

Residency Restrictions: Increasing the risk of re-offense and making it hard for registered citizens to restore their lives

There are around six municipalities in Colorado that have residency restrictions. While at least in some cases well-meaning politicians have put these restrictions into effect, the truth is that they DO NOT protect people from sexual assault and other sexual offenses. There is a mountain of literature out there and has been for some time now, stating that keeping people who have committed a sexual offense out of certain cities and away from specific areas such day cares, schools and parks does not work to protect children or adults. Finkelhor in a publication as far back as 2003 states: "Emotionally reactive legislation based on fear and anger rather than research and data will not be as effective in keeping our communities safe. Scientists and clinicians can assist politicians to respond to the problem of sexual violence by informing the development of evidence-based policies that can better protect the public and rehabilitate perpetrators."

The City of Englewood, Colorado is one of the few in our state that enacted residency restrictions a number of years ago. While they have never been consistently enforced, this city's move in 2006 is a perfect example of fear-based implementation of such restrictions. "The powers that were" back in the year 2006 flew into town so to speak, and announced that a sexually violent predator (SVP) was being released into Englewood. That person or persons also stated that if Englewood did not enact residency restrictions, there would be *mayhem* in the streets. If anyone had really understood that the assessment for supposedly identifying a sexually violent predator was next to worthless in terms of making such an identification, and had also realized that those with the sexual violent predator label are scared to death to set foot in the streets of just about any town due to community notification rules (i.e. community meetings to announce their arrival, pictures posted on local t.v. channels, and/or on telephone poles for a number of blocks in the area where they are living), perhaps the council would not have reacted in the way that they did.

The reason that I am aware that the SVP test did not identify what it purported to is that I was told (face to face) by one of the original SOMB Board Members who helped to put the SVP Assessment together at the mandate of the Colorado Legislature after the enactment of the Adam Walsh Act in the late 1990's, that everyone sitting around the table knew that it identified nothing. While I have heard this from only one person on that early SOMB, (who is by the way, still a knowledgeable and respected professional in the field with an advanced degree), when I have mentioned it to others who were seated there, they did not deny it. The instrument has been "re-done" a couple of times in an attempt to get it closer to valid and reliable". The Outside Evaluators' Report indicated around three years ago indicated that there were still problems with the assessment (see D'Orozio, Beech and Thornton's report on the Articles and Publications page of this website). There is interest on the SOMB and its committees in going to a tier-based registration system, deleting the SVP designation, and designating one of the tiers as the one that needs the most attention from police and other public safety entities.

Residency restrictions push registered citizens underground by making them homeless in many cases, by forcing them into areas of town that are drug-ridden, and by creating an unstable and frequently homeless condition that assists in making it hard for them to get and hold a job, and to be around pro-social support such as good neighbors and caring family. To get a clear picture of the danger done by residency restrictions and presence restrictions (i.e. libraries, parks, schools), google the work of Dr. Jill Levinson on the internet.

Public safety is, in many ways, a misnomer and an outright lie. However, politicians cannot get elected if they don't get on the public safety bandwagon. Promises to keep our city safe, to protect our children and to be tough on crime, ring loud and clear in the ears of constituents; unfortunately, they are promises that cannot be kept. There is nothing safe about the world we live in today. Stranger danger offenses by identified (registered) people who have sexually offended are almost non-existent. They are few and far between, and their small numbers are not affected by residency and presence restrictions. **There is no way to stop them.**

The Jessica Ridgway story in Arvada is an excellent example. Her perpetrator was not registered, and was not on anyone's radar to commit the horrendous offense that he did. Where we need to be focusing our efforts is on educating children and their parents, their teachers, their coaches, community leaders (pastors, government officials, psychiatrists etc.) about the dangers of ignoring boundaries in relationships. The vast majority of offenses are committed by someone known to the person who is perpetrated against, and society just doesn't want to talk about these issues until it is too late. It is a decision that needs to be made by both children and adults before such a relationship is formed, not after warning signs have been missed, and things have gone too far.

We must be forthright and vigilant in this battle, both for our loved ones who have committed offenses, a significant number of whom have been victimized themselves, and for all who can live beyond perpetration to not only survive but to thrive!