

Information on Sexually Violent Predators



PRESENTED BY THE
ADAMS COUNTY
SHERIFF'S OFFICE
SEX OFFENDER
REGISTRATION UNIT

National Sex Offender Legislation

- **Jason Wetterling Act 1994**
 - Requires states to implement a sex offender and crimes against children registry
- **Megan's Law 1996**
 - Amends Jason Wetterling Act: Requires states to establish a community notification system
- **The Pam Lychner Sexual Offender Tracking and Identification Act 1996**
 - Added amendment to Jason Wetterling Act: Requires lifetime registration for recidivists and offenders who commit certain aggravated offenses
- **The Campus Sex Crimes Prevention Act 2000**
 - Amends Jason Wetterling Act: Requires offenders to report information regarding any enrollment or employment at an institution of higher education and to provide this information to a law enforcement agency whose jurisdiction includes the institution
- **The Adam Walsh Act 2006**
 - Strengthens federal penalties to protect children from sexual exploitation and violent crime, to prevent child abuse and child pornography

Colorado Sex Offender Legislation

- **SVP (Sexually Violent Predator) Definition 18-3-414.5 C.R.S.**

- The relationship to the victim must have been either:
 - A stranger to the offender or a person the offender ***established or promoted*** a relationship primarily for the purpose of sexual victimization
- Offender must be 18 years or older at the time the offense was committed or tried as an adult if under the age of 18 when the offense was committed
- The **offense** must have been committed on or after **July 1, 1997** and the **conviction** of such offense must have occurred on or after **July 1, 1999**
 - The offense of conviction must be one or more of the following, including ***attempt, solicitations, and conspiracies:***
 - Sexual Assault
 - Unlawful Sexual Contact
 - Sexual Assault on a Child
 - Sexual Assault on a Child, Position of Trust

Colorado Sex Offender Legislation (Cont'd)

- **Community Notification 16-13-901 C.R.S.**
 - Occurs in 2 ways in Colorado:
 - **Passive:** Via the sex offender registration process whereby citizens seek information about offenders from law enforcement via website or in person at headquarters
 - **Active:** Via notification from law enforcement to citizens through a meeting or alternative forms for higher risk sex offenders determined by the court/parole board to be Sexually Violent Predators (SVPs)

Colorado Sex Offender Legislation (Cont'd)

- **Sex Offender Registration 16-22-101 C.R.S.**
 - Sexual Violent Predators Registration Requirements:
 - Lifetime registration
 - Registration completed quarterly
 - Every 90 days from birthday registration
 - Must register with appropriate law enforcement agency based on residency
 - Residence is verified quarterly

Sex Offender Characteristics

- Research indicates most sex offenders engage in CROSSOVER behavior:
 - When an offender acts outside of his or her usual deviant sexual interest. An offender may be caught for one type of offense but is at a higher risk to commit another type of offense involving a victim of a different age, gender, or race.
- Crime of conviction is only an indicator of risk.
 - Child molesters in CO who re-offended sexually did not live closer to schools or daycare centers than those who did not re-offend (Colo. Dept of Public Safety, 2004)
- Most sex offenders are male. Female offenders account for less than 10% of sex offense cases (FBI 2006)

MYTH BUSTERS

- **MYTH:** You can “spot” a sex offender
 - **FACT:** There is no such thing as a “typical” sex offender; they come from all backgrounds, ages, income levels, and professions.
- **MYTH:** Most offenders have a long rap sheet
 - **FACT:** Many sex offenders have NO criminal history.
- **MYTH:** Sex crimes are acts of impulse
 - **FACT:** Studies show 75% of sex offenses are carefully planned. (When 3 or more assailants are involved, the number climbs to 90%) (WebMD Feature March 27, 2000 Berkeley, CA)
- **MYTH:** Sexual assaults occur in dangerous places
 - **FACT:** A study conducted in Colorado Department of Corrections indicated 85% of the sex offenders reported having committed the sex crime at their own residence or at the victim’s residence.
- **MYTH:** Most sex crimes are committed by a stranger
 - **FACT:** 93% of child sex abuse victims know their abusers (Dept of Justice 2000)
- **MYTH:** Most victims “ask” for it
 - **FACT:** Sex offenders use power and control to dominate and humiliate victims of both genders.
- **MYTH:** Victims who suffer NO OBVIOUS physical injury are not seriously traumatized by their experience
 - **FACT:** Only about 4% of rape victims sustained serious physical injuries as a result of rape. 70% reported no physical injuries. ALL victims suffer.

DID YOU KNOW?

IMPACT ON VICTIMS OF SEX OFFENSES

- Victims exhibit many different responses: crying, angry, quiet, withdrawn. There is no “normal” response.
- Are likely to engage in poor contraceptive use and have a higher rate of unwanted pregnancy (CCASA, 2003)
- Sex assault by someone known to a victim creates more difficult recovery.
- Victims often develop post-traumatic stress disorder.
- Long-term effects include: depression, anxiety, eating disorders, flashbacks, divorce, loss of sexual interest, loss of concentration, sleeping disorders and suicide.
- Male victims tend to develop anti-social behaviors; females tend to develop depression; both develop substance abuse problems.

DID YOU KNOW? (Cont'd)

ALCOHOL & DRUGS

- It is a felony crime to have sex with someone who is under the influence of drugs or alcohol and who is “physically helpless” or incapable of appraising the nature of their actions.

C.R.S 18-3-402(b),(h)

SEXUAL ASSAULT

- It is illegal to have sexual relations if:
 - The victim is less than 15 years of age and the actor is at least 4 years older than the victim (but less than 17 years of age);
 - The victim is less than 18 years of age and the actor is in a “position of trust” with respect to the victim;
 - The victim is at least 15 years of age, but less than 17 years of age and the actor is at least 10 years older than the victim, and not spouse of the victim, or victim is in custody of law or detained in a hospital, victim is helpless physically, etc.

DID YOU KNOW? (Cont'd)

INTERNET EXPLOITATION OF A CHILD

- “...who is at least 4 years older than a child who is under 15 years of age, knowingly entices the child through communication via computer network or system to: expose; touch the child's own or another person’s intimate parts while communicating with the person via a computer; observe the person’s intimate parts while communicating with the person. THIS IN INCLUDES SEXTING

POSTING, POSSESSION, OR EXCHANGE OF A PRIVATE IMAGE BY A JUVENILE: “SEXTING”

- It is illegal for anyone 18 years or older to post, possess or exchange images of anyone who is at least less than 14 or less than 4 years younger
- Posting: Class 1 or 2 Misdemeanor
 - Knowingly distributes, displays or publishes image another who is at least 14 or is less than 4 years younger without permission;
 - OR of him/herself if the recipient didn’t request it and suffered emotional distress
 - OR the poster knew or should have known that the depicted person had a reasonable expectation of privacy
- Possession: Petty Offense or Class 2 Misdemeanor
 - Knowingly possess image of another who is at least 14 or is less than 4 years younger without permission
- Exchanging: Civil Infraction
 - Knowingly sends an image of self to another who is at least 14 or is less than 4 years younger and reasonably believed the recipient agreed;
 - OR Knowingly possesses an image of another who is at least 14 or is less than 4 years younger and reasonably believed depicted person agreed.

COMMUNITY RESPONSIBILITY

- The community has a vested interest in helping offenders be successfully managed in the community.
- Sex offenders have the same need for housing and employment as other citizens.
- Harassment is counter-productive to the goals of community management and may cause offenders to go underground.
- Any citizen who uses this information to harass, threaten, vigilantism or intimidate **WILL BE SUBJECT TO CRIMINAL PROSECUTION**
- **PLEASE REMEMBER.....**
 - **We want them to be:**
 - **Registered and visible in the community**
 - **Not go “underground” or provide false information**

FACTS & STATS

- As of 01/09/2023 there are approximately 19,130 registered sex offenders in Colorado
- As of 01/09/2023 there are approximately 421 Sexually Violent Predators (SVP)
- As of 01/09/2023 there are approximately 394 registered sex offenders in the city/county of Unincorporated Adams County, of which 7 of the offenders are Sexual Violent Predators

COMMUNITY RESOURCES

- Colorado Bureau of Investigation (CBI Website)
 - <https://apps.colorado.gov/apps/dps/sor/>
- Colorado Sex Offender Management Board website
 - <https://dcj.colorado.gov/dcj-offices/ODVSOM/somb>
- Dru Sjodin National Sex Offender Public website
 - <https://www.nsopw.gov/>
- National Center for Missing and Exploited Children website
 - <https://www.missingkids.org/home>
- National Sexual Assault Hotline at: 800-656-HOPE