

Attachment 9

Dear Mr. Dominguez and Members of the Longmont City Council,

We at Mobarez Solutions are writing to express our continued commitment to working collaboratively with the City of Longmont to find a solution that addresses the concerns of the community, while ensuring the continued operation of our sober living home at 2200 Winding Drive. Our primary goal is to maintain our ability to serve current and future residents without undue restrictions, and we are confident that a mutually beneficial agreement can be reached.

We understand the importance of balancing community safety with the needs of individuals re-integrating into society. To that end, we would like to offer several proposals for your consideration:

1. **Resident Risk Mitigation:** We are open to implementing criteria that exclude high-risk individuals, such as those with repeat offenses or a Sexually Violent Predator (SVP) designation, from residency in our home. However, we believe excluding individuals with offenses against minors would be overly restrictive, as this constitutes a significant portion of sex offense convictions.
2. **Unintended Consequences and Community Impact:** We respectfully request that the council carefully consider how any proposed ordinance might be used by citizens to create de facto limitations on housing for individuals with sex offense convictions. This includes the potential for misuse of regulations related to day care centers, as well as the impact on individuals' ability to navigate the city through trails and other public spaces.
3. **Data-Driven Distance Considerations:** If the city deems it necessary to implement distance restrictions, we urge you to consider the data we have previously provided regarding the nature of sexual offenses. This data highlights that geographical proximity is not the primary risk factor. We also ask that you consider the potential unintended consequence of concentrating registered sex offenders in pockets of the city.
4. **Variance for Proven Programs:** We respectfully request the opportunity to obtain a variance for our program, given its proven track record of successful reintegration and its alignment with Longmont's vision for integrated housing. Our program, which includes support services, peer coaching, and collaboration with supervision agencies, has demonstrated a positive impact on individuals and community safety. We propose a periodic review process for the variance and request that it apply to our organization as a whole, acknowledging the need for our services beyond a single location. We are

committed to working with the Town Manager on future expansion plans as part of the city's planning process.

5. **Relocation as a Last Resort:** Should a mutually agreeable solution not be attainable, we are willing to consider relocating within the city. We request that we be allowed to complete our current lease and that we work closely with the city on planning our next location. We also request that any city ordinance not be enacted if relocation is the solution, so as not to disrupt other existing programs and housing within the city. As a condition of relocation we ask that we be allowed to relocate within Longmont working with the city on location so that we can continue our program and work.

As a crucial next step, we believe it is essential for the city and community to witness our program in action. We are pleased to announce that we will be hosting an open house for all interested parties, where they can tour our home and meet some of our residents. We operate with high standards and are confident that this visit will provide valuable insight into our program's effectiveness.

We are eager to continue this dialogue and work towards a resolution that benefits all community members. We would also like to express our sincere appreciation to the city staff and council for their dedication to creating a great city that we are proud to call home. We recognize and value the thoughtful, insightful, and data-driven approach you are taking in this process.

Sincerely,

Roohallah Mobarez

Founder / CEO

Mobarez Solutions

Michael Poompan

Operations Director

Mobarez Solutions

REPORT ON SAFETY ISSUES RAISED BY LIVING ARRANGEMENTS FOR AND LOCATION OF SEX OFFENDERS IN THE COMMUNITY

**AS PREPARED FOR
THE COLORADO STATE JUDICIARY COMMITTEES,
SENATE AND HOUSE OF REPRESENTATIVES
(Pursuant to Section 16.11.17-103(4)(j), C.R.S.)**



March 15, 2004

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Division of Criminal Justice
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ACKNOWLEDGEMENTS

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EXECUTIVE SUMMARY

The Colorado Division of Criminal Justice, Office of Domestic Violence and Sex Offender Management, conducted research on the safety issues raised by living arrangements of sex offenders in the community. This research primarily focused on two questions:

- (1) Do the living arrangements of sex offenders, including Shared Living Arrangements, have an impact on community safety?
- (2) Do the location of sex offender residences, specifically in proximity to schools and childcare centers, have an impact on community safety?

To answer these questions, probation files were reviewed on both a random sample of sex offenders under probation supervision in the Denver metropolitan area and an all-inclusive sample of sex offenders under probation supervision in the Denver metropolitan area living in a Shared Living Arrangement (n = 130 for the combined sample). Data were extracted from the first 15 months of supervision for the sex offenders selected for this study.

The findings and subsequent recommendations are presented below.

- (1) High-risk sex offenders living in Shared Living Arrangements had significantly fewer violations than those living in other living arrangements. In addition, the average overall number of violations was low in Shared Living Arrangements, which is surprising, given that this was the only residence type that had significantly more high-risk sex offenders. Shared Living Arrangements also had one of the shortest amounts of time between when a sex offender committed a violation and when the probation officer or treatment provider found out about the violation. In addition, the roommates

of sex offenders living in Shared Living Arrangements called in violations of probation and treatment requirements to the sex offender's treatment provider and probation officer more times than roommates in any other living arrangement. This leads back to the conclusion that a positive support system, which 100% of the Shared Living Arrangements provided, is an important component of being successful in treatment.

Recommendation: *Shared Living Arrangements appear to be a frequently successful mode of containment and treatment for higher risk sex offenders and should be considered a viable living situation for higher risk sex offenders living in the community.*

- (2) Although residences' proximity to schools and childcare centers was not *specifically* analyzed; two things could be inferred from maps created for this project. One, in urban areas, a large number of schools and childcare centers are located within various neighborhoods, leaving extremely limited areas for sex offenders to reside if restrictions were implemented. Second, sex offenders who have committed a criminal offense (both sexual and non-sexual) while under criminal justice supervision appear to be randomly scattered throughout the study areas -- there does not seem to be a greater number of these offenders living within proximity to schools and childcare centers than other types of offenders. In addition to the maps, the state of Iowa's legal challenge to their law provides some insight into the constitutionality of restricting sex offender residences.

Recommendation: *Placing restrictions on the location of correctionally supervised sex offender residences may not deter the sex offender from re-offending and should not be considered as a method to control sexual offending recidivism.*

- (3) The research findings indicated that sex offenders on probation living with their families in the Denver metropolitan area were more likely to have a criminal and technical violation than those living in other types of residences. Support was another component related to the number of criminal and technical violations. Those who had support in their lives had significantly lower numbers of violations than those who had negative or no support. When support was examined for high-risk offenders, those with no support and living with a family member or friends had the highest numbers of violations (criminal, technical, and total). These findings suggest that although a high-risk sex offender may be living with a family member or friends, it does not necessarily mean that he or she is living in a supportive or healthy environment.

Recommendation: *Efforts should be made to ensure that the sex offender's support in the home is positive in order to aid in his or her treatment.*

Recommendation: *While the findings in this report suggest a link between a sex offender's support in the home and performance in the community, more research in this area should be conducted to further inform this important finding.*

- (4) **General Recommendation:** *The Sex Offender Management Board should consider the findings from this report when revising the Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders.*

INTRODUCTION

The Office of Domestic Violence and Sex Offender Management, Division of Criminal Justice, Colorado Department of Public Safety, on behalf of the Sex Offender Management Board submit this report pursuant to section 16-11.7-103(4)(j), C.R.S.:

“The board shall research and analyze the safety issues raised by living arrangements for and the location of sex offenders within the community, including but not limited to shared or structured living arrangements. At a minimum, the board shall consider the issues raised by the location of sex offender residences, especially in proximity to public or private schools and childcare facilities, and public notification of the location of sex offender residences. On or before March 15, 2004 the board shall prepare and submit a report concerning the research and analysis conducted pursuant to this paragraph (j) and any related legislative recommendations.”

Presented in this report are findings from a study of issues related to public safety among probationers convicted of a sex offense who reside in a range of living situations. The study was designed to review and analyze the various types of housing in which supervised sex offenders in the community reside and whether or not there is a correlation between housing type and number and types of violations. The following findings may be utilized by the Colorado Sex Offender Management Board to create guidelines regarding the living arrangements for persons convicted of offenses involving unlawful sexual behavior.

BACKGROUND

Sexual offending behavior and the management of sexual offenders has been an issue of concern for the state of Colorado and across the country for many years. During the past decade, legislation and policy development directed at the management and treatment of these offenders has proliferated. Federal mandates, such as Megan's Law, The Jacob Wetterling Act, The Campus Sex Crimes Act, and The Pam Lychner Act were passed with the expectation that these would make it easier for law enforcement agencies across the country to identify and track convicted sex offenders. In Colorado, the creation of the Sex Offender Management Board allowed for the establishment of standards and guidelines for working with sex offenders. In addition, the passage of laws such as sex offender registration, genetic testing of sex offenders, lifetime supervision for certain sexual offenders and the creation of the Sex Offender Intensive Supervision Probation help illustrate policy makers' concerns regarding this population.

Despite these and other efforts to decrease the risk sex offenders pose to public safety, concerns remain. Approximately 60% of convicted sex offenders in Colorado are sentenced to community placement with the remainder being sentenced to incarceration at the Department of Corrections or the county jail (Colorado State Court Administrator's Office, 2003). Most of those incarcerated offenders will eventually be returned to their communities of origin, with or without the benefit of parole supervision. In short, most convicted sex offenders either will never leave the community upon conviction or will return to the community at a later date.

The question arises, since convicted sex offenders in Colorado are managed with a combination of supervision, treatment and incarceration, does this population still pose an undue risk to the public? Studies show that persons who are convicted of offenses involving unlawful sexual behavior demonstrate a high likelihood of recidivism, thereby representing a risk to the

public. A meta-analysis of 61 research studies conducted by Hanson and Bussiere¹ in 1998 indicated that sexual recidivism was 18.9% for rapists and 12.7% for child molesters over a four to five year period. Study results comparing recidivism among sex offenders who have participated in specialized treatment with those who have not vary, but generally indicate that offenders who participate in offense specific treatment are less likely to recidivate than those who do not².

In Colorado, limitations are imposed on convicted sex offenders who are under criminal justice supervision in the community. These include limits regarding contact with victims and potential victims and the requirement to reside in a location that has been approved by the supervising probation or parole officer. If the offender is living in a halfway house, the residence is, by definition, monitored (Colorado Sex Offender Management Board Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders, 2002). In many cases, convicted sex offenders are required to move away from their families to limit their contact with potential child victims³. Living options available to these offenders include, but are not limited to, homeless shelters, motels, apartments, residential homes, and therapeutic communities. The officer ultimately decides where the offender lives, taking into consideration the offender's finances, travel needs and recommendations from treatment providers⁴. Any one of these options available to the offender may be located within close proximity to schools, day care centers,

¹ Hanson, R.K. & Bussiere. (1998). Predictors of Sexual Offender Recidivism: A Meta-Analysis. Department of the Solicitor General Canada.

² Schweitzer & Dwyer, 2003; Hanson, Gordon, Harris, Marques, Murphy, Quinsey, et al., 2002; Nicholaicuk, Gordon, Gu and Wong, 2000.

³ Research has indicated that sex offenders crossover in the types of offenses they had committed, the age of victims, and the gender of the victims (English, K. 1998).

⁴ Colorado Probation's Guidelines for Adult Sex Offender Management (SOISP, Non-SOISP and Presentence) clearly state that the supervising officer has the final authority to approve residence, employment or school (p. 17).

and playgrounds, however, supervising officers work hard to prohibit these situations⁵. However, in urban areas, there are numerous schools and childcare centers spread throughout various neighborhoods, making it difficult to find areas that are not near a school or childcare center. Please see Maps 1a-1h and Maps 2a – 2h for pictorial descriptions of the livable areas in several cities and counties in Colorado that remain after 1000-foot and 2000-foot buffers around schools and licensed childcare centers are blocked off. These maps clearly depict the difficulty of finding safe residences that do not fall within predefined distances of places where children reside in densely populated areas.

Currently, there are no state statutory restrictions that apply to the living arrangements and locations for persons convicted of offenses involving unlawful sexual behavior. Some municipalities and counties throughout the state have implemented local ordinances that prohibit more than one registered sex offender from living in a household, family, or group home (please See Map 3). While such ordinances are designed to limit options available to sexual offenders, in many cases, it is nearly impossible for these offenders to find appropriate housing away from schools, parks and/or childcare centers throughout metropolitan areas. Ironically, this situation may increase their risk of re-offending by forcing them to live in communities where safe support systems⁶ may not exist or in remote areas providing them with high degrees of anonymity. This

⁵ Childcare centers can be especially difficult to identify in a residential neighborhood, given that they are frequently located inside a home, with no apparent indication of their presence. Additionally, childcare centers may be opened after an offender has taken up residence and their presence may go unnoticed by all parties involved. While officers are diligent in their attempts to ensure that offenders do not reside in locations where children are present, sometimes this proves to be impossible.

⁶ Sex offender treatment providers and supervising officers encourage sex offenders to utilize or identify people in their lives that will act in the capacity of a support system. These people are asked to hold offenders accountable for behaving in compliance with the terms and conditions of their community placement and to abide by their pro-social treatment contracts. These “support systems” are an important component of sexual offenders’ community management process.

may also require more travel to and from work, treatment and other necessary appointments.

Some housing options provide little to no supervision outside of regular community monitoring, while others are designed to provide relatively high levels of monitoring and supervision (please see Continuum of Housing on Page 39). Several factors contribute to an offender's risk of re-offending while living in the community. These include, but are not limited to, their assessed level of risk based on individual factors, the amount of free time available to the offender, the degree to which they are progressing in their treatment program and the amount of monitoring and supervision that they are subject to. For example, a high-risk sex offender on probation or parole might be monitored via global positioning satellite (GPS) technology or an electronic monitoring device (EHM). This allows the supervising officer to either closely monitor the offender's whereabouts (with GPS) or to ensure that the offender is at home (with EHM). These technologies are used in conjunction with regular home visits and curfew checks. Lower risk offenders may only be subject to random home visits or curfew checks as a method of community monitoring. Offenders residing in a shared living environment might be subject to regular and multiple daily call-ins to the treatment provider as well as being accountable to house-mates in addition to the random home visits and curfew checks conducted by the supervising officer.

SEX OFFENDER REGISTRATION/COMMUNITY NOTIFICATION

The sex offender registry provides the public with certain information on the whereabouts of sex offenders so that members of local communities may better protect themselves and their children from these known sex offenders. Law enforcement agencies are required to release the following information regarding registered sex offenders: name, address, aliases of the registrant, photograph (if available), and a history of the convictions resulting in the registrant being required to register, and any other convictions he or she may have.

Registry information can be accessed by either visiting the local law enforcement agency and requesting the sex offender registry list or by checking the Colorado Bureau of Investigation website which contains a statewide list of only certain high-risk registered sex offenders. All citizens have the right to request registry information from their local law enforcement agency.

In certain cases, if a convicted sex offender meets the criteria in the Sexual Predator Risk Assessment and is found by the court to be a Sexually Violent Predator (SVP), the court may also find that the SVP is subject to Community Notification. The law enforcement agency would conduct a local community notification through a community meeting, in accordance with the Colorado Sex Offender Management Board's *Criteria, Protocols and Procedures for Community Notification Regarding Sexually Violent Predators*. Specific groups, such as schools, senior centers, and recreation facilities, would be invited to the meeting, as well as residents of the SVP's immediate neighborhood, as determined by the law enforcement agency. The meeting would consist of an educational presentation followed by the SVP notification. Residents who do not attend the meeting may request the SVP information at the law enforcement agency. All residents who receive the SVP information may report their name and address, so that the law enforcement agency may contact them if the SVP changes residences or leaves the community.

NATIONAL INFORMATION

Currently, eleven states in the United States have laws that address sex offenders' residences in regard to proximity to schools or childcare centers; however, none of these address the living arrangement type (please see Map 4). In 1992, the Iowa legislature passed a law that prohibited offenders convicted of a sex offense against a minor or a sexually violent offense from living within 2000 feet of a school or childcare center, but the law was deemed unconstitutional by the Iowa

Supreme Court (February, 2004). The judge who ruled on this case cited several ways in which this law violated the rights of sex offenders: it was wrongly applied retroactively to those convicted before July 1, 2002; it required sex offenders to provide incriminating testimony against themselves; and it infringed on their due process rights. In addition, there was no research study to empirically support whether proximity to schools is a factor in recidivism rates of sex offenders⁷.

Seven of the eleven states with such laws were contacted to obtain a better understanding of their statute and to ascertain whether their statutes were based on research conducted specifically regarding the issue⁸. Of the four states that responded to the inquiry, none of the laws were based on research specifically done on sex offender residences' proximity to schools or childcare centers⁹. During the inquiry, a representative from one state expanded on the issue, stating that enforcing the residency restriction law was very challenging to enforce and, in fact, were having trouble doing so.

SHARED LIVING ARRANGEMENTS

Shared Living Arrangements (SLAs) are a modality of treatment utilized by three sex offender treatment programs in the state of Colorado¹⁰. There are slight variations in the philosophies that drive the use of the SLAs among these programs; however, all contribute to the desire to improve sex offenders' social skills, their accountability to self and others, and the need for both treatment providers and the criminal justice system to share the task of monitoring sex offenders in the community. Shared Living Arrangements are loosely defined as either two or three sex offenders living together in a house that they either rent or own. The residence is the sex

⁷ Doe v. Miller, United States District Court for the Southern District of Iowa Davenport Division, February 9, 2004.

⁸ The seven states that were contacted are: Alabama, Florida, Iowa, Illinois, Oregon, Louisiana, and Kentucky.

⁹ The four states that responded to the inquiry were: Illinois, Alabama, Florida, and Oregon.

¹⁰ An inquiry was sent to the ATSA listserv requesting information on other treatment agencies who utilize shared living arrangements. The inquiry resulted in feedback that Colorado was the only state that had agencies who utilize Share Living Arrangements.

offenders' responsibility, not the treatment provider's. The residence location and housemates are approved in advance by the treatment provider and supervising officer. Typically, the SLA would not be located within sight of a school, playground, or next-door to a residence that has "child-type" items (for example, a swing set). The general SLA philosophy is an extension of the Therapeutic Community treatment modality in which offenders' living environments can be seen as an extension of both treatment and monitoring. Offenders hold each other accountable for their actions and responsibilities and notify the appropriate authorities when a roommate commits certain behaviors, such as returning home late or having contact with children. This type of accountability and support is different in an SLA than in other types of living arrangements in that the treatment provider makes holding each other accountable for their actions a *requirement* of living in the SLA. Typically, in other living arrangements, the probation officers or treatment providers do not have any jurisdiction over the other members of the household that the offender lives therefore there are no consequences if a roommate in a different type of living arrangement does not report a violation committed by the sex offender. In addition, all of these treatment programs conduct residence checks as a component of the treatment. These residence checks supplement those conducted by probation officers.

Research has found that recidivism among sexual offenders is related to several factors, including lack of social skills (personality disorders), chaotic lifestyle, and being disengaged from treatment¹¹. Shared Living Arrangements allow for a controlled opportunity for a therapist to work with an offender's cognitive and behavioral levels because the offender is influenced throughout the day by not only his or her peers, but by his or her therapist as well. In addition, because an offender

¹¹ Hanson, R.K. & Bussiere. (1998). Predictors of Sexual Offender Recidivism: A Meta-Analysis. Department of the Solicitor General Canada.

living in an SLA has to account for all of his or her time; SLAs become an approach that enables behavioral monitoring outside of the therapist's office¹². While not all sex offenders in treatment with these providers are required to live in an SLA, those who have been assessed as posing the greatest risk to the community are typically recommended for such living conditions. This recommendation may occur for varying reasons, including the increased monitoring it allows and more socialization for the offender. The ultimate goal would be to create a continuum of progress in treatment with the goal of stabilizing at a level of reduced risk to re-offend.

Treatment providers have found several benefits to Shared Living Arrangements, including more knowledge of offenders' involvement in high-risk behaviors (both through the offender accounting for his or her time and the other residents informing the treatment provider of conflicts or violations). Possibly one of the most important benefits to SLAs is that treatment providers are able to contact the offender's probation officer very quickly if there is a violation or if the offender is missing¹³. Finally, many offenders who are sentenced to the community have limited resources with which to obtain housing that meets the ideal placement criteria, leaving many living in potentially dangerous situations, such as a motel, living with friends who are not sufficiently supportive, or homeless. An SLA allows for the offender to live on his own, with informed roommates, in a controlled environment, and with close contact with his or her treatment provider and supervising officer.

¹² Many sex offender treatment providers who do not utilize SLAs require offenders to keep a time log outlining their activities for each day. Time logs kept by sex offenders in SLAs have the added benefit of verification by housemates who are also being held accountable for the same behaviors and responsibilities.

¹³ The ability to contact the supervising officer immediately is also an element of GPS and EHM monitoring. The difference between these two technologies and the SLA, however, is that GPS and EHM violation notifications are based solely on location, while violations detected in an SLA can also be behavioral.

RESEARCH STUDY

A review of probation files was conducted to gather information on risk levels, types of residences, surveillance methods, number of violations, how quickly violations were discovered, and the method by which violations were identified on a sample of adult sex offenders under supervision, living in the Denver metropolitan area. Offenders under Parole and Community Corrections supervision were not included in the study for the following reasons: 1) Parole and Community Corrections has a significantly smaller population of sex offenders in the community, and 2) Parolees and those under Community Corrections supervision are typically not candidates for Shared Living Arrangements due to their limited time in the community¹⁴. Please see Table 1 for a snapshot of the number of sex offenders who were under criminal justice supervision living in the community on January 31, 2003 in Colorado.

Table 1 – Statewide Population Data

Census of Sex Offenders Under Community Correctional Status on January 31, 2003			
<i>Parole*</i>	<i>Probation</i>	<i>Non-Residential Community Corrections</i>	<i>Residential Community Corrections</i>
417	2,023	14	81

*as of June 11, 2003

¹⁴ Although most convicted sex offenders who have been sentenced to the Department of Corrections (DOC) since July of 1993 have received a mandatory period of parole, and those convicted since July 1996 have received a 5-year mandatory period of parole, many offenders currently being released from the DOC were sentenced prior to the imposition of mandatory parole provisions and are serving relatively short parole periods. Offenders sentenced to community corrections typically serve a six to nine month residential term and complete the sentence on non-residential status.

Sample

The sample for this study was selected from the following judicial districts: 1st (Jefferson and Gilpin Counties), 2nd (Denver County), 18th (Arapahoe, Douglas, Elbert, and Lincoln Counties), and the 20th (Boulder County). These districts were selected for three reasons. First, treatment providers who utilize SLAs provide services within these districts. Second, the majority of the Colorado convicted sex offender population is in the Denver metropolitan area, which is largely comprised of these four districts. Finally, given that this study was conducted using existing resources, a relatively small sample and data collection effort was necessary.

A total of 318 adult offenders in the 1st, 2nd, 18th, and 20th judicial districts received a probation sentence for a sexual offense between January 1, 2001 and June 30, 2002. Approximately 50% of these offenders were randomly selected for inclusion in this study (n=148). In addition, an over-sample of 100% of adult sex offenders who were placed on probation between January 1, 2001 and June 30, 2002 in the same four districts as the random sample *and* were living in an SLA during their first 15 months of supervision were selected (n=17) for inclusion in this study. The over-sampling of this population was done to ensure an adequate sample of offenders living under this unique arrangement.

Table 2 – Random Sample

<i>Random Sample</i>			
Judicial District	Received Probation between January 1, 2001 and June 30, 2002	Selected for Study	Completed File Review
1 st	71	29	22
2 nd	28	15	11
18 th	160	82	64
20 th	59	22	16
TOTAL	318	148*	113*

Thirty-five (35) of those files that were initially selected for inclusion in the study could not be reviewed. These cases were dropped from the sample and were not replaced. Files were not reviewed for the following reasons: the offender 1) moved out of the district, 2) was deported out of the country, 3) absconded from supervision, 4) was serving a concurrent sentence in jail or DOC, or 5) had died in the first 15 months of supervision.

* Five people from the Random Sample (3%) met the specifications of the Shared Living Arrangement Sample and are included in the total combined sample.

Table 3 – Over-sample Population

<i>Shared Living Arrangement Sample</i>			
Judicial District	Received Probation between January 1, 2001 and June 30, 2002 and lived in a SLA during the 1st 15 months	Selected for Study	Completed File Review
1 st	0	0	0
2 nd	3	3	3
18 th	6	6	6
20 th	8	8	8
TOTAL	17*	17*	17*

*The 5 people in the Random Sample who met the specifications for the Shared Living Arrangement Sample brought the total Shared Living Arrangement Sample to 23 people.

Data were collected from case files for the first 15 months of probation supervision.

Allowing for 15 months of supervision ensured that at least one or two polygraph examinations would occur for each individual and would allow time for offenders to be referred to SLAs. In addition, the risk level for this population is typically higher during the initial stages of supervision; therefore, this timeframe allows for a conservative look at safety issues within the community during the time when they are likely to pose the greatest risk. Finally, the 15-month review period

allowed for a uniform time at risk, providing a comparable study period for each case. However, ten sex offenders in the sample (7.7% of the combined sample) were placed on supervision for a sex offense at an earlier date, revoked, and their sentence reinstated during the selection timeframe for this sample (between January, 2001 and June, 2002).

Demographic Information

A total of 130 sex offender probation files were reviewed for this study—113 cases in the initial sample and 17 SLA cases. The majority of offenders in the study were male (98.5%) with an average age of 36 years. Forty-three percent (n=55) had never been married and 51% (n=67) had at least one child. The majority of the sample was working at least part-time (81%) and 8% were attending school (GED, college or technical school).

Table 4 – Demographic Information

Age	Average = 36 years
Age Range	19 years-67 years
Marital Status	
Married, living together	16 (12.8%)
Married, not living together	14 (11.2%)
Separated or Divorced	39 (31.2%)
Single, Never Married	55 (44.0%)
Widowed	1 (0.8%)
Last Grade Completed	
< High School	26 (22.2%)
GED	15 (12.8%)
High School Diploma	25 (21.4%)
Some College	34 (29.1%)
College Diploma	12 (10.3%)
Graduate School	5 (4.3%)
Attending School	10 (7.7%)
Employment Status	
Working full-time	87 (73.1%)
Working part-time	8 (6.7%)
Unemployed	18 (15.1%)
AFDC/SSI/Disability	4 (3.4%)
Retired	2 (1.7%)

The types and number of residences represented in this sample are illustrated in Table 5. The majority of the sex offenders in this sample resided in only one residence during the first 15 months of supervision. However, 29% of the sex offenders in this sample moved two times, 11% moved three times, 3% moved four times, and 1% moved 5 times during the timeframe examined for this study. Please see Table 5 for the number and types of residences the combined sample lived in during the first 15 months of supervision.

Table 5 - Residence Information

SLA	32 (14.7%)
Lives Alone	41 (18.9%)
Lives with Family	65 (30.0%)
Lives with Friends	49 (22.6%)
Homeless/Shelter	5 (2.3%)
Jail/Work Release	25 (11.5%)
TOTAL NUMBER OF RESIDENCES	217 (100%)

Figures 1 – 3 illustrate demographic data by residence type.

Figure 1: Marital Status by Residence Type

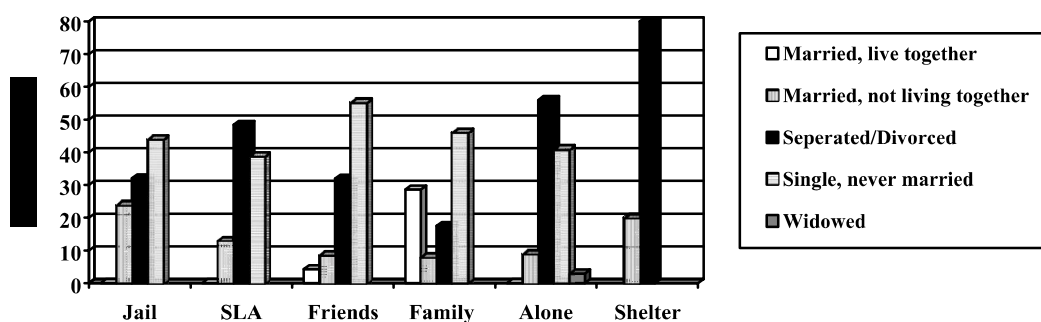


Figure 2 – Employment Status by Residence Type

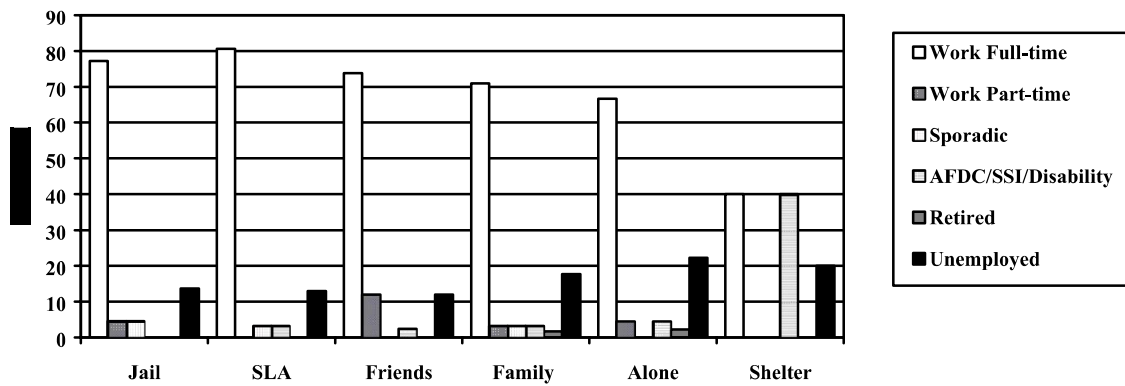
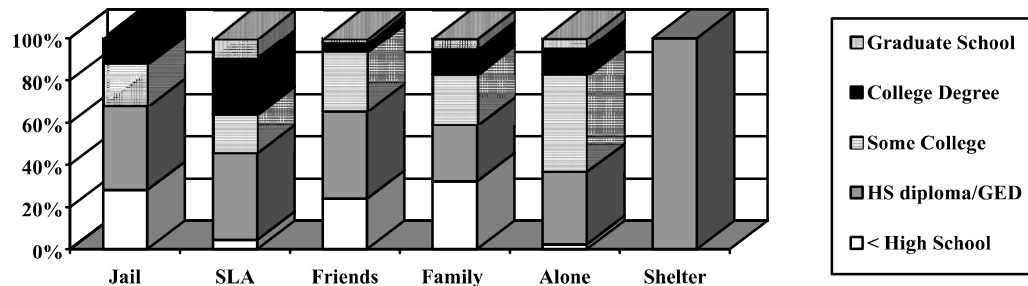


Figure 3 – Education Level by Residence Type



Over half of the sample (54%) were assessed as “high risk” by the Probation Department. Thirty-four percent were medium risk and 9% were low risk. Over three-quarters of the offenders living in SLAs were classified as high risk. Pearson chi-square tests were used to determine whether a significant relationship between risk levels and residences existed for this sample. Sex offenders living in Shared Living Arrangements were significantly** more likely to be high-risk sex offenders. Sex offenders living alone were significantly*** more likely to be low or medium-risk

sex offenders. Statistically significant relationships between risk level and residence were not found for the other living arrangement types. See Table 6 for the breakdown of residence type by risk level.

Table 6 – Residence Type by Risk Level

	High Risk	Medium Risk	Low Risk	TOTAL
SLA	25 (78%)** (19%)	6 (19%) (9%)	1 (3%) (6%)	32 (100%)
Lives Alone	17 (40%) (13%)	19 (46%*** (28%)	5 (12%*** (28%)	41 (100%)
Lives with Family	42 (65%) (32%)	21 (32%) (31%)	2 (3%) (11%)	65 (100%)
Lives with Friends	26 (53%) (20%)	14 (29%) (21%)	8 (16%) (44%)	49 (100%)
Homeless/ Shelter	4 (80%) (3%)	1 (20%) (2%)	0	5 (100%)
Jail/Work Release	16 (64%) (12%)	7 (28%) (10%)	2 (8%) (11%)	25 (100%)
TOTAL	130 (60%) (100%)	68 (32%) (100%)	18 (8%) (100%)	217 (100%)

**p ≤ .025

***p ≤ .01

Sex offenders sentenced to probation may be sentenced to one of two programs: Sex Offender Intensive Supervision Probation (SOISP) or “regular” probation. Offenders within the SOISP receive the highest levels of supervision that is provided to probationers. Offenders on SOISP have severely restricted activities, daily contact with the probation officer, monitored curfew, home visitation, employment visitation and monitoring, and drug and alcohol screening. Also, they are required to actively participate in treatment and undergo regular physiological monitoring. SOISP is comprised of three phases, and movement between the phases is dependent upon the offender meeting specific behavioral benchmarks. Supervision levels are commensurate with the phases of SOISP, with Phase I being equivalent to a maximum supervision level, Phase II, medium and Phase III minimum. The supervision levels in the SOISP program relate primarily to type and frequency of probationer-probation officer contact and monitoring. Offenders on regular probation, or non-SOISP sex offender supervision, are classified according to supervision levels:

maximum, medium or minimum. These supervision levels are determined by the offender's score on the Oregon Risk Assessment instrument, which is completed within the first 30 days of probation supervision. Supervision plans are developed to meet the specific risks and needs of each offender. These plans are based upon information contained in the risk assessment instrument, the sex offense specific mental health evaluation report and any other relevant information. Offenders classified as high risk are subject to more contact and oversight by the probation officer than those classified as low risk. While there are no standards dictating the number of contacts or other activities in which an officer must engage based on supervision level, there are some guidelines set out by the Division of Probation Services. These are presented in Table 7 below.

Table 7 - Guidelines for Probation Officer's Contact with Probationers by Supervision Level

ADULT SUPERVISION General Reference		
Maximum Level	Medium Level	Minimum Level
2 face-to-face contacts with the offender per month.	1 face-to-face contact with the offender per month.	1 face-to-face contact with the offender every 60 days.
1 home visit within the first 90 days of supervision, unless transitioning from ISP. Thereafter, by supervision plan. Home visits shall be conducted in accordance with local policy.	1 verification of residence every 60 days.	No residency verification required.

From Standards for Probation, Colorado Judicial Branch, July 2003, p. 29

RESULTS

Living Arrangements

Fifteen new sexual offenses were reported among all 130 offenders in the sample during the first 15 months of data collection. One hundred percent of those offenses were "hands off" offenses—peeping, voyeurism, or exposure. Of the new sexual offenses reported, 27% occurred while the

offender was living with a family member, 27% while living with friends, 13% while living alone, 20% while living in an SLA, and 13% while in jail or work release. The 15 new sexual offenses were committed by 13 sex offenders (10% of the sample).

A total of 52 non-sexual criminal violations were reported for the entire sample. See Table 8 for the description of non-sexual criminal violations by residence type.

Table 8 – Non-sexual criminal violations

	Jail/Work Release N Column % Row %	SLA N Column % Row %	Family N Column % Row %	Friends N Column % Row %	Alone N Column % Row %	Shelter N Column % Row %	TOTAL
Failed to register as a sex offender	0	0	0	0	1 (2%) (50%)	1 (20%) (50%)	2 (100%)
Driving Crime	1 (4%) (10%)	2 (6%) (20%)	3 (5%) (30%)	3 (6%) (30%)	0	1 (20%) (10%)	10 (100%)
Contact with the victim	0		3 (5%) (50%)	2 (4%) (33%)	1 (2%) (17%)	0	6 (100%)
Threatened or Assaulted another person	0	0	3 (5%) (75%)	0	1 (2%) (25%)	0	4 (100%)
Drug Use	0	2 (6%) (10%)	8 (12%) (40%)	7 (14%) (35%)	1 (2%) (5%)	2 (40%) (10%)	20 (100%)
Other non-sexual crime	0	1 (3%) (33%)	1 (2%) (33%)	1 (2%) (33%)	0	0	3 (100%)
Did NOT commit a non-sexual crime	24 (96%) (14%)	27 (85%) (16%)	47 (72%) (27%)	36 (73%) (21%)	37 (90%) (22%)	1 (20%) (1%)	172 (100%)
TOTAL	25 (100%)	32 (100%)	65 (100%)	49 (100%)	41 (100%)	5 (100%)	217 (100%)

Comparison of means tests (ANOVAs) were run to see if there were significant relationships between residence types and non-sexual criminal violations (sexual and non-sexual violations

combined). Sex offenders living with a family member averaged significantly***¹⁵ more criminal violations (0.68 criminal violations) than those not living with a family member (0.36 criminal violations). Sex offenders sent to jail had significantly** less criminal violations in jail (0.12 criminal violations) than those not living in jail (0.49 criminal violations). No significant relationships were found between the other types of residences and criminal violations.

A technical violation is a violation of either the probation requirements or the treatment requirements of the offender. These types of violations include, but are not limited to: staying out past curfew, going out without a safety plan, viewing or possessing pornography, missing a probation or treatment appointment, not paying treatment or court fees in a timely manner, drinking alcohol, not disclosing his or her crime to a roommate or employer, having unapproved contact with a minor (for example, not immediately leaving a residence if a minor comes to the residence), having a sexual relationship with a vulnerable person (for example, dating a woman who has small children), hostile behavior, or living in an unapproved residence. A total of 443 technical violations, committed by 103 sex offenders (79% of the sample), were reported during the first 15 months of supervision. The majority, thirty-four percent (n=152), of those technical violations was for failing to appear for a probation or treatment appointment.

Comparison of means tests (ANOVAs) were also run to see if there were significant relationships between residence type and technical violations. As with criminal violations, sex offenders living with a family member had significantly*** higher numbers of technical violations (2.55 technical violations) than sex offenders not living with a family member (1.47 technical violations). And, sex offenders in jail had significantly*** lower numbers of technical violations (0.52 technical violations) than those not in jail (1.96 technical violations). No significant

¹⁵ For the purpose of this report, * = $p \leq .05$; ** = $p \leq .025$; *** = $p \leq .01$

relationships were found between the other types of living arrangements and technical violations.

Figure 4 illustrates the average number of total violations, criminal violations, and technical violations in each residence type. To be expected, jail and work release had the lowest number of criminal violations, presumably due to their highly supervised, restrictive environment. The type of residence with the second lowest number of criminal violations was living alone, and sex offenders living in SLAs accrued just slightly more criminal violations than those living alone. It is important to remember when considering this finding that sex offenders living alone were significantly more likely to be classified as low or medium risk, and those living in a Shared Living Arrangement were more likely to be classified as high risk. Sex offenders living with friends, family, or in shelters, where there were no significant differences between these living arrangements and risk levels, had the highest numbers of criminal violations. While the lower rate of criminal violations for those living alone may be attributable to risk; it is likely that the lower re-offense rate among those living in SLAs may be attributable to the level of surveillance associated with an SLA and the sex offenders' extensive involvement in treatment which is a requirement of living in an SLA.

When looking at the highest number of total violations (technical and criminal combined), sex offenders living with a family member had the most violations. As expected, sex offenders in jail or work release had the lowest number of violations, followed by the group of sex offenders living in SLAs who had the second lowest number of total violations.

Figure 4: Average Number of Violations in Each Residence Type

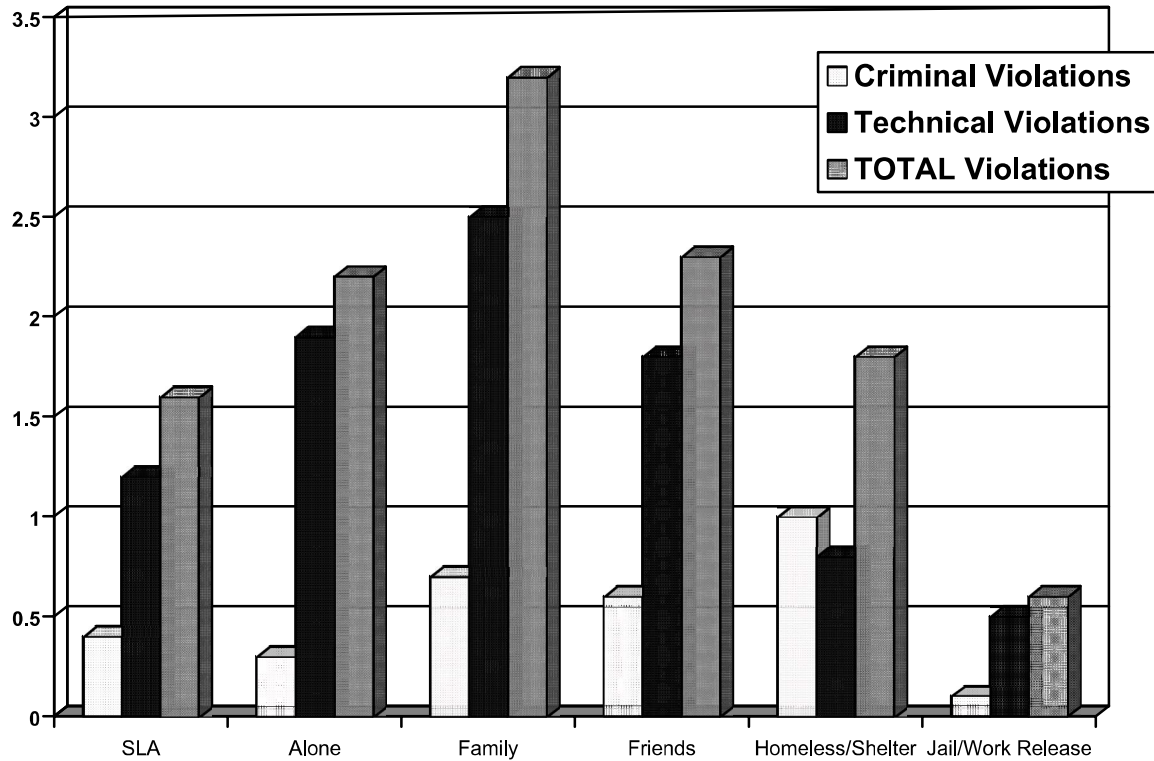
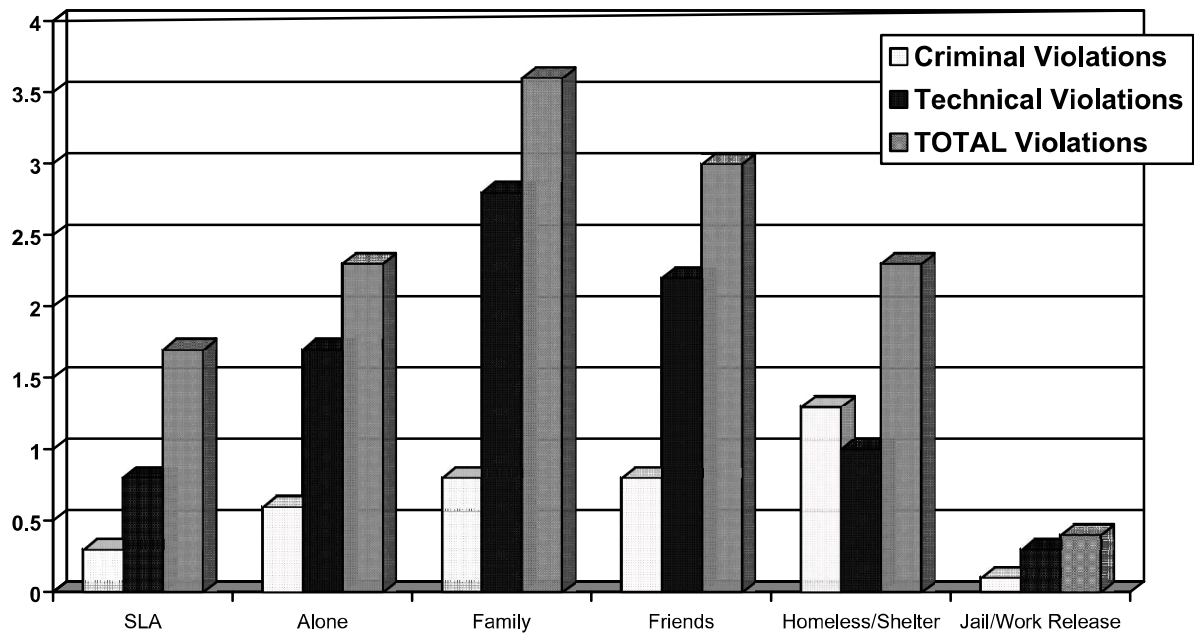


Figure 5 illustrates the average number of total violations, criminal violations, and technical violations in each residence type for HGH RISK sex offenders. When controlling for risk, sex offenders living in SLAs had the second lowest number of criminal, technical, and total violations (high risk offenders in jail had the lowest number of violations). Sex offenders living with a family member continued to have the highest number of criminal, technical, and total violations.

Figure 5: Average Number of Violations for HIGH RISK Sex Offenders



Comparison of means tests (ANOVAs) were run to determine if there were significant relationships between residence type and number of violations for sex offenders classified as high risk. High-risk sex offenders living in SLAs had a significantly*** fewer number of total violations (1.16

High-risk sex offenders living in an SLA had a significantly lower number of violations while high-risk sex offenders living with a family member had significantly more violations.

violations) and technical violations (0.84 technical violations) than high risk sex offenders not living in SLAs (2.70 total violations and 2.03 technical violations). In addition, high-risk sex offenders living in an SLA had significantly¹⁶ fewer criminal violations (0.32 criminal violations) than those not living in SLAs (0.68 criminal violations).

¹⁶ This p-value for this finding was .07.

High-risk sex offenders living with a family member had significantly*** more total violations (3.62 violations) and technical violations (2.79 technical violations) than high-risk sex offenders not living with a family member (1.83 total violations and 1.33 technical violations). High-risk sex offenders living with a family member also had significantly* more criminal violations (0.83 criminal violations) than high risk sex offenders not living with a family member (0.50 criminal violations). As expected, high-risk sex offenders in jail or work release had significantly*** less total violations (0.43 violations) and technical violations (0.31 technical violations) than high risk sex offenders not living in jail (2.68 total violations and 2.00 technical violations). High-risk sex offenders living in jail or work release had significantly** less criminal violations (0.13 criminal violations) than high-risk sex offenders not in jail (0.68 criminal violations).

Information was also obtained on how the violations were discovered among the different types of residences (please see Table 9). Understanding how violations are discovered is important because it speaks to the degree of support and community safety provided in each living arrangement. We are quite certain that if an offender is late checking in from work to a halfway house, the delay will be reported to the appropriate authorities and action will be taken. We are not so certain that the same tardiness would be reported if the offender were living with a friend or family member. The data below illustrates the differences in violation detection found among the various situations. Information from polygraph testing was the number one way violations were detected. Followed by that, the rates of how violations were found varied by residence. For example, in SLAs, roommates calling in to a probation officer or treatment provider was the most effective tool in detecting violations and home visits conducted by probation officers was a common way to detect violations for sex offenders living with friends.

In SLAs, roommates calling in to a probation officer or treatment provider was the most effective tool in detecting violations.

Table 9 – How Violations Were Discovered

How violation was discovered	Jail/Work-release	SLA	Friends	Family	Alone	Shelter
Probation Officer (PO) found out (including self-report)	0	10% (5)	9% (11)	16% (33)	20% (18)	22% (2)
Treatment Provider found out (including self-report)	25% (4)	14% (7)	12% (14)	8% (18)	17% (15)	22% (2)
Both PO & Treatment Provider found out (including self-report)	0	2% (1)	3% (4)	1% (2)	3% (3)	0
PO did home visit	0	8% (4)	12% (14)	7% (14)	8% (7)	11% (1)
Polygraph	50% (8)	16% (8)	12% (14)	14% (29)	20% (18)	0
Fail to appear for treatment	0	4% (2)	7% (8)	17% (35)	3% (3)	0
Fail to appear for PO appt.	0	2% (1)	10% (12)	7% (15)	7% (6)	22% (2)
Roommate called PO or Treatment provider	0	16% (8)	7% (8)	2% (5)	0	0
PO called or visited employer	0	0	2% (2)	2% (4)	0	0
Employer called PO	0	0	0	1% (2)	0	0
Lab Result (UA)	0	14% (7)	11% (13)	13% (27)	10% (9)	0
PO called residence	0	2% (1)	1% (1)	0.5% (1)	1% (1)	0
Victim Advocated called PO	0	0	2% (2)	1% (2)	1% (1)	0
PO called non-resident family member	0	0	2% (2)	0	0	0
Law Enforcement	19% (3)	0	9% (10)	5% (11)	1% (1)	22% (2)
Group member called Treatment provider or PO	0	4% (2)	1% (1)	5% (10)	1% (1)	0
Sex Offender's friend called PO	6% (1)	2% (1)	0	1% (3)	1% (1)	0
GPS/EHM	0	4% (2)	0	0	6% (5)	0
Computer Surveillance	0	4% (2)	0	0.5% (1)	1% (1)	0
TOTAL	100% (16)	100% (51)	100% (116)	100% (212)	100% (90)	100% (9)

In addition to how the violations were found, the number of days between the day of the violation and when the violation was found by the probation officer or treatment provider were examined by residence types. The time between a violation and when the offender is “caught” is an extremely important factor when considering public safety. If an offender is committing violations, it is critical to act quickly to protect potential victims. The data indicated that sex offenders living in shelters had the shortest time period from when he or she committed a violation and when he or she was caught. However, the size of the sample living in a shelter in this analysis was extremely low. The second shortest time period between a sex offender committing a violation and getting

caught was with sex offenders living in SLAs. The longest period of time between violations and violations getting detected was with sex offenders living alone. However, there were no statistically significant differences among the types of residences and the number of days between the violation and when the violation was discovered. Please see Table 10 for the average number of days between a sex offender's violation and when the violation was found, broken out by residence.

Table 10 – Days between violation and when the violation was discovered

	Average number of days between violation and when the violation was discovered	Range of days between violation and when the violation was discovered
Living in a Shelter	0.1	0-1
SLA	2.4	0-31
Living with Family	6.2	0-184
Living with Friends	7.4	0-258
Living Alone	10.6	0-113

Proximity to Schools and Childcare Centers

Although getting exact measurements of residences' proximity to schools and childcare centers could not be done for this study, due to limited resources, an illustration of the sex offender

Very few of the sex offenders in this study engaged in criminal behavior during the study period, suggesting that a tight web of supervision, treatment and surveillance may be more important in maintaining community safety than where a sex offender resides.

residences that had at least one criminal offense during the first 15 months of supervision and their proximity to schools and childcare centers were plotted using a mapping software program. These maps illustrated that these offenders seemed to be randomly located, and were, in fact, not usually within 1000 feet of a school or child care center. In addition, the maps illustrated (as said before) that in a densely populated area it is nearly impossible for

anyone to find a residence that is not relatively close to a school or childcare center. However, sex offenders under criminal justice supervision usually have to abide by guidelines that restrict their

residence's proximity to schools or childcare centers and the residence would have to get approved by their criminal justice authority figure. While it is not ideal for sex offenders to live in areas where children are frequently present, the data indicated that very few of the sex offenders in this study engaged in criminal behavior during the study period, suggesting that a tight web of supervision, treatment and surveillance may be more important in maintaining community safety than where a sex offender resides.

Support Systems

As with most behavioral health treatment, a positive support system is emphasized as a component of being successful in treatment. This component seemed to hold especially true with this population. For this report, support was defined as having someone significant to the offender and/or a roommate who attends treatment with the offender, has a positive relationship with the probation officer and treatment provider, and is well versed in the offender's probation and treatment requirements. Please see Table 11 for an illustration of the amount of support by the various resident types.

Table 11 – Support by Residence Type

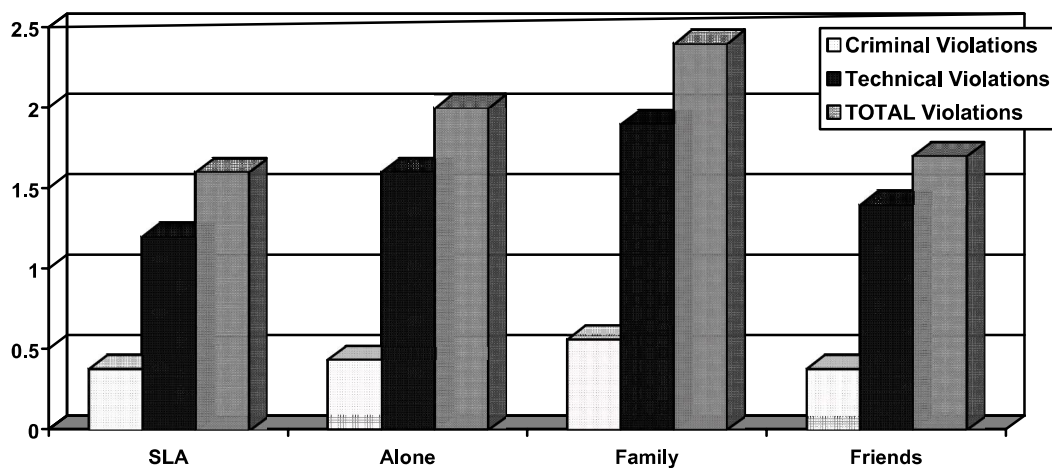
	Have Negative or No Support	Have Support	Support system is unclear	TOTAL
Living in a Shelter	1 (20%) (2%)	0	4 (80%) (4%)	5 (100%)
SLA	0	32 (100%) (46%)	0	32 (100%)
Living with Family	23 (35%) (44%)	18 (28%) (26%)	24 (37%) (25%)	65 (100%)
Living with Friends	14 (29%) (27%)	11 (22%) (16%)	24 (49%) (25%)	49 (100%)
Living Alone	11 (27%) (21%)	7 (17%) (10%)	23 (56%) (24%)	41 (100%)
Jail/Work Release	3 (12%) (6%)	1 (4%) (1%)	21 (84%) (22%)	25 (100%)
TOTAL	52 (24%) (100%)	69 (32%) (100%)	96 (44%) (100%)	217

Comparison of means tests (ANOVAs) were run to determine whether positive support was significantly related to the number of violations incurred. Sex offenders who had support had significantly*** lower violations (1.86 violations) than sex offenders who had negative or no support (3.85 violations). The positive nature of support systems also held true for technical violations (1.45 technical violations for offenders with positive support vs. 3.13 technical violations for those with negative or no support). Those with support also had significantly* lower criminal violations (0.41 criminal violations) than sex offenders with negative or no support (0.71 criminal violations).

Figure 6 illustrates the average number of total violations, criminal violations, and technical violations in each residence type for sex offenders who have POSITIVE support. When controlling for positive support, sex offenders living in SLAs had one of the lowest numbers of criminal, technical, and total violations. Sex offenders living with a family member continued to have the highest number of criminal, technical, and total violations.

Sex offenders with positive support living in SLAs had one of the lowest numbers of violations. Sex offenders with positive support living with a family member continued to have the highest number of violations.

Figure 6: Average Number of Violations for Sex Offenders with POSTIVE support



Figures 7 – 9 illustrate the average number of total violations, criminal violations, and technical violations in each residence type for HIGH RISK sex offenders controlling for support. Because of the high number of missing information regarding support (this variable was not easily obtainable from the files reviewed) missing data is included in the figure. When controlling for these two variables (risk and support), sex offenders living in SLAs had the second lowest number of criminal, technical, and total violations (sex offenders in jail or work release had the lowest). Sex offenders with negative or no support living with either a family member or friends had the highest number of criminal, technical, and total violations. In fact, high-risk sex offenders living with a family member or friends had very similar outcomes when controlling for support.

High-risk sex offenders with negative or no support living with either a family member or friends had the highest number of violations.

Figure 7: Average Number of *Total* Violations for High Risk Sex Offenders

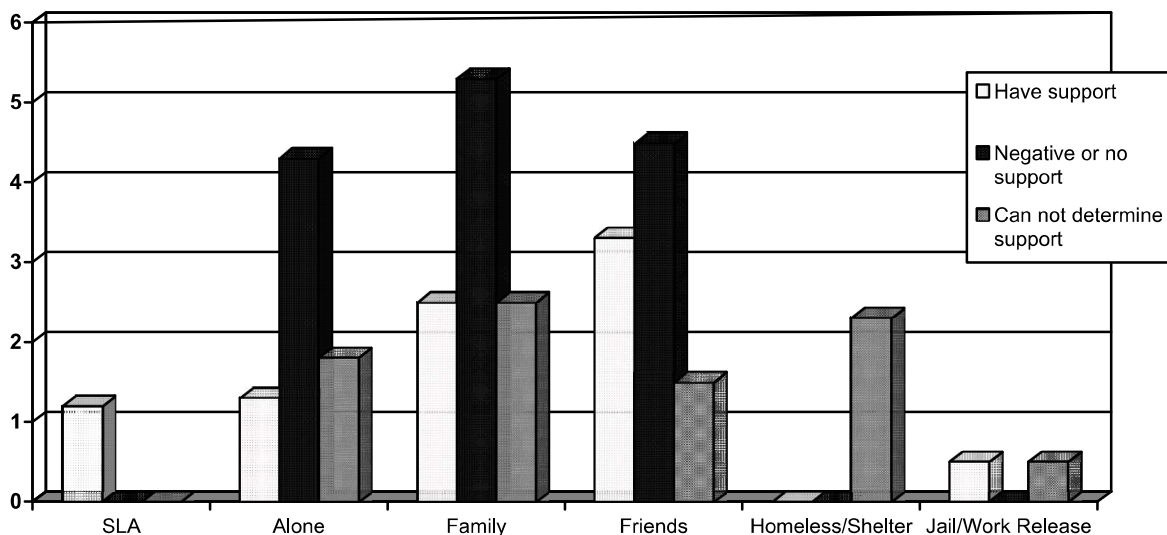


Figure 8: Average Number of *Criminal* Violations for High Risk Sex Offenders

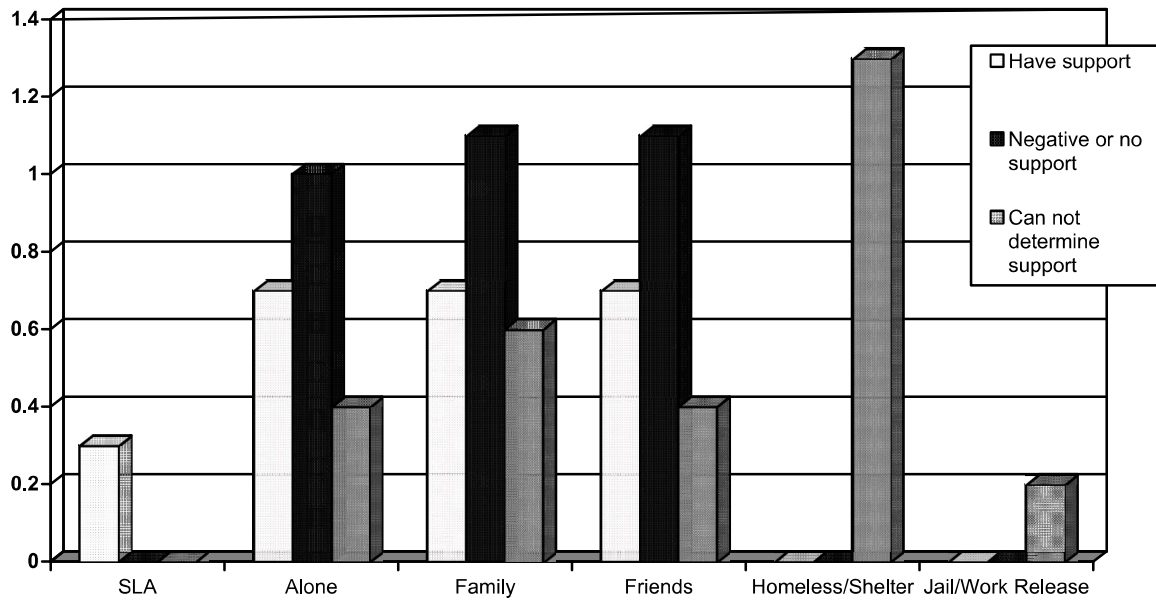
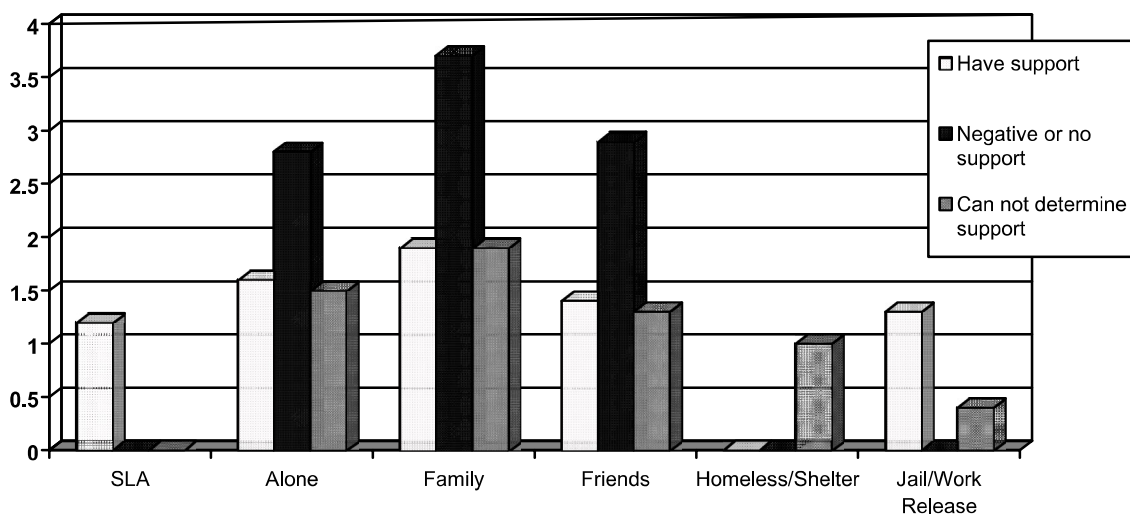


Figure 9: Average Number of *Technical* Violations for High Risk Sex Offenders



Risk Levels

Comparison of means tests (ANOVAs) were run to see if offenders' risk levels were significantly related to the number of violations incurred during this study period. Sex offenders classified as high risk had significantly** more total violations (0.93 violations) than sex offenders classified as medium or low risk (0.60 violations). High-risk sex offenders also had significantly*** more criminal violations (0.72 criminal violations) than medium or low risk sex offenders (0.51 criminal violations). This finding is expected, given that higher risk levels are typically associated with higher rates of violations and/or failure. In addition, when controlling for high-risk sex offenders, those with support had significantly*** fewer total and technical violations (1.65 total and 1.21 technical violations) than high risk sex offenders with negative or no support (4.6 total and 3.6 technical violations). High-risk sex offenders with support also had significantly** fewer criminal violations (0.45 criminal violations) than high risk sex offenders with negative or no support (1.00 criminal violations).

A logistic regression was run to determine whether risk level, support, and living with a family member¹⁷ act independently of one another or if they work as a cluster to predict violation

Risk level does not independently contribute to *total* number of violations. Yet, risk level is the only variable of the three that independently contributes to the number of *criminal* violations.

behavior. Support and living with a family member were found to be independent of one another, but risk level lost its significance when clustered with these two variables. This means that risk level does not independently contribute to *total* number of violations. Yet, risk level is the only variable of the three that independently contributes to the

number of *criminal* violations. This suggests that higher risk sex offenders need higher levels of supervision, which may be afforded by SLAs.

¹⁷ These variables (support, risk level, and living with a family member) were selected for this analysis because they were found to be significantly related to number of violations.

CONCLUSIONS AND RECOMMENDATIONS

Persons convicted of offenses involving unlawful sexual behavior demonstrate a high likelihood of recidivism due to many factors. This study explored whether various types of living arrangements impacted sex offenders' risk to community safety.

Several limitations to this study existed. First, this report focused on sex offenders under criminal justice supervision and cannot speak to sex offenders not receiving criminal justice supervision. Second, only data from the Denver metropolitan area were used. Therefore, these findings should not be generalized to Colorado's non-metropolitan areas. Third, data were collected from sex offenders who received a probation sentence; parolees were not included in this study. Fourth, data were only collected for the first 15 months of supervision. The time allowed for re-offending was relatively short¹⁸. And finally, the sample was only comprised of adult sex offenders; juveniles were not represented in the study. However, strengths of the data set include using both a random sample of probationers, who make up the majority of sex offenders receiving criminal justice supervision in the community, and an all-inclusive sample of sex offenders living in SLAs.

High-risk sex offenders living in Shared Living Arrangements had significantly fewer violations than those living in other living arrangements. This finding is similar to Hanson and Harris' 1998 study¹⁹ in which they found no overall difference in the frequency with which recidivists and non-recidivists were known to associate with other sexual offenders. In addition, the average overall number of violations was low in Shared Living Arrangements, which is surprising, given that this was the only residence type that had significantly more high-risk

¹⁸ Typical studies on recidivism occur over a 4 to 5 year period.

¹⁹ Hanson, R.K. & Harris, A. (1998). Dynamic Predictors of Sexual Recidivism. Department of the Solicitor General Canada.

sex offenders. Shared Living Arrangements also had one of the shortest amounts of time between when a sex offender committed a violation and when the probation officer or treatment provider found out about the violation. In addition, the roommates of sex offenders living in Shared Living Arrangements called in violations of probation and treatment requirements to the sex offender's treatment provider and probation officer more times than roommates in any other living arrangement. This leads back to the conclusion that a positive support system, which 100% of the Shared Living Arrangements provided, is an important component of being successful in treatment.

Recommendation 1: Shared Living Arrangements appear to be a frequently successful mode of containment and treatment for higher risk sex offenders and should be considered a viable living situation for higher risk sex offenders living in the community.

Although residences' proximity to schools and childcare centers was not specifically analyzed; two things could be inferred from the maps. One, in urban areas, a large number of schools and childcare centers are located within various neighborhoods, leaving extremely limited areas for sex offenders to reside if restrictions were implemented. Second, sex offenders who have committed a criminal offense (both sexual and non-sexual) while under criminal justice supervision appear to be randomly scattered throughout the study areas -- there does not seem to be a greater number of these offenders living within proximity to schools and childcare centers than other types of offenders. In addition to the maps, the state of Iowa's legal challenge to their law provides some insight into the constitutionality of restricting sex offender residences.

Recommendation 2: Placing restrictions on the location of correctionally supervised sex offender residences may not deter the sex offender from re-offending and should not be considered as a method to control sexual offending recidivism.

The research findings indicated that sex offenders on probation living with their families in the Denver metropolitan area were more likely to have a criminal and technical violation than those living in other types of residences. Support was another component related to the number of criminal and technical violations. Those who had support in their lives had significantly lower numbers of violations than those who had negative or no support. When support was examined for high-risk offenders, those with no support and living with a family member or friends had the highest numbers of violations (criminal, technical, and total). These findings suggest that although a high-risk sex offender may be living with a family member or friends, it does not necessarily mean that he or she is living in a supportive or healthy environment.

Recommendation 3a: *Efforts should be made to ensure that the sex offender's support in the home is positive in order to aid in his or her treatment.*

Recommendation 3b: *While the findings in this report suggest a link between a sex offender's support in the home and performance in the community, more research in this area should be conducted to further inform this important finding.*

General Recommendation 4: *The Sex Offender Management Board should consider the findings from this report when revising the Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders.*

Continuum of Housing Options for Convicted Sex Offenders under the Criminal Justice System

Place of Residence (level of monitoring provided by residence indicated by shade of box: dark=high, light = low)	Supervision Levels Available - Residential Facilities <i>Supervision provided by facility officers/guards and treatment team. In some cases, probation/parole officers provide supervision.</i>			Supervision Levels Available – Non-Residential Facilities <i>Supervision provided by probation/parole officer and treatment team</i>			Population
	HIGH	MEDIUM	LOW	HIGH	MEDIUM	LOW	
DOC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				Adult sex offenders
State Hospital (Pueblo)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				Mentally ill sex offenders
Jail	<input type="checkbox"/>	<input type="checkbox"/>					Adult sex offenders
Work Release/Jail after hours		<input type="checkbox"/>					Adult sex offenders
Work Release/Community Corrections after hours		<input type="checkbox"/> *					Adult sex offenders
Residential Community Corrections	<input type="checkbox"/> *	<input type="checkbox"/> *					Adult sex offenders
Non-Residential Community Corrections							Adult sex offenders
Group Home	<input type="checkbox"/> *	<input type="checkbox"/> *	<input type="checkbox"/> *	<input type="checkbox"/> *	<input type="checkbox"/> *	<input type="checkbox"/> *	Adult sex offenders
Alcohol/Drug Treatment Center	<input type="checkbox"/> *						Developmentally disabled sex offenders
SHORT-TERM							Adult sex offender
Unlocked Psychiatric Hospital	<input type="checkbox"/> *	<input type="checkbox"/> *					Mentally ill sex offenders
SHORT-TERM							Adult sex offenders
Shared Living Arrangement				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Developmentally disabled sex offenders
Host Home							Adult sex offenders
Residential Home -- living with friends/family				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adult sex offenders

Place of Residence (level of monitoring provided by residence indicated by shade of box: dark=high, light = low)	Supervision Levels Available - Residential Facilities <i>Supervision provided by facility officers/guards and treatment team. In some cases, probation/parole officers provide supervision.</i>			Supervision Levels Available – Non-Residential Facilities <i>Supervision provided by probation/parole officer and treatment team</i>			Population
Motel – living with friends/family				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adult sex offenders
Residential Home – living alone				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adult sex offenders
Motel – living alone				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adult sex offenders
Rooming House						<input type="checkbox"/> *	Adult sex offenders
Homeless Shelter						<input type="checkbox"/> *	Adult sex offenders
Homeless				<input type="checkbox"/> *	<input type="checkbox"/> *	<input type="checkbox"/> *	Adult sex offenders

*case manager may also be part of supervision team

NOTE:

Low supervision may include any of the following:

- Contact with a supervisory officer on a regular, but minimum basis
- Contact with a treatment provider on a regular, but minimum basis

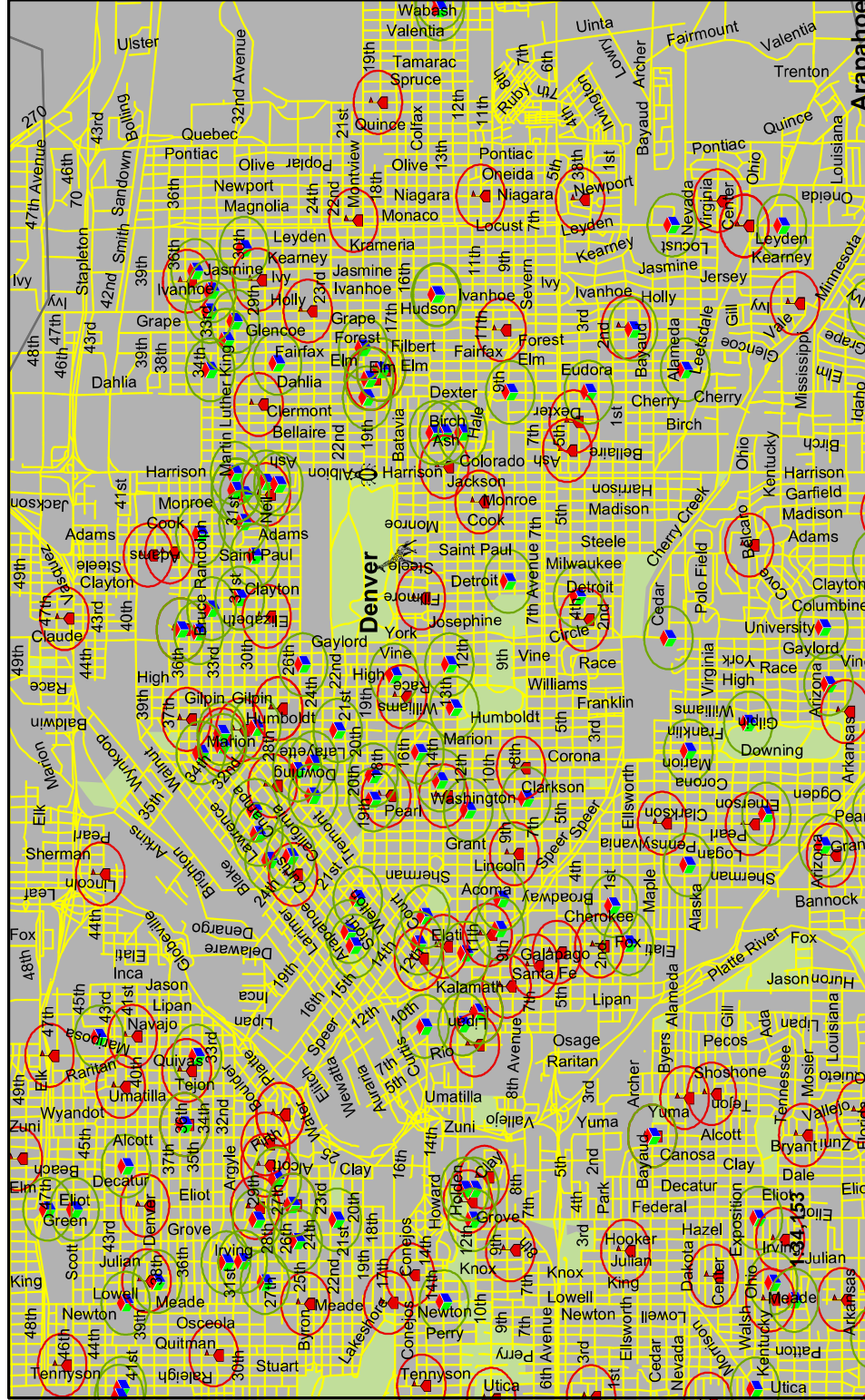
Medium supervision may include any of the following:

- Contact with a supervisory officer on a regular basis
- Contact with a treatment provider on a regular basis
- Some restrictions put on offender by supervisory team

High supervision may include any of the following:

- Contact with a supervisory officer on a regular and frequent basis
- Contact with a treatment provider on a regular and frequent basis
- Increased restrictions put on offender by supervisory team

Map 1a: 1000 Foot Buffers Around Denver County Schools and Child Care Facilities



School

1000 Buffer of School

Child Care Facility

1000 Foot Buffer of Child Care Facility

Six Flags Elitch Gardens

Denver Children's Museum

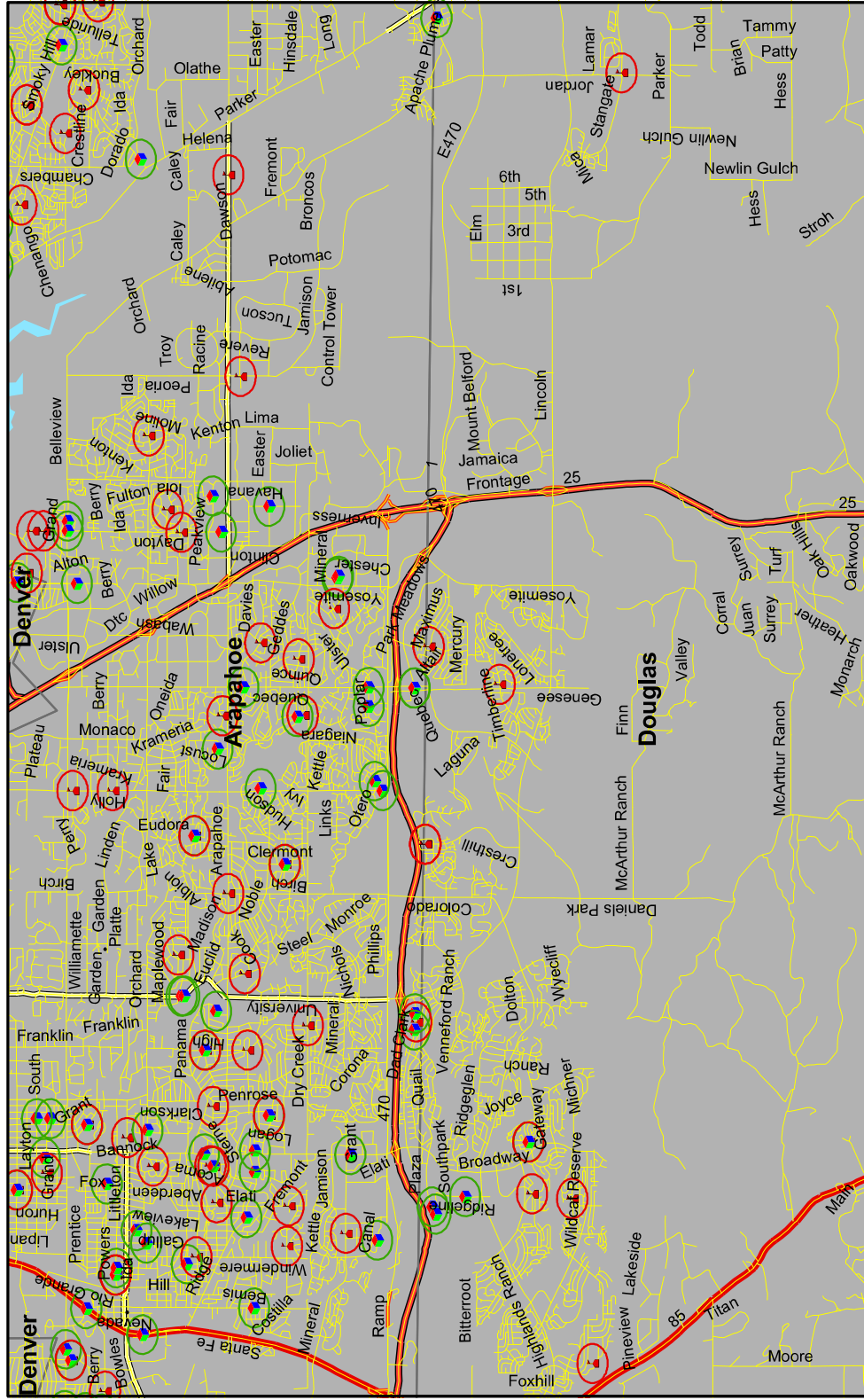
Denver Zoo

Denver Museum of Nature and Science

Colorado Division of Criminal Justice
Sex Offender Management Board
March, 2004

1 inch equals 1.136879 miles
1:72,318





Map 1b: 1000 Foot Buffer Around 18th Judicial District Schools and Child Care Facilities



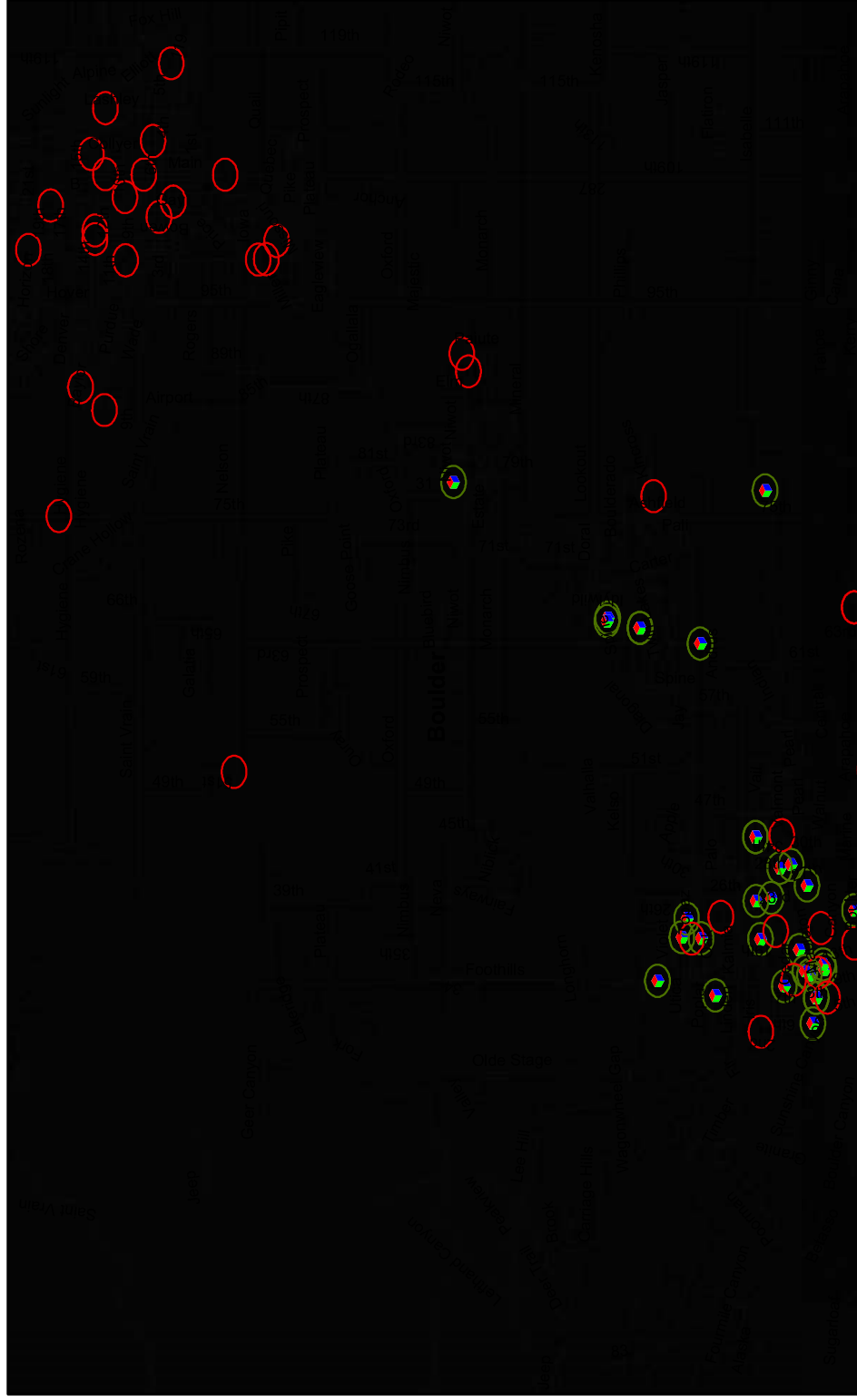
Colorado Division of Criminal Justice
Sex Offender Management Board
March, 2004

1 inch equals 1.813204 miles
1:148,383



-  1000 Foot Buffer of School
-  1000 Foot Buffer of Child Care Facility
-  Child Care Facility
-  School

Map 1d: 1000 Foot Buffer Around Boulder County Schools and Child Care Facilities



**Child Care Facility**

**School**

**1000 Foot Buffer of School**

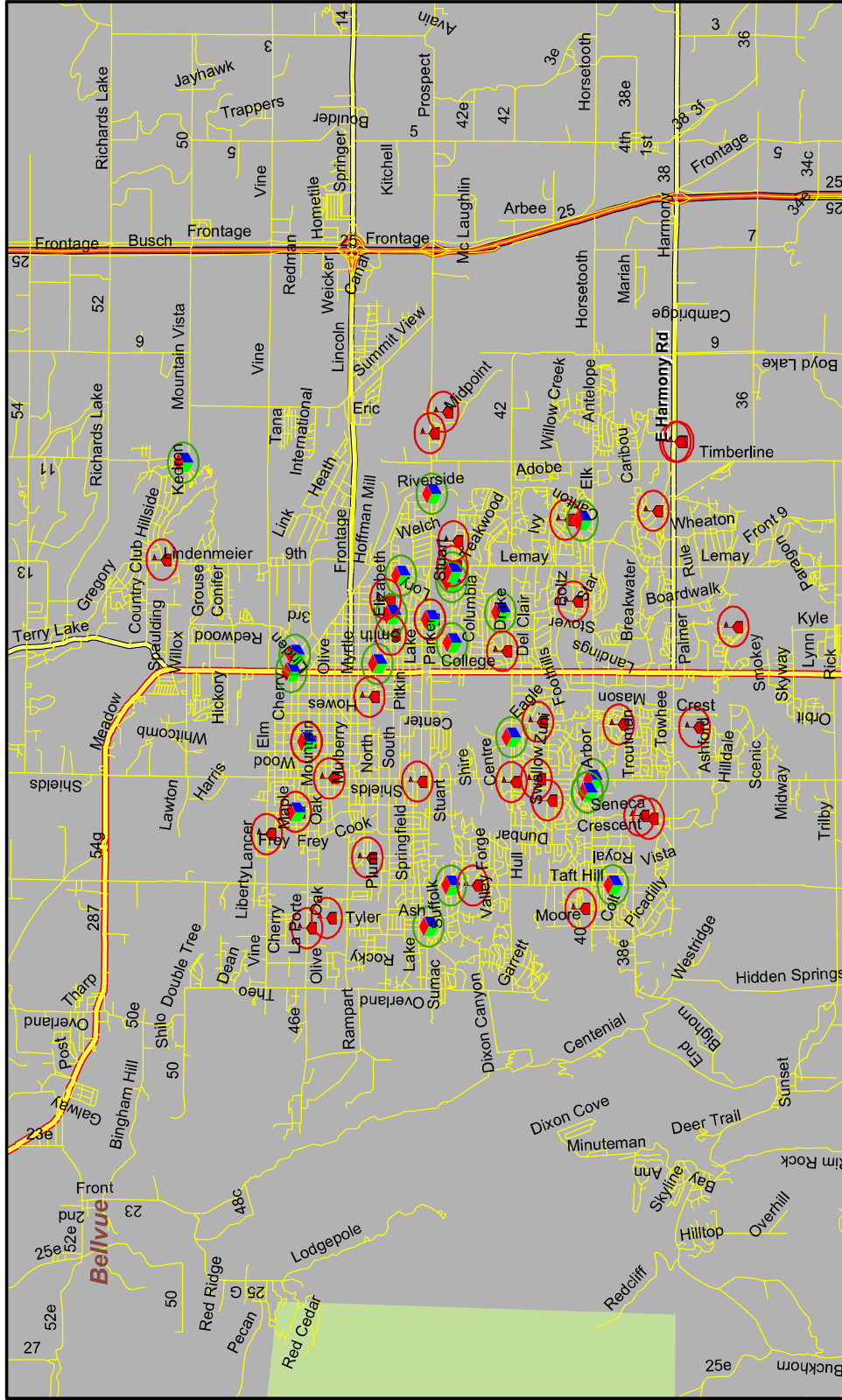
**1000 Foot Buffer of Child Care Facility**

**N**

Colorado Division of Criminal Justice
Sex Offender Management Board
March, 2004
1 inch equals 2.231864 miles
1:141,411

1 inch equals 1.981905 miles
1:125,573

Map 1f: 1000 Foot Buffer of Fort Collins Schools and Child Care Facilities



Colorado Division of Criminal Justice
Sex Offender Management Board



1 inch equals 1.793498 miles
1:113,636

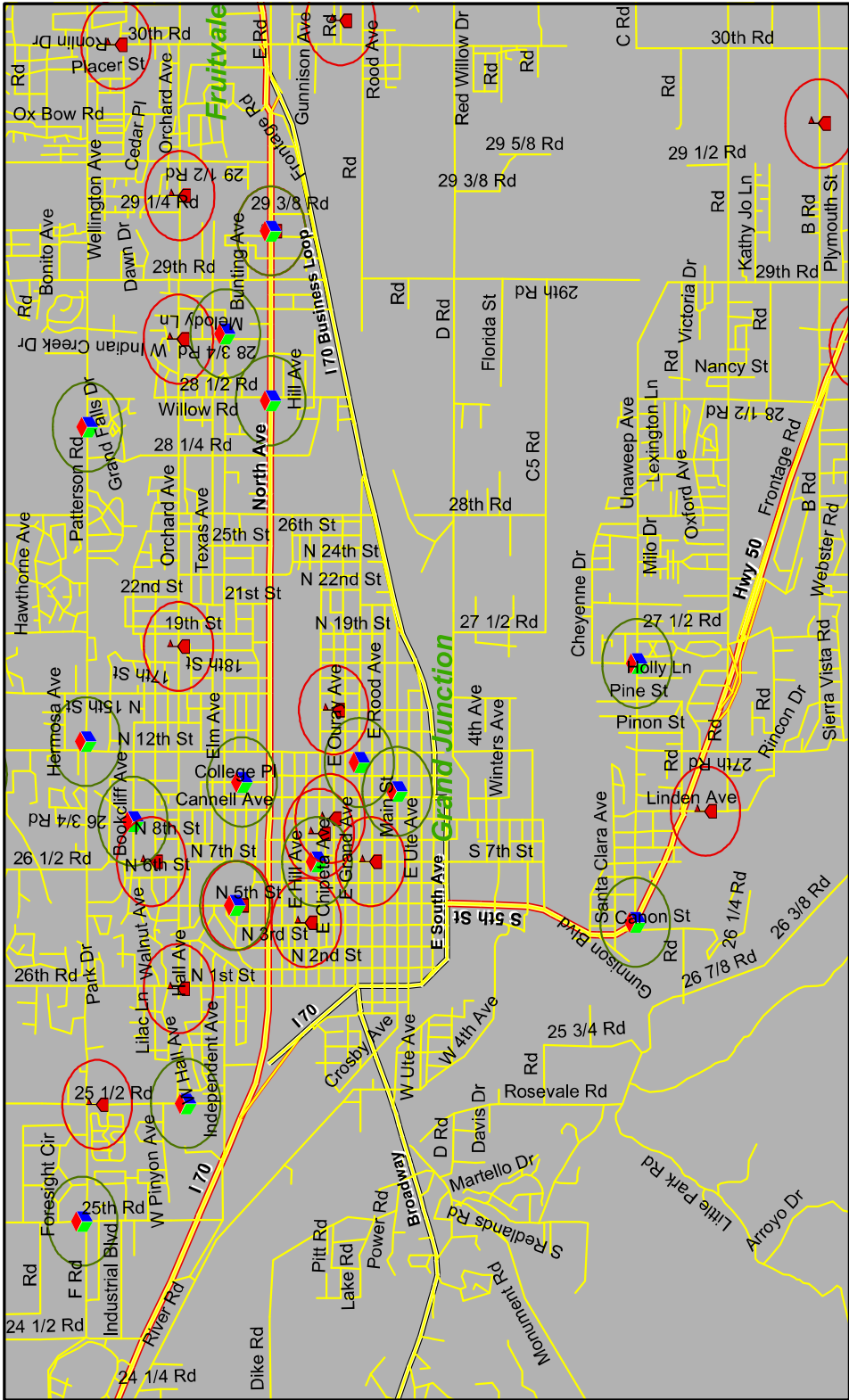
School

Child Care Facility

1000 Foot Buffer of School

1000 Foot Buffer of Child Care Facility

Map 1g: 1000 Foot Buffer Around Grand Junction Schools and Child Care Facilities



**School**

**Child Care Facility**

**1000 Foot Buffer of School**

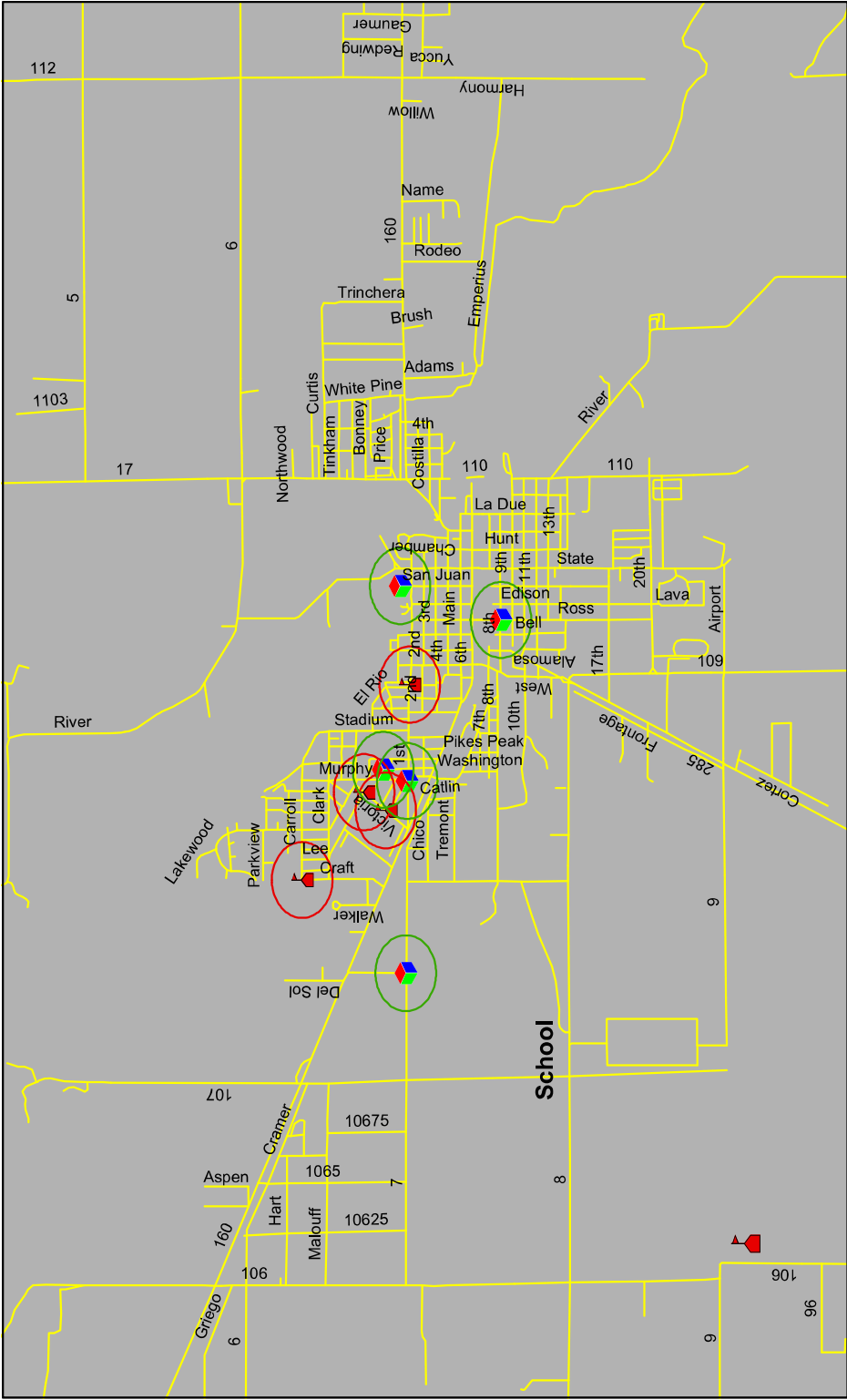
**1000 Foot Buffer of Child Care Facility**

Colorado Division of Criminal Justice
Sex Offender Management Board
March, 2004

1 inch equals 0.793828 miles
1:50,297



Map 1h: 1000 Foot Buffer Around Alamosa Schools and Child Care Facilities



**Colorado Division of Criminal Justice
Sex Offender Management Board
March, 2004**

1 inch equals 0.910537 miles
1:57,692



Child Care Facility

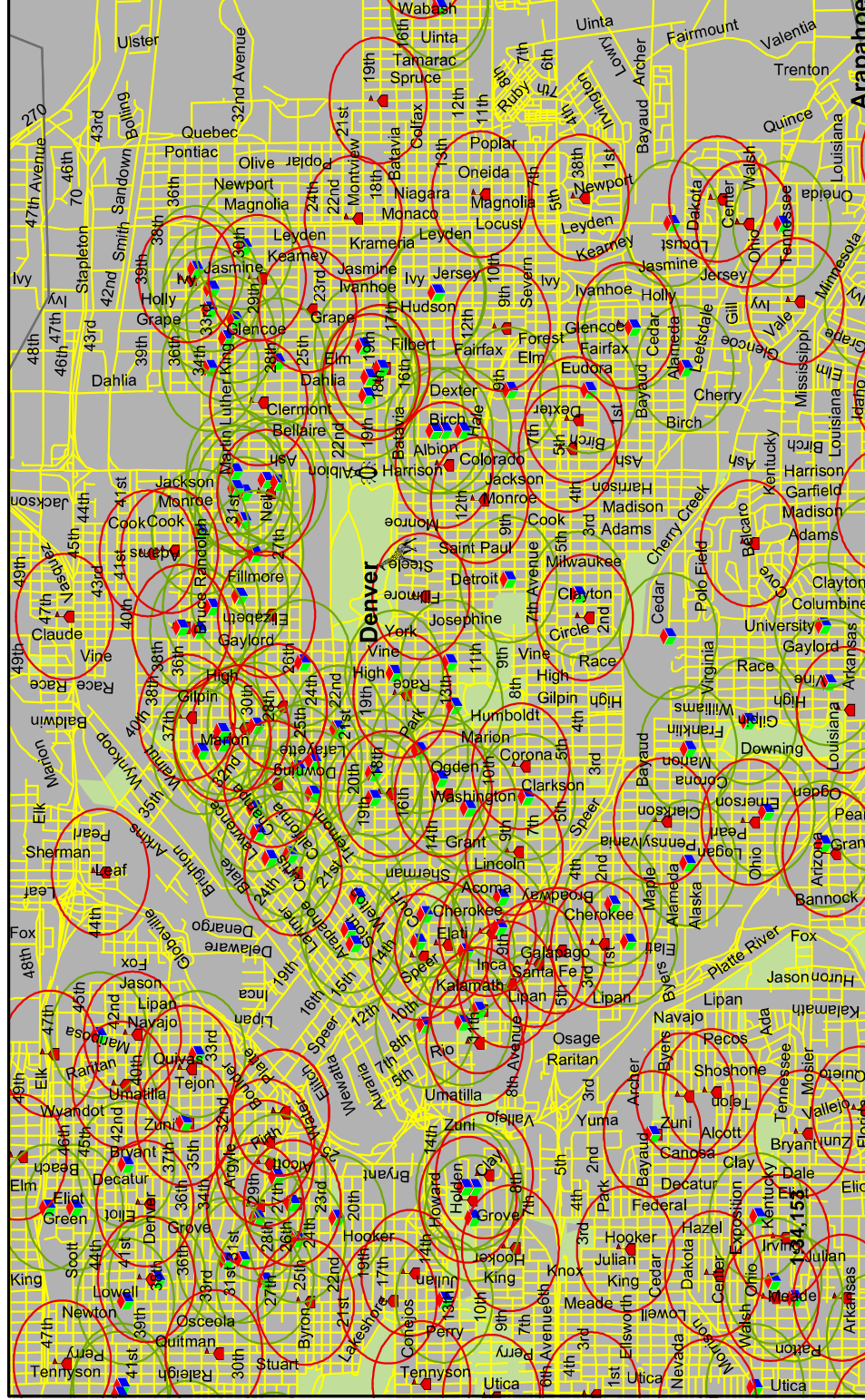


1000 Foot Buffer of Child Care Facility

School

1000 Foot Buffer of School

Map 2a: 2000 Foot Buffers Around Denver County Schools and Child Care Facilities



Legend

- School
- 2000 Buffer of School
- Child Care Facility
- 2000 Foot Buffer of Child Care Facility

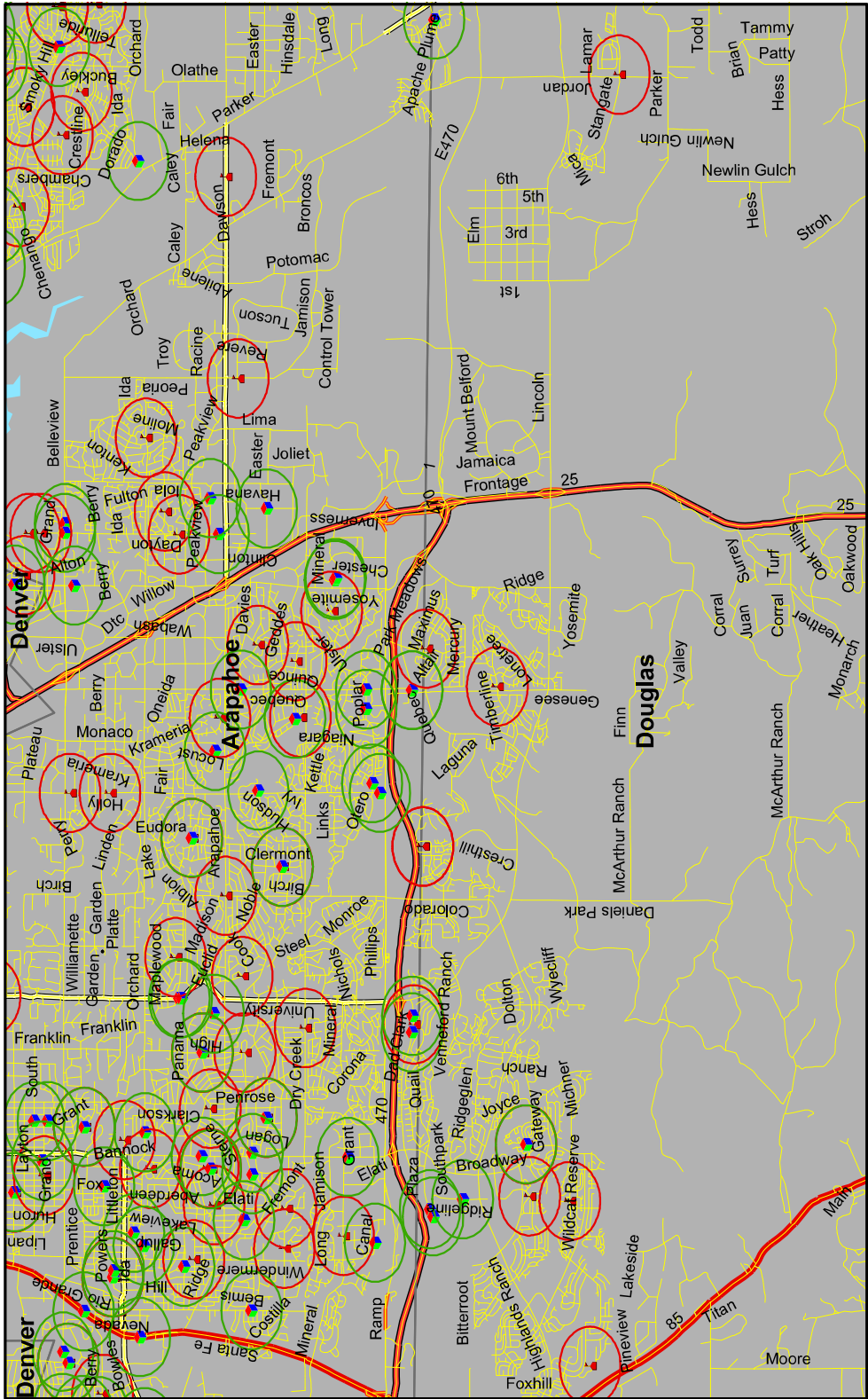
- ★ Six Flags Elitch Gardens
- ▲ Denver Children's Museum
- ▲ Denver Zoo
- ▲ Denver Museum of Nature and Science

Colorado Division of Criminal Justice
Sex Offender Management Board
March, 2004

N

1 inch equals 1.136879 miles
 1:72,318

Map 2b: 2000 Foot Buffer Around 18th Judicial District Schools and Child Care Facilities



Map 2c: 2000 Foot Buffer Around Jefferson County Schools and Child Care Facilities



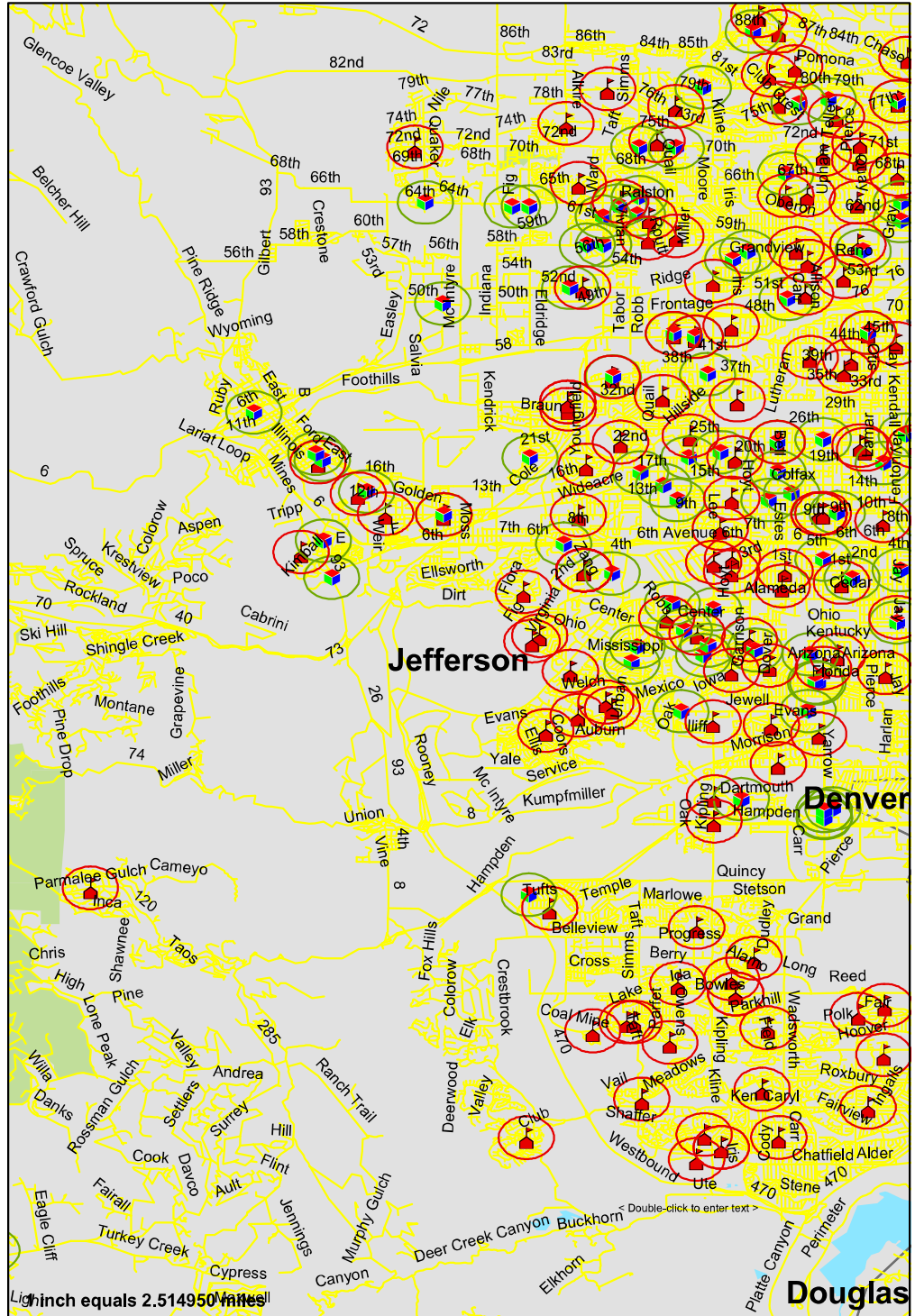
1:158,072

School

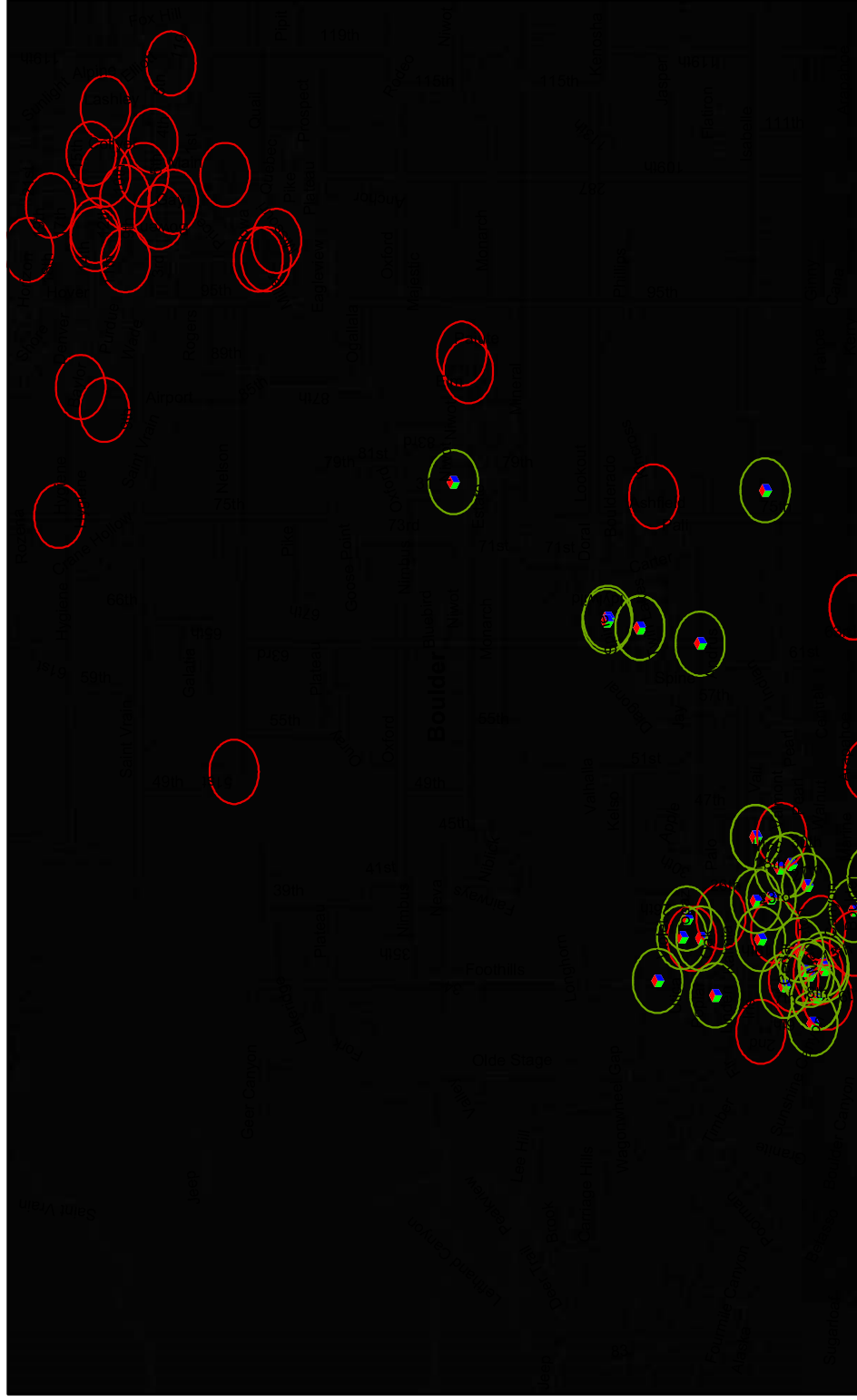
Child Care Facility

2000 Foot Buffer of School

2000 Foot Buffer of Child Care Facility



Map 2d: 2000 Foot Buffer Around Boulder County Schools and Child Care Facilities



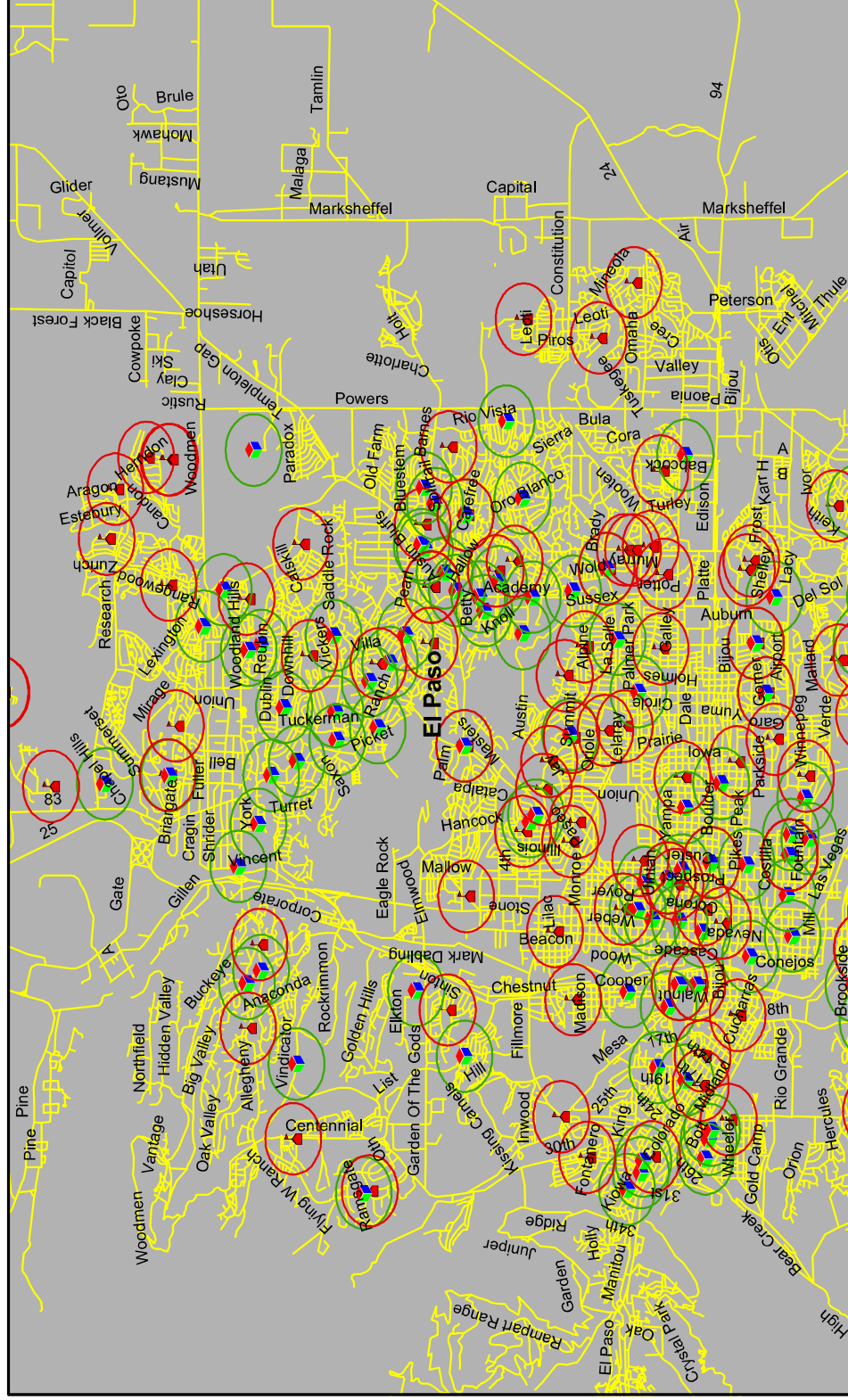
2000 Foot Buffer of School
 2000 Foot Buffer of Child Care Facility

Child Care Facility
 School

Colorado Division of Criminal Justice
Sex Offender Management Board
March, 2004

1 inch equals 2.237708 miles
1:141,411

Map 2e: 2000 Foot Buffer of Colorado Springs Schools and Child Care Facilities



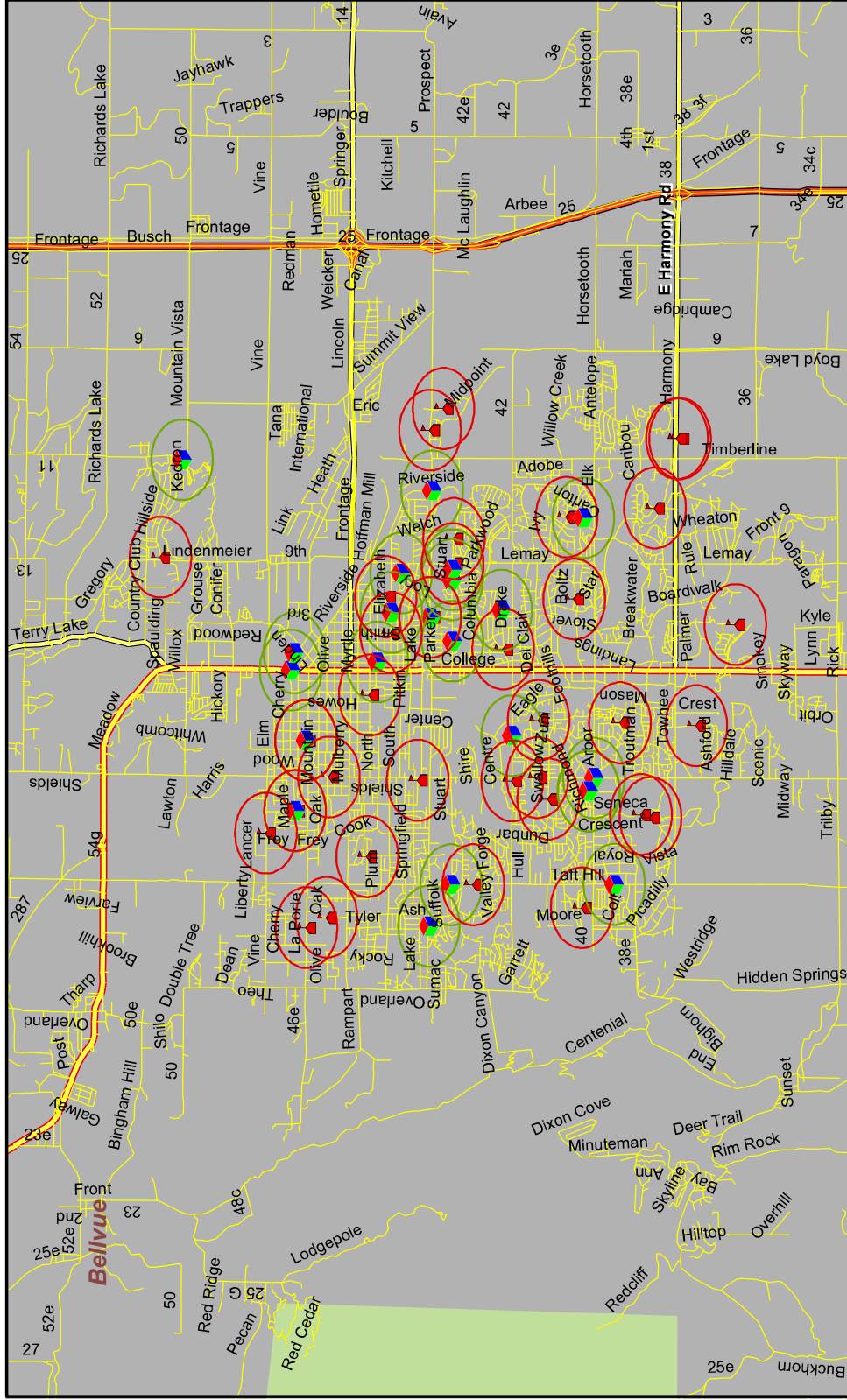
School  **Child Care Facility** 

2000 Foot Buffer of School  **2000 Foot Buffer of Child Care Facility** 

Colorado Division of Criminal Justice
Sex Offender Management Board

1 inch equals 1.981905 miles
1:125,573

Map 2f: 2000 Foot Buffer of Fort Collins Schools and Child Care Facilities



Colorado Division of Criminal Justice
Sex Offender Management Board



1 inch equals 1.790662 miles
1:113,636

School

2000 Foot Buffer of School

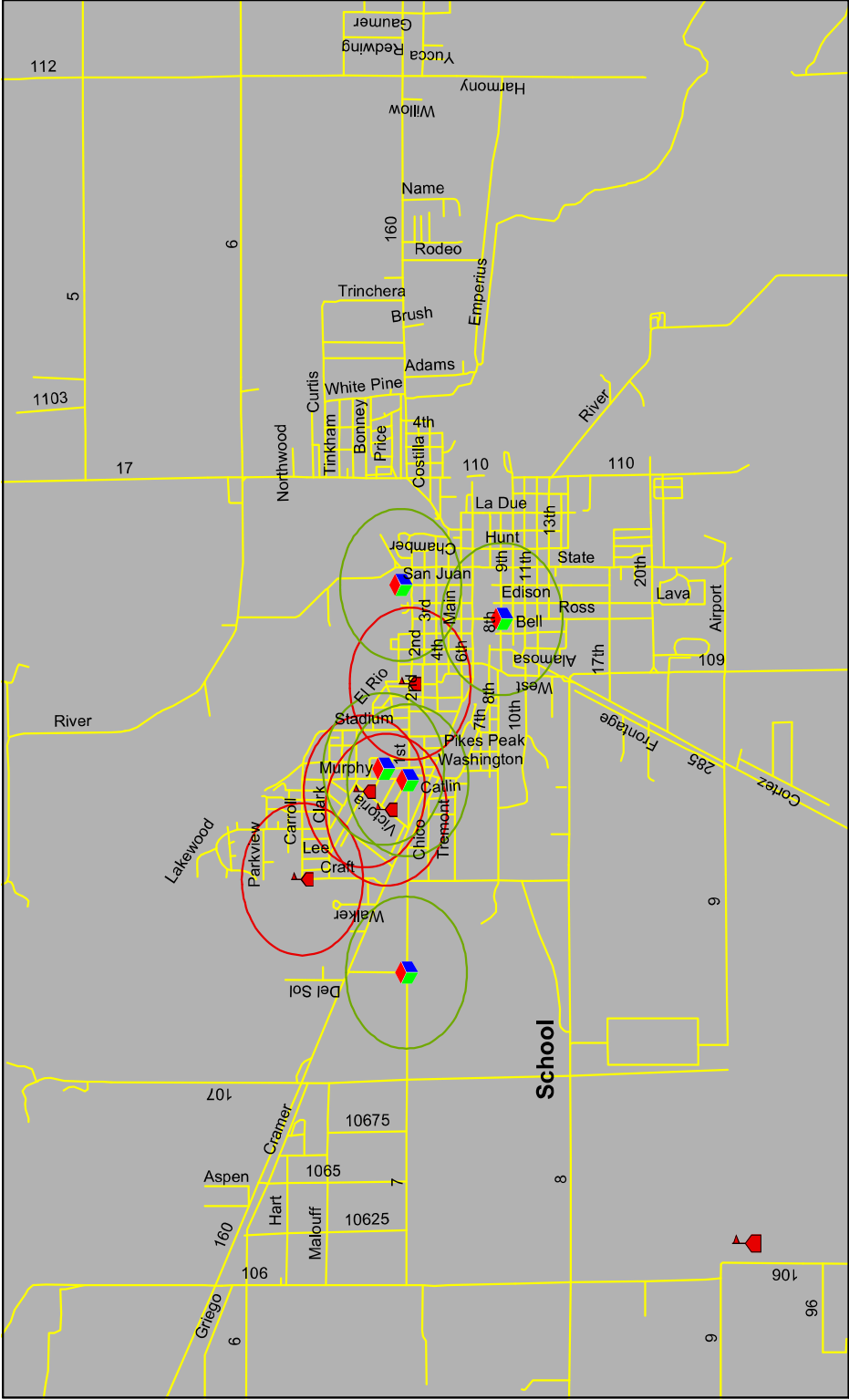
Child Care Facility

2000 Foot Buffer of Child Care Facility

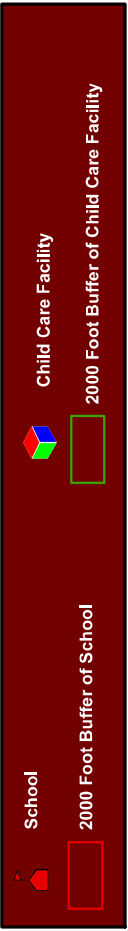
1:50,297



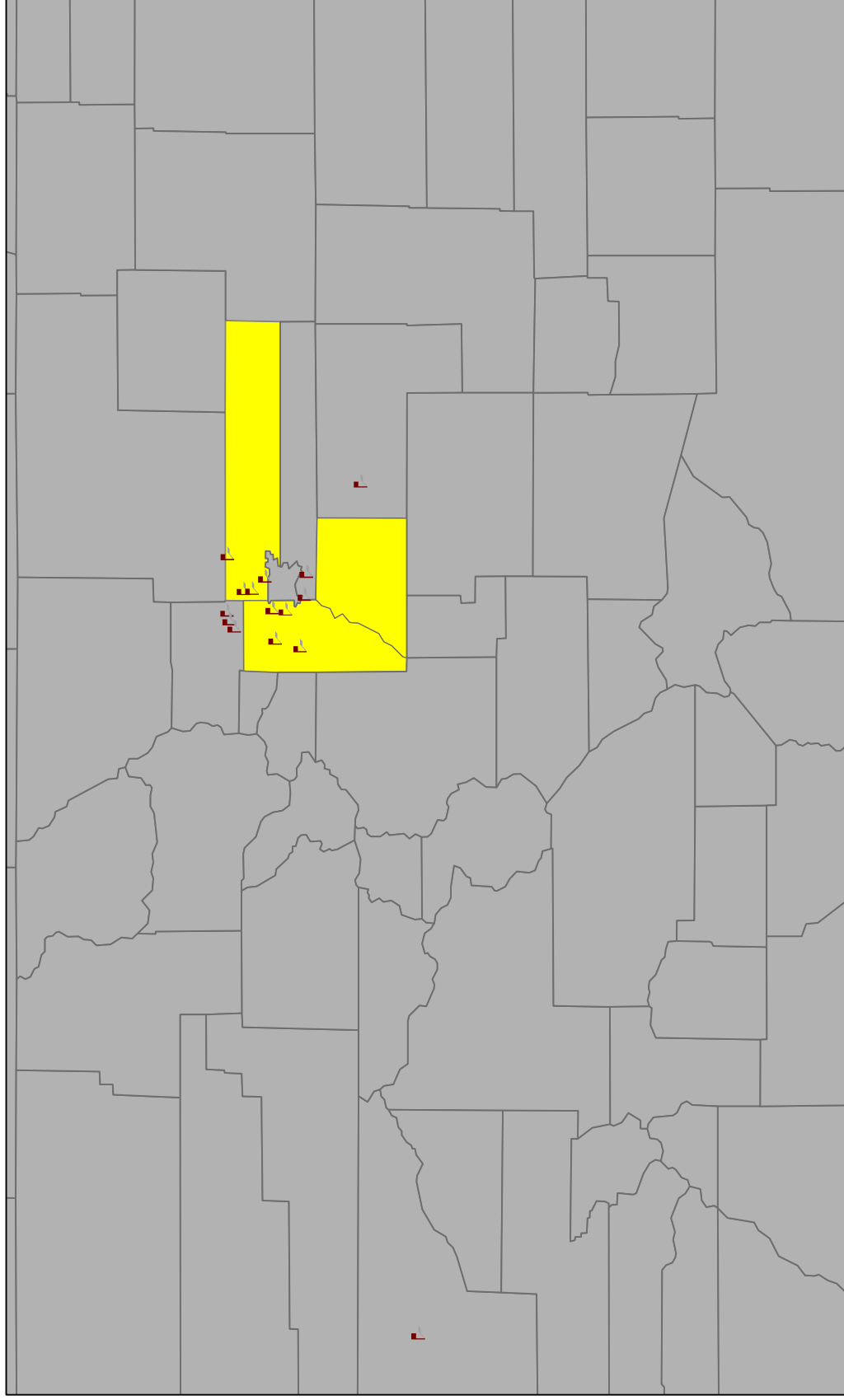
Map 2h: 2000 Foot Buffer Around Alamosa Schools and Child Care Facilities



1 inch
1:57,692

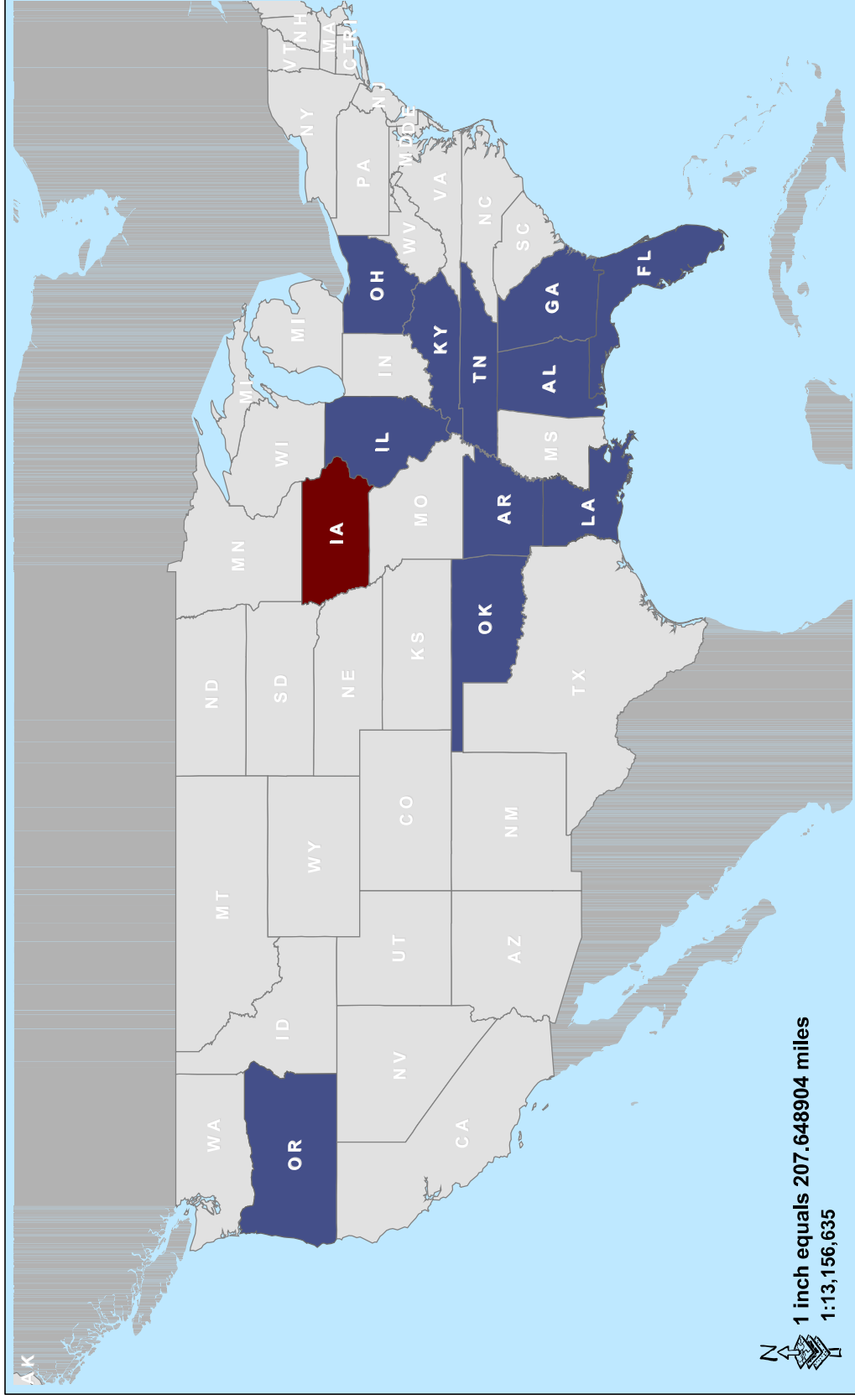


Map 3: Ordinances Restricting the Housing of Sex Offenders in Colorado



Municipalities include Brighton, Commerce City, Elizabeth, Golden, Grand Junction, Greenwood Village, Kiowa, Lafayette, Lakewood, Littleton, Louisville, Mountain View, Northglenn, Superior, Thornton, and Wheat Ridge.

Map 4: States Addressing Sex Offender Residencies in Regard to Proximity to Schools and Child Care Facilities



State With Legislation Concerning Sex Offender Residences.
 Iowa previously had legislation concerning sex offender residences; this was ruled unconstitutional in the State Supreme Court, February, 2004.

Colorado Division of Criminal Justice
 Sex Offender Management Board
 March, 2004



TWENTIETH JUDICIAL DISTRICT PROBATION DEPARTMENT

M. DENISE METZ, M.A. Probation Supervisor

1777 6th Street / P.O. Box 4249

Boulder, CO 80302 / 80306

303/877-3172 phone

Denise.metz@judicial.state.co.us

3/11/25

To the members of the Longmont City Council,

My name is Denise Metz, and I am a lifelong Boulder County resident. I have worked for the 20th Judicial District (Boulder County) Probation Department since 2001 and have specialized in supervising individuals who have committed sexual offenses since 2004. Currently, I oversee the unit responsible for supervising adults in our county who have been convicted of sexual offenses.

I understand that recent concerns about registered sex offenders living together in the community have drawn public attention. As a result, I know the Council is considering an ordinance that would restrict where registered sex offenders may reside within the city.

I'd like to offer research-based information that may help inform the Council's decision-making on this issue. While it's common to believe that people who commit sexual offenses have high rates of reoffending, extensive research shows this is not the case. Studies consistently demonstrate that individuals convicted of sexual offenses have lower recidivism rates than many other types of offenders (Hanson, 2002; Sample & Bray, 2003). Long-term studies frequently report reoffense rates well below 15%.

There is also research specific to registered sex offenders living together. Studies indicate that these living arrangements can create a more supportive and accountable environment than even living with family members. Additionally, the vast majority of registered sex offenders residing together in Longmont are under active supervision by Probation or Parole, and in some cases, both. Research consistently shows that offenders who are supervised and engaged in treatment have even lower rates of reoffending.

I recognize that sexual offenses cause significant harm to victims, their families, and the community. As someone who has spent nearly my entire career working with this population — as well as with victims of these crimes — I share those concerns. However, placing severe housing restrictions on registered sex offenders is not supported by research and may inadvertently increase public risk. Housing instability is one of the greatest factors linked to reoffending, and limiting housing options may undermine the very safeguards we aim to strengthen.

I would welcome the opportunity to discuss this issue further at a future Council meeting, share my experiences, and answer any questions about the research and best practices for managing this population.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, reading "m. Denise Metz". The signature is written in a cursive style with a large, looping "M" and a stylized "Metz".

M. Denise Metz
Boulder Probation



Housing Barriers for Sex Offenders

At a Glance

Individuals with a criminal record often find it difficult to secure suitable housing. That is especially so when a sex offense is part of that record. Some of the barriers to finding housing are due to property managers and landlords having rules against renting to anyone who has a past sex offense adjudication or is on the sex offender registry. Social stigma due to genuine concerns, misconceptions, and negative feelings towards people who have offended also plays a part. As a consequence, there is a serious lack of appropriate housing options for individuals with a sex offense conviction or adjudication in their history.

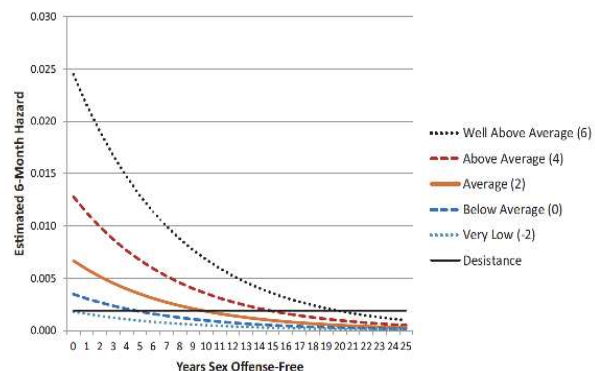
Housing instability is a public safety concern as it creates barriers to employment, community stability, and developing positive social networks and support systems. Research indicates these factors are all important influences in building a positive and safe life. Housing instability also makes it harder for Parole and Probation Officers to provide supervision and monitoring, and often times makes it harder for individuals to consistently attend their treatment programs. When someone with a sex offense history is unsuccessful in their reintegration into society, the whole community pays the cost.

5 Facts

01 The term “sex offender” is a catch-all label for any individual who has been convicted or adjudicated of one or more crimes of a sexual nature. It includes individuals who have contact and non-contact sex crimes, in-person or online offending, and who have offended one or multiple times. It applies to people whose offense involved a child or teenager, or an adult, or in some instances no identifiable victim. In this way, it is a broad term that is applied to a wide range of offenses. It tends to characterize all individuals who have committed a sex offense as the same when research shows there are important differences between individuals.

02 The likelihood an individual with a sex offense conviction or adjudication will commit another sex crime varies widely. Many years of research have consistently shown that the large majority of persons convicted or adjudicated are never arrested or convicted of another sex crime. In fact, almost all females and juveniles, and many adult males are low risk. Indeed it is more likely that an individual with a sex offense will be convicted of a future non-sexual offense than another sex crime. Research also shows that over half are never reconvicted of anything again. In general, as a group, people with a sex crime conviction or adjudication pose a lower risk of reoffending than others in the criminal justice system.

Risk levels group individuals by their *relative* likelihood of reoffending. Risk can be lowered with treatment, supervision, and time living in the community successfully. Housing stability is an important ingredient in this process.



Hanson et al. (2018). Reductions in risk based on time offense-free in the community: Once a sexual offender, not always a sexual offender. *Psychology, Public Policy, and Law*, 24(1), 48-63.

The curved lines show how reoffending varies by risk level and decreases the longer an individual lives successfully in the community. The hazard rate is the proportion of adult males at that level who reoffend in each 6-month period. The desistance line shows very low risk. One purpose of using risk labels is so resources can be assigned to reduce and manage risk where there is relatively more need.

Produced by the
Sex Offender Management Board
Division of Criminal Justice
CO Department of Public Safety



Research found taking part in treatment reduced sex reoffending by a third over the next 5 years.

Gannon et al. (2019). Does specialized psychological treatment for offending reduce recidivism? A meta-analysis examining staff and program variables as predictors of treatment effectiveness. *Clinical Psychology Review*, 73, Article 101752.

Housing stability is a protective factor that is associated with lower rates of sex reoffending.

Nolan et al. (2022). Attending to the positive: A retrospective validation of the Structured Assessment of Protective Factors-Sex Offense Version. *Sexual Abuse: A Journal of Research & Treatment*, 0, 1-20.

The vast majority of sex crimes happen in social-relationship contexts. Research with large groups shows place of residence is not a big factor.

Locations	%
Shared residence	17%
Victim's home	15%
Have always been acquainted	15%
Offender's home	10%
Acquaintance or relative's home	10%
Neighborhood	6%
Street	6%
Workplace	3%
School	2%
Apartment building	2%

Colombina et al. (2011). Preventing sexual violence: Can examination of offense location inform sex crime policy? *International Journal of Law & Psychiatry*, 34, 160-167.

03 A small proportion of individuals with a history of sex offending do pose a higher risk and go on to be repeat offenders. Many years of research have led to reliable ways to assess risk and use categories that show a person's relative risk level. In this way, those with more risk factors are identified as higher risk than those with less risk factors. In Colorado, the Sexually Violent Predator (SVP) classification is applied to the group of individuals who have more risk factors. Risk assessment is a core part of the work that happens when any individual with a sex offense conviction or adjudication is on parole or probation. The level of supervision and services a person gets is matched to the level of risk they present.

04 Treatment programs for sexual offending and related problems like substance abuse have been evolving for decades. In Colorado, programs are required by law to be evidence-based. Research has shown that comprehensive programs that target risk factors are effective and lower risk, especially when treatment is completed. Safety planning is an important part of treatment, as is developing positive activities like work and hobbies. Having stable and appropriate housing makes treatment easier and more effective. It allows the person to focus on the areas of their life that were problematic.

05 As part of community safety, researchers have studied the relationship between place of residence and sexual reoffending. Overwhelmingly, this research has shown that residential proximity to places such as playgrounds or schools is not a big factor in repeat sex offending. Instead, the vast majority of repeat sex crimes happen in social-relationship contexts where the perpetrator knows the victim. Having appropriate housing is one way of helping individuals with a sex offense history establish a positive lifestyle that reduces risky situations.

Ways Forward

When a person with a past sex offense conviction or adjudication seeks housing, there are several ways to make this a safe option for that person and those living nearby. Parole and Probation Officers are routinely involved in checking the suitability of housing choices and know how well an individual is doing in treatment. Parole and Probation work with the person to support living successfully in the community. When someone is a registered sex offender not currently under direct supervision by Parole or Probation, law enforcement has a role in address verification and compliance. Together, this network works to identify appropriate options and address potential concerns. Ask the person who is seeking accommodation about their involvement in treatment (present or past) and their safety plan to ensure you are satisfied. Ask to follow up with the individual's professional network to be satisfied or inquire further about suitability.

Being willing to give a suitable housing option, is part of the solution to creating safer communities.

Bibliography of Relevant Research

Hanson, R. K., Harris, A. J. R., Letourneau, E., Helmus, L. M., & Thornton, D. (2018). Reductions in risk based on time offense-free in the community: Once a sexual offender, not always a sexual offender. *Psychology, Public Policy, & Law*, 24, 48-63.

This research examined sexual reoffending in a large group of men (>7,000). The overall recidivism rate was 9% at 5 years, 13% at 10 years, 16% at 15 years, 18% at 20 years, and 18% at 25 years. **However, the rate varied by risk level.** At 5 years in the community, the rate was <2% for very low, <4% for below average, <8% for average, 15% for above average, and 28% for well above average risk. Each year lived successfully in the community, the likelihood of sexually reoffending decreased.

Gannon, T. A., Olver, M. A., Mallion, J. S., & James, M. (2019). Does specialized psychological treatment for offending reduce recidivism? A meta-analysis examining staff and program variables as predictors of treatment effectiveness. *Clinical Psychology Review*, 73, 101752.

This research examined the effectiveness of sex offense-specific treatment by analyzing the findings of a large number of treatment studies. **The results showed sex offense treatment had a positive effect** and reduced sexual reoffending by 5% over 5 years in the community (which translated to a third less sexual reoffending overall by those who went to treatment). Sex offense-specific treatment also had a positive effect on other types of reoffending.

Colorado Department of Public Safety (CDPS), Sex Offender Management Board (SOMB). (2004). *Report on safety issues raised by living arrangements for and location of sex offenders in the community.* Author.

This research examined the living arrangements of individuals with a history of sex offending in the Denver metropolitan area. The results showed multiple types of living arrangements were associated with an absence of further offending and that **shared living arrangements were suitable for individuals with higher-risk classification.** There was **no association between proximity to child centers and reoffending rates.** Overall, the results indicated that a positive support system was associated with significantly fewer criminal and technical violations.

Zanderbergen, P. A., Levenson, J. S., & Hart, T. C. (2010). Residential proximity to schools and daycare: An empirical analysis of sex offense recidivism. *Criminal Justice & Behavior*, 35(5), 482-502.

This research examined the relationship between sex crime reoffending and residential proximity to places where children congregate. The results showed **no relationship between distance living from daycares or schools and reoffending.**

Evans, D. N. & Porter, J. R. (2015). Criminal history and landlord rental decisions: A New York quasi-experimental study. *Journal of Experimental Criminology*, 11, 21-42.

This study tested whether having a criminal conviction affected landlords' decisions to consider prospective tenants. The results showed that **landlords were substantially less willing to consider prospective tenants with a criminal conviction than without a criminal conviction.** This was especially so when the conviction involved a child sex offense.

Colombino, N., Mercado, C. C., Levenson, J., & Jeglic, E. (2011). Preventing sexual violence: Can examination of offense location inform sex crime policy? *International Journal of Law & Psychiatry*, 34, 160-167.

This research examined where individuals convicted of sex offending first came into contact with their victims. The results showed that **2/3rds met their victims in a residence and < 5% first encountered their victim in a public location where children congregate.** Broken down by offense types, those who offended against children were more likely to meet victims within a residence (75%), while those who offended against adults were more likely to first meet their victims in a public setting (such as a bar, hotel, house party, parking lot, store etc.).

Socia, K. M., Levenson, J. S., Ackerman, A. R., & Harris, A. J. (2015). "Brothers under the bridge": Factors influencing the transience of registered sex offenders in Florida. *Sexual Abuse: A Journal of Research and Treatment*, 27(6), 559-586.

This research examined factors that influenced the extent individuals on the sex offender registry were transient. The research showed that residential restriction laws, high population density, and **low housing affordability contributed to transience.** In addition, those who were younger, minority ethnicity, offended against adults, not under supervision, and who failed to register were more likely to be transient.

Socia, K. M. (2013) "Too close for comfort? Registered sex offender spatial clustering and recidivistic sex crime arrest rates." *Sexual Abuse: A Journal of Research and Treatment*, 25(6), 531-556.

This research examined whether living in closer proximity to others on the sex offender registry led to greater sexual reoffending. **Higher residential proximity (clustering) was not associated with sexual reoffending against children but there was a possible influence on reoffending against adults.** Possible reasons were that clustering occurs in at-risk communities, overwhelms social controls against further offending, or leads to greater negative peer associations that reinforce offending.

Willis, G. M., Kelley, S. M., & Thornton, D. (2020). Are protective factors valid constructs? Interrater reliability and construct validity of proposed protective factors against sexual reoffending. *Criminal Justice & Behavior*, 47(11), 1448-1467.

This research examined the reliability and relevance of a protective factors assessment tool (Structured Assessment of PROtective Factors for violence risk: Sexual Offense version; SARPOF-SO). **One of the domains is STABILITY which includes items that assess housing stability and financial management.** Analyses supported this being a reliable and valid instrument relevant to understanding successful reintegration.

McCarten, K. F. & Richards, K. (2021). The integration of people convicted of a sexual offense into the community and their (risk) management. *Current Psychiatry Reports*, 23 (52).

This article reviewed the community reintegration of men convicted of a sexual offense and concluded **community reintegration** should be viewed from a multi-disciplinary, life-course, approach that **focuses on harm reduction and building a life that supports lawful and positive choices.**