexual Abuse: A Journal of Research and Treatment*, 28(3), 253-267.; Miethe, T., Olson, J., & Mitchell, O. (2006). Specialization and persistence in the arrest histories of sex offenders: A comparative analysis of alternative measures and offense types. *Journal of Research in Crime and Delinquency*, 43(3), 204-229.

<sup>25</sup> Farmer, M., McAlinden, A-M., & Maruna, S. (2016). Sex offending and situational motivation: Findings from a qualitative analysis of desistance from sexual offending. *International Journal of Offender Therapy and Comparative Criminology*, 60(15), 1756-1775.; Mann, R. E., Hanson, R. K., & Thornton, D. (2010). Assessing risk for sexual recidivism: Some proposals on the nature of psychologically meaningful risk factors. *Sexual Abuse: A Journal of Research and Treatment*, 22(2), 191-217.

<sup>26</sup> Black, M. C., Basile, K. C., Breiding, M. J., Smith, S. G., Walters, M. L., Merrick, M. T., ..., Stevens, M. R. (2011). The National Intimate Partner and Sexual Violence Survey: 2010 Summary Report. Atlanta, GA: Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Division of Violence Prevention.

<sup>27</sup> Seto, M. C., Hanson, R. K., & Babchishin, K. M. (2011). Contact sexual offending by men with online sexual offenses. *Sexual Abuse: A Journal of Research and Treatment*, 23(1), 124-145.

<sup>28</sup> Levenson, J. S., Becker, J., & Morin, J. W. (2008). The relationship between victim age and gender crossover among sex offenders.

<sup>29</sup> Kleban, H., Chesin, M. S., Jeglic, E. L., Mercado, C. C. (2013). An exploration of crossover sexual offending. *Sexual Abuse: A Journal of Research and Treatment*, 25(5), 427-443.

- Research indicates that, nationally, approximately 5% to 20% of adult sex offenders reoffend sexually over time.<sup>30</sup>
  - This re-offending rate is based on known information and is likely an underestimate due to underreporting.
- Nationally, approximately 12% reoffend by committing violent, but non-sexual offenses.<sup>31</sup>
- Most sex offender recidivism is for non-sexual and non-violent offenses. The majority of new sex offenses are not committed by registered sex offenders.<sup>32</sup>
- Offenders with male victims had higher recidivism rates than those who did not have male victims.<sup>33</sup>
- Sex offenders typically respond well to treatment; studies show that those who successfully complete treatment are least likely to reoffend.<sup>34</sup>

#### 4. What is Colorado's process for managing sex offenders?

- Most convicted sex offenders in Colorado are subject to the supervision of a criminal justice agency, either probation, parole, or community corrections.
- The Sex Offender Management Board (SOMB) is tasked with setting standards for evaluators, treatment providers, and polygraph examiners, in addition to providing guidance to supervising officers, treatment victim advocates, and other professionals in the field.
- The SOMB recognizes that sex offenders can present a potential danger to the community and acknowledges the harm that was caused by the offender by their past behavior.
- Community safety and protecting victims is paramount in managing sex offenders on supervision.
- Colorado has moved to the TEAMS (Treatment, Engagement, Assessment, Management and Supervision) Model to manage sex offenders on community supervision. The TEAMS model aims to encourage collaboration between every professional responsible for monitoring the offender in the community. This collaboration promotes community safety and successful offender management.
- There are several professionals dedicated to the supervision and treatment of each sex offender in Colorado. They make up the Community Supervision Team (CST). They may include:
  1. The supervising officers (parole, probation, community corrections, or in some cases the Department of Corrections)
  2. The offender's treatment provider (a specially trained clinician/therapist)

<sup>30</sup> Bench, L. L. & Allen, T. D. (2013). Assessing sex offender recidivism using multiple measures: A longitudinal analysis. *The Prison Journal*, 93(4), 411-428.; Hanson, R. K. (2000). Will they do it again? Predicting sex-offense recidivism. *Current Directions in Psychological Science*, 9(3), 106-109.; Hanson, R. K., Harris, T-L. S., & Helmus, L. (2007). Assessing the risk of sexual offenders on community supervision: The Dynamic Supervision Project. Public Safety Canada.; Helmus, R. K., Helmus, L., & Thornton, D. (2010). Predicting recidivism amongst sexual offenders: A multi-site study of Static-2002. *Law and Human Behavior*, 34, 198-211.

<sup>31</sup> Bench & Allen (2013); Hanson (2000)

<sup>32</sup> Bench & Allen (2013); Hanson (2000); Zgoba, K. M. & Levenson, J. (2012). Failure to register as a predictor of sex offense recidivism: The big bad wolf or a red herring? *Sexual Abuse: A Journal of Research and Treatment*, 24(4), 328-349.

<sup>33</sup> Kingston, D. A., Firestone, P., Wexler, A., & Bradford, J. M. (2008). Factors associated with recidivism among intrafamilial child molesters. *Journal of Sexual Aggression*, 14(1), 3-18.

<sup>34</sup> Kim, B., Benekos, P. J., Merlo, A. V. (2016). Sex offender recidivism revisited: Review of recent meta-analyses on the effects of sex offender treatment. *Trauma, Violence, & Abuse*, 17(1), 105-117.

3. Evaluators (a specially trained clinician)
4. The polygraph examiner
5. The victim representative

## 5. What is an SVP (Sexually Violent Predator)?

- An adult who is convicted of certain offenses (listed below) who must register as a sex offender for the remainder of their natural lives.<sup>35</sup>
- Information describing the offender are published online by the Colorado Bureau of Investigation (CBI).
- The offender is subject to community notifications where the local law enforcement agency provides information to the community in which the offender resides.
- To be designated an SVP, an offender must meet the criteria on a specialized assessment, and be convicted of either the attempt, solicitation, and conspiracy to commit one of the following:
  - Sexual assault
  - Unlawful sexual contact
  - Sexual assault on a child
  - Sexual assault on a child by one in a position of trust.

*For a detailed list of statutory requirements and the specific statutes pertaining to each offense, please visit the Colorado Bureau of Investigation's Sex Offender Registry website at: <https://apps.colorado.gov/apps/dps/sor/information.jsf>*

## 6. How does the Colorado Sex Offender Registry work?

- The Sex Offender Registry is maintained by the Colorado Bureau of Investigation (CBI), who regularly update registrant information.
- Sex offenders convicted of certain crimes are required to register with their law enforcement agency for various lengths of time. They are required to notify the law enforcement agencies of change in address, employment, and other information.
- CBI publishes the information of offenders who were convicted of a felony as an adult, but a list of all registered offenders available upon request. Local law enforcement agencies also have this list available.

*Please visit <https://apps.colorado.gov/apps/dps/sor/information.jsf> to view the registry.*

## 7. How often does victimization occur?

- The National Intimate Partner and Sexual Violence Survey indicates that one in three women and one in six men experienced some form of contact sexual violence (including rape, sexual coercion, and/or unwanted sexual contact).
- Research estimates that one in five women and one in 71 men will be raped at some point in their lives.

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<sup>35</sup> These offenders are interviewed by a trained professional who uses the Sexually Violent Predator Assessment Screening Instrument to determine if the offenders are at high risk for future sexual reoffending.

- Women are most likely to be raped by current or former intimate partners (47%).
- The Campus Climate Survey Validation Study reports that 21% of female students and 7% of male students in their sample reported being victims of sexual assault since beginning college.
- The Bureau of Justice Statistics 2014 report on rape and sexual assault among college-aged females estimated that approximately six per 1,000 females enrolled in college are sexually assaulted.
- It is estimated that one in four girls and one in six boys are sexually abused before they turn 18.
- Research estimates that 1/3 of child sexual abuse victims are abused by a family member.
- The National Sexual Violence Resource Center estimates that 325,000 children are at risk of becoming victims of sexual exploitation each year.
- The average age of first becoming forced or coerced into prostitution is 12 to 14 years old for girls and 11 to 13 for boys.

## 8. Reporting sex offenses

- Research indicates that only between 19% and 23% of rapes and sexual assaults are reported to law enforcement.
- The 2006 National Violence Against Women Survey concluded that only 19% of women and 12% of men, ages 18 or older, reported their rape to law enforcement.
- According to the 2014 Campus Climate Survey Validation Study, only about 13% of rapes were reported to an official (including law enforcement, school officials, health care staff, and helplines), while 64% of rapes were disclosed to a roommate, friend, or family member.
- Minor victims of intra-familial sexual abuse are unlikely to report the abuse to authorities.
- Victims are often afraid or uncomfortable to report their victimization. Some reasons include fear of retaliation, shame, or believing that no one will believe them.

## 9. I know someone who has been victimized. How can I be supportive?

- Start by believing them: "I'm glad you told me. I am here for you."
- Let them know you are there for them, but remember that it is their choice to accept help or not.
- Keep it simple: "I believe you. I'm sorry this happened. How can I help?"
- Avoid "why" questions - these can sound accusatory or make the survivor think it was their fault.
- Educate yourself about the reporting process, services available to survivors, etc. But remember, it is their choice to engage in this process.
- DO NOT say things like "Were you drunk?", "Are you sure? He's such a nice guy?", "Men can't be sexually assaulted."

*Please see the Resources section for local and national organizations that can help you and your loved one.*

## 10. What do I need to know?



- Approximately 20-39% of teenagers either send or receive sexually explicit images.
- Girls and boys are most likely to send images to their romantic partner, but boys are more likely than girls to send images to friends and people with whom they want to have casual sexual encounters.
- According to one study, 68% of high school girls and 42% of high school boys were asked by someone else to send an explicit photo of themselves.
- Girls who engage in sexting are six times more likely to be bullied than those who did not sext.
- Between 9% and 17% of youth reported unwanted online sexual solicitation.
- Approximately 54% of youth who receive unwanted online sexual solicitation are between 13 to 17 years old.
- Many offenders use e-grooming (establishing a rapport through an electronic platform for the purpose of a sexual relationship), which can continue for days or weeks before the offender introduces sexual content.
- Girls are three times more likely to receive online sexual solicitations than boys.
- Most victims knew they were communicating with adults with sexual intentions, and in some cases, meeting the offender multiple times in person.
- Approximately 12% of girls and 5% of boys in grades 9-12 reported being forced to have sexual intercourse at some time in their lives.

#### 11. Sex Trafficking: Does it happen in Colorado?

- In the U.S., there were a total of 5,593 cases of sex trafficking in 2016.
- In Colorado, there were 152 cases investigated by the Rocky Mountain Innocence Lost Task Force. They rescued 119 sex trafficking victims through their investigations.
- In 2017, there were 41 cases of sex trafficking in Colorado (the number of victims has not yet been reported).
- The majority of sex trafficking victims are female.
- Of sex trafficking victims, approximately 45% knew their trafficker prior to victimization.
- 67% of sex trafficking cases used technology to advertise.
- The average age of a sex trafficked victim is 15 years old.
- More than half of sex trafficking victims are runaways.
- 18% of sex traffickers sexually assaulted and 20% physically assaulted their minor victims to “condition” them during recruitment.

*Please see the Resources section for local and national organizations that provide information on sex trafficking and assist sex trafficking victims.*

#### 12. How can I increase my personal safety?

- While there are some safety tips that can help reduce your chance of victimization, assaults are never the result of things the victim did or did not do.
- Remember, most sexual assaults are committed by someone already known to the victim - strangers are not the primary risk. If you feel uncomfortable in someone's presence, tell someone. Don't be afraid to make a scene if necessary.
- Be thoughtful and use good judgement in choosing friends, partners, and casual acquaintances. This is especially true if you have been consuming alcohol or drugs of any kind; you are more vulnerable when intoxicated.
- Be cautious of those you meet on the internet - dating websites and apps (such as Tinder) have become increasingly popular recently. Not everyone represents themselves accurately on these forums. When meeting people in person, make sure you are in a safe place and that you are able to leave easily if necessary.
- Be observant and aware of your surroundings. Do don't leave your food or drink unattended at a party or public place. Don't be embarrassed to use ask security staff to walk you to your car.

### 13. How can I prevent negative interactions with Registered Sex Offenders?

- You can educate yourself about known sex offenders in your community by contacting your local law enforcement agency or CBI. Community Notification meetings also provide valuable information about SVPs.
- Do not go out of your way to bother sex offenders in your community. Creating a negative environment will actually *increase* the chance that they reoffend. Be aware of their offense and take precautions if necessary. If you see them doing something suspicious or are concerned about their behavior, you can contact your local law enforcement agency.

### 14. How should I talk to my children about sex offenders?

- Talking to your child before an assault happens is the best prevention:
  - Let them know that they can talk to you about things that make them feel bad.
  - Instilling strong self-esteem in your child may help them avoids feelings of responsibility and guilt, and make them more comfortable disclosing abuse.
  - Open communication about sexual topics at home can make it easier for children to disclose victimization by minimizing discomfort. If your child has questions or is curious about certain things, do not be dismissive or make them feel bad about asking these questions.
- Knowing perpetrator tactics and how a child may react can help you detect sexual abuse:
  - Offenders may threaten to hurt the child, a family member, or a pet of the child if they tell anyone about the abuse. This is common regardless of whether the offender is a family member, friend, acquaintance, or stranger.



- A child often feels that they are to blame for the abuse. The offender may reinforce this by using guilt tactics on the child.
- Offenders may follow up the abusive incident with threats or gifts for the child. This can be very confusing and make the child feel guilty for accepting gifts and/or for feeling bad about the abuse.
- It is common for a child to deny that abuse happened even if it did or disclose the abuse, and then recant their original statement. This is especially true if the offender is a friend or family member. There is little evidence to suggest that children make false allegations of abuse.
- Responding appropriately when your child is victimized can make all the difference in their healing process:
  - Always believe your child when they tell you about abuse.
  - If you think abuse is going on, act on that instinct.
  - Don't force a child to talk about or stop talking about the abuse. Allow them to go at their own pace and be patient.
  - Remind your child how brave they are for telling about the abuse.
  - Get support for you and your child; this is a very difficult issue for any one person to handle. Your local child advocacy center is a great place to start for a local resource.
- Avoid scary details:
  - Use age-appropriate language.
  - Include general information, as this may protect them from others who would try to harm them, without confusing or upsetting them.
  - If there is a registered sex offender in your neighborhood or near your home, you should show your child the sex offender's photo and instruct them to avoid contact with the offender.
  - Encourage them to tell you if the registered sex offender initiates contact with them. In general, sex offenders who are on parole or probation are not allowed to initiate contact with children, and any contact should be reported to your local law enforcement agency.
- Teach your child:
  - Don't take rides from strangers.
  - Don't keep secrets. Tell them it is okay if they tell a safe adult or older sibling instead of you, but make sure they know they can tell someone.
  - Don't go places alone.
  - Do run, scream, and get away from someone bothering them.
  - Do tell them it is okay to say "no" when a friend or family member makes them uncomfortable. Unwanted tickling, kissing on the cheek, hugging, etc. by a friend or family member, while well intentioned and innocent, can often teach the child that they can't say no to an adult.
- Remember:
  - Do talk to your children about inappropriate touching.
  - Do ask questions.
  - Do talk about uncomfortable feelings or interactions, regardless of who it is.

## 15. Victim Services and Family Resources

- [www.seekthenspeak.org](http://www.seekthenspeak.org) - National
- [www.startbybelieving.org/home](http://www.startbybelieving.org/home) - National
- [www.rainn.org](http://www.rainn.org) - National
- [www.stopitnow.org](http://www.stopitnow.org) - National
- [www.denvergov.org/startbybelieving](http://www.denvergov.org/startbybelieving) - Denver Metro
- [www.thebluebench.org](http://www.thebluebench.org) - Denver Metro
- [www.movingtoendsexualassault.org](http://www.movingtoendsexualassault.org) - Boulder

## 16. Sex Trafficking

- [www.humantraffickinghotline.org](http://www.humantraffickinghotline.org) - National; 1-888-373-7888
- [www.missingkids.com](http://www.missingkids.com) - National
- [www.combathumantrafficking.org](http://www.combathumantrafficking.org) - Colorado; 1-866-455-5075



**Treatment, Engagement, Assessment, Management and Supervision  
(TEAMS) Model**



TEAMS is an acronym for Treatment, Engagement, Assessment, Management and Supervision. This model guides the CST members to work collaboratively with each other to assist the client/offender in becoming a pro-social, productive member of society, and in order to enhance community safety. The foundations of the model are Victim and Community Safety, the use of Evidence Based and Research Informed Practices, Informed Public Policies and Collaboration.

Community safety is enhanced when treatment providers and community supervision professionals practice in their area of specialization and work together. This collaboration should include frequent and substantive communication about information that will assist in reducing an offender's risk to the community. When the CST members respect individual roles and mutually agree upon their goals and the treatment and supervision interventions that will be pursued, the offender can be treated and managed more effectively.

The components of the TEAMS Model are:

- A. **Community Supervision** - Community supervision is made up of Probation, Parole, Community Corrections or a modified CST in the Department of Corrections.
- B. **Evaluation and Assessments** - Evaluations include empirically validated instruments that determine risk. For the purpose of the TEAMS Model, assessments may include, but are not limited to, a polygraph report, viewing time instruments and/or a PPG. (See Section 2.000.)
- C. **Treatment** - SOMB approved sex offense-specific treatment. Treatment may also include adjunct treatment for underlying mental health or drug and alcohol treatment. (See Section 3.000.)
- D. **Support System** – The support system can be an individual(s), a family member(s) or an organization(s) that provides pro-social support to enhance offender motivation for positive behavioral change.

The goal of the CST's collaborative efforts is to engage offenders in treatment and supervision in order to decrease risk, enhance protective factors, and increase their intrinsic motivation for positive behavioral change.

- An individual's support system is an important factor in a person's motivation for change. Those who have offended are more likely to achieve success when they receive caring support from families<sup>36</sup> and other natural support systems (e.g. - friends, Circles of Support and Accountability, spiritual advisors, etc.) and the community. Such support encourages an individual's engagement in treatment, efforts to live a healthy and productive life, and success in meeting supervision requirements.<sup>37</sup>
- Assignment to community supervision is a privilege (alternative to incarceration), and sex offenders must be completely accountable for their behaviors. They must agree to intensive and sometimes intrusive accountability measures, which enable them to remain in the community rather than in prison. They must learn to be completely accountable to maintain the privilege of remaining under community supervision.

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<sup>36</sup> The term "family" is used in a broad sense and should be defined by the person who has offended.

<sup>37</sup> de Vries Robbé, M., Mann, R. E., Maruna, S., & Thornton, D. (2015). An exploration of protective factors supporting desistance from sexual offending. *Sexual abuse: a journal of research and treatment*, 27(1), 16-33.; Willis, G. M., & Grace, R. C. (2008). The quality of community reintegration planning for child molester's effects on sexual recidivism. *Sexual Abuse: A Journal of Research and Treatment*, 20(2), 218-240.; Willis, G. M., & Grace, R. C. (2009). Assessment of Community Reintegration Planning for Sex Offenders Poor Planning Predicts Recidivism. *Criminal Justice and Behavior*, 36(5), 494-512.

## FREQUENTLY ASKED QUESTIONS

### 1) *What does SVP mean?*

SVP stands for Sexually Violent Predator. SVP is a legal federal term. It is a designation given to convicted adult sex offenders who are considered at a high risk to commit another crime. "In 1999, the General Assembly found that persons who are convicted of offenses involving unlawful sexual behavior and who are identified as sexually violent predators pose a high enough level of risk to the community that persons in the community should notification concerning the identity of these sexually violent predators." 16-13-901, C.R.S. SVPs are identified by their crime of conviction and by their rating on a risk assessment instrument. Offenders who meet the criteria for SVP must register quarterly with their local law enforcement agency for life. If a person is found to be an SVP, the community must be notified every time the SVP changes residence.

### 2) *If this sex offender is so dangerous, why is he/she allowed out in the community?*

Sentencing of sex offenders, including SVPs, depends upon the crime of conviction as well as the court of jurisdiction. While SVPs may be sentenced to lengthy prison terms, some will be sentenced into the community with probation services or a community corrections placement. SVP's sentenced to prison have a potential of being paroled to the community.

In determining an SVP's risk to the community, the Court considers the professional recommendation of the probation officer and the assessment of sex offense-specific evaluator. If the SVP is determined to be manageable in the community, a recommendation may be made that the SVP be supervised by probation. In all cases, the Court must make the determination regarding the placement of an SVP.

- The Court or the Parole Board, will make the final determination regarding the SVP's release into the community.
- Remember that not every community member will be satisfied with your answer, therefore, present the material in general terms.
- It would be beneficial to have someone who was involved in determining the release of an SVP, such as District Attorney or supervising officer, available at the meeting to discuss the factors that led to the recommendation that the SVP be released into the community.
- As a state, we do not imprison all sex offenders, including those who are supervised by the criminal justice system through probation or parole.
- In Colorado, many SVPs will be subject to our Lifetime Supervision Law, which makes it easier to contain an offender if they demonstrate increased risk.

Sex offense-specific treatment programs are offered to all convicted sex offenders regardless of the type of sentence they receive.

### 3) *Why aren't communities notified when other types of sex offenders are released?*



Communities in Colorado are notified when all convicted sex offenders move into their jurisdictions, either through the sex offender registry or the community notification process regarding SVPs. The sex offender registry lists all convicted sex offenders who are required to register with local law enforcement in each community. Every citizen has the right to obtain the registry from his or her local law enforcement agency. They can also view *adult felony* sex offenders and *SVPs* on the internet either via the local law enforcement website (police department or sheriff) or Colorado Bureau of Investigations via the following link:  
<https://www.colorado.gov/apps/cdps/sor>

4) *Isn't it just a matter of time before the SVP commits another crime?*

Sex offenders are capable of change. Many sex offenders can be closely monitored for risk behavior while under supervision and treatment. A sex offender can learn through treatment to manage their sexual offending behaviors and decrease their risk of re-offense. However, such behavioral management and treatment cannot permanently eliminate the risk that sex offenders may commit another crime.

5) *Now that I know a sex offender lives in my community, what should I do differently to protect family and myself?*

Read the educational and public safety materials available through the community notification process, which offer prevention information regarding sex offenders for you and your family.

- Read the SVP Bulletin to learn more about this specific SVP and any behaviors you should report to law enforcement.
- Support and attend sexual assault prevention programs for yourself and your children.

6) *What do I tell my children about this SVP?*

- Talking to your child before an assault happens is the best prevention:
  - Let them know that they can talk to you about things that make them feel bad.
  - Instilling strong self-esteem in your child may help them avoid feelings of responsibility and guilt, and make them more comfortable disclosing abuse.
  - Open communication about sexual topics at home can make it easier for children to disclose victimization by minimizing discomfort. If your child has questions or is curious about certain things, do not be dismissive or make them feel bad about asking these questions.
- Knowing perpetrator tactics and how a child may react can help you detect sexual abuse:
  - Offenders may threaten to hurt the child, a family member, or a pet of the child if they tell anyone about the abuse. This is common regardless of whether the offender is a family member, friend, acquaintance, or stranger.
  - A child often feels that they are to blame for the abuse. The offender may reinforce this by using guilt tactics on the child.
  - Offenders may follow up the abusive incident with threats or gifts for the child. This can be very confusing and make the child feel guilty for accepting gifts and/or for feeling bad about the abuse.

- It is common for a child to deny that abuse happened even if it did or disclose the abuse, and then recant their original statement. This is especially true if the offender is a friend or family member. There is little evidence to suggest that children make false allegations of abuse.
- Responding appropriately when your child is victimized can make all the difference in their healing process:
  - Always believe your child when they tell you about abuse.
  - If you think abuse is going on, act on that instinct.
  - Don't force a child to talk about or stop talking about the abuse. Allow them to go at their own pace and be patient.
  - Remind your child how brave they are for telling about the abuse.
  - Get support for you and your child; this is a very difficult issue for any one person to handle. Your local child advocacy center is a great place to start for a local resource.
- Avoid scary details:
  - Use age-appropriate language.
  - Include general information, as this may protect them from others who would try to harm them, without confusing or upsetting them.
  - If there is a registered sex offender in your neighborhood or near your home, you should show your child the sex offender's photo and instruct them to avoid contact with the offender.
  - Encourage them to tell you if the registered sex offender initiates contact with them. In general, sex offenders who are on parole or probation are not allowed to initiate contact with children, and any contact should be reported to your local law enforcement agency.
- Teach your child:
  - Don't take rides from strangers.
  - Don't keep secrets. Tell them it is okay if they tell a safe adult or older sibling instead of you, but make sure they know they can tell someone.
  - Don't go places alone.
  - Do run, scream, and get away from someone bothering them.
  - Do tell them it is okay to say "no" when a friend or family member makes them uncomfortable. Unwanted tickling, kissing on the cheek, hugging, etc. by a friend or family member, while well intentioned and innocent, can often teach the child that they can't say no to an adult.
- Remember:
  - Do talk to your children about inappropriate touching.
  - Do ask questions.
  - Do talk about uncomfortable feelings or interactions, regardless of who it is.

## 7) How would I know if my child has been sexually victimized?

If you notice behavioral changes or if you suspect that your child has been sexually victimized, contact your local law enforcement agency, Department of Social Services or Child Advocacy Center immediately. Also, give your child permission to talk to you about things that may be bothering them and encourage them to attend child abuse prevention programs held through schools and community programs.



It is important to remember that though SVPs may pose a risk, they are not the only sex offenders in the community. Other offenders who may be dangerous, but who are not subject to community notification by law, include all un-convicted sex offenders, all sex offenders whose offenses were committed prior to July 1, 1997 and many who have not been identified as known sex offenders. **Research indicates that a person is most likely to be sexually assaulted by someone they know. Further, the majority of sex offenses are not reported to authorities. MOST importantly, ALWAYS believe your children!**

# APPENDIX G: Educational and Research References

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## Colorado Revised Statutes

1. **Sex Offender Management Board, Enabling Statute**  
Section 16-11.7-101 through Section 16-11.7-107 C.R.S.
2. **Lifetime Supervision Criteria**  
Section 16-13-809 (1) (a) and (b) C.R.S.
3. **Standards for Community Entities That Provide Supervision and Treatment for Adult Sex Offenders Who Have Developmental Disabilities**  
Section 16-13-809 (1) (c) C.R.S.
4. **Community Notification Regarding Sexually Violent Predators**  
Section 16-13-901 through Section 16-13-905 C.R.S.
5. **Colorado Sex Offender Registration Act**  
Section 16-22-101 through Section 16-22-114 C.R.S.
6. **Sexually Violent Predator**  
Section 18-3-414.5 C.R.S.



## Resources

ATSA (Association for Treatment of Sexual Abusers)  
[www.atsa.com](http://www.atsa.com)

Colorado Coalition Against Sexual Assault (CCASA)  
[www.ccasa.org](http://www.ccasa.org)

Center for Sex Offender Management (CSOM) Publications:  
[www.csom.org](http://www.csom.org)

To order, please call (301) 589-9383 or visit

Center for Missing and Exploited Children  
<http://www.missingkids.com/home>

National Children's Advocacy Center  
<http://www.nationalcac.org>

*Rape in America*, Report to the Nation, 1992, National Victim Center  
<https://victimsofcrime.org>

Sex Offender Sentencing, Monitoring, Apprehending, Registration and Tracking (SMART Office)  
<http://www.smart.gov>

Sex Offender Management Board (SOMB)  
<http://www.colorado.gov/pacific/dcj>

*Sex Offenses and Offenders*, 1997, 2000, 2004, Bureau of Justice Statistics  
<https://bjs.gov>

*Sexual Assault in Colorado*, July 1999, C-CASA/Colorado Department of Public Health and Environment.  
To order, call (303) 692-3016

*Standards & Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders*, November 2014, Colorado Sex Offender Management Board, Colorado Department of Public Safety, Division of Criminal Justice.  
<http://www.colorado.gov/pacific/dcj/somb-standards-bulletins>