

LIVING ARRANGEMENTS GUIDELINES

For Sex Offenders in the Community

To be used in conjunction with the:

*Report on Safety Issues Raised By Living
Arrangements For And Location Of Sex
Offenders in the Community (March, 2004)*

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Currently, no state statutory restrictions exist that apply to the living arrangements and locations for persons convicted of offenses involving unlawful sexual behavior. Some municipalities and counties throughout the state, however, have implemented local ordinances that place restrictions on where a sex offender can live in the community¹. These ordinances are designed to promote community safety by limiting housing options available to sex offenders. Ironically, these restrictions (i.e., restrictions on housing that extend beyond requirements imposed by supervising officers and treatment providers) may actually compromise public safety by compelling sex offenders to live in communities that provide insufficient containment and supervision.

Outside of jail and community corrections, which have their own guidelines, there are multiple arrangements in which sex offenders can live in the community. These include, but are not limited to: alone, with family or friends, in motels, residential homes, homeless shelters, or shared living arrangements (SLAs). Preliminary research suggests that these arrangements are not equal to one another in terms of promoting community safety.

1. All living arrangements need to have appropriate supervision.

Containment teams are required to make decisions regarding housing early in the process of determining an offender's risk issues, quality of family and associate relationships. Containment teams should be aware that sex offenders frequently expect or request more freedom than they are able to safely handle and may resent the loss of freedom. Therefore, containment teams should thoughtfully and carefully consider living arrangements. When making these decisions, containment teams should consistently apply the Guiding Principles, particularly Guiding Principles 1, 2, 3, 5, 6, 11, and 12 (which address offender privileges and community safety), outlined in the *Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders*².

2. Positive, informed support is an essential aspect of living arrangements for sex offenders.

Preliminary research suggests that sex offenders with positive, informed support had significantly lower criminal and technical violations than sex offenders who had negative or no support (i.e., friends, family, or roommates who negatively influence the sex offender or refuse to cooperate with the containment team, etc.)³.

Because of the unique type of accountability, support and supervision that sex offenders require, containment teams should attempt to offer clients opportunities to interact with and attach to individuals who provide positive, informed support, especially during free time. Ideally,

¹ Please contact the City or County Commissioner's Office or Zoning Office to inquire whether or not a city or county has an ordinance regarding sex offender residences.

² Colorado Department of Public Safety, Division of Criminal Justice, Sex Offender Management Board (May, 2004). "Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders"

³ Colorado Department of Public Safety, Division of Criminal Justice, Sex Offender Management Board (March, 2004). "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 16.11.7-103(4)(j), C.R.S.).

containment teams should require that offenders *reside with* individuals who provide positive, informed support (as described in this document).

Someone who provides positive, informed support demonstrates:

- Accurate knowledge of the offender’s instant offense (crime of conviction), history of prior criminal convictions, sexual offense history, and sexual deviancy behaviors.
- Accurate knowledge of the offender’s historic methods of deception and manipulation, particularly as they apply to the informed supporter.
- Accurate knowledge of rules and expectations (as provided by the offender’s supervising probation or parole officer and treatment provider).
- Awareness of the offender’s potential victims.
- Awareness of the cycle, offense patterns and early abuse signs.
- Familiarity with the offender’s schedule and whereabouts.
- The ability to enhance and encourage application of the offender’s treatment tools outside of the therapy setting.
- A working relationship with the treatment provider and criminal justice supervisor.
- The ability to acknowledge the seriousness of the offending behavior.
- The ability, skills and tools to hold the offender accountable early in the onset of risky behaviors.
- Willingness to report non-compliance to the containment team.

3. Shared Living Arrangements (SLAs)⁴ can be a beneficial living situation for sex offenders living in the community⁵:

Preliminary research suggests that high-risk sex offenders living in an SLA had significantly fewer violations than those not living in an SLA⁶. The general SLA philosophy is an extension and integration of the Therapeutic Community treatment modality in which offenders’ living environments can be seen as an extension of both treatment and monitoring. Shared Living Arrangements are a method of structuring treatment so that sex offenders are paired in groups, with a minimum of two (ideally three to four) other sex offenders who could provide informed support in a household. The philosophies that drive the use of the SLAs should contribute to improving sex offenders’ social skills and their accountability to self and others. In addition, SLAs should address the need for both treatment providers and the criminal justice system to share the task of monitoring sex offenders in the community. Presently, treatment programs in conjunction with supervision teams monitor SLAs.

⁴ The use of Shared Living Arrangements in Colorado, as described in this document, was initiated by Greig Veeder of Teaching Humane Existence (T.H.E.).

⁵ For more information regarding Shared Living Arrangements (features, how they are run, etc.) please contact the Sex Offender Management Board at the Colorado Division of Criminal Justice.

⁶ Colorado Department of Public Safety, Division of Criminal Justice, Sex Offender Management Board (March, 2004). “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 16.11.7-103(4)(j), C.R.S.).

A distinct feature of sexual offending behavior is based in maintaining secret lifestyles. For this population, SLAs provide an opportunity to deconstruct that secret lifestyle and hold themselves and others accountable. Sex offenders in this situation can benefit from developing an interest in providing proof or evidence based facts of accountability to his or her containment team.

The containment team, when appropriate, should strongly consider requiring community-based sex offenders to live in an SLA situation. Some items to bear in mind when considering SLAs:

- 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 situations that may be dangerous to public safety. Containment teams should carefully consider the living arrangements of all sex offenders.
- Care should be taken to monitor the location of SLAs to minimize the likelihood of exposure to high-risk situations (for example, swimming pools, playgrounds, schools, daycare centers, etc.).
- SLAs offer a cost effective housing alternative that provides positive, informed support.
- The offender is typically responsible for establishing and securing a residence that meets additional guidelines that the treatment provider and/or criminal justice supervisor may require for his/her living arrangement.
- The treatment provider establishes the structure and rules of the household, including the selection of roommate(s). It appears that the most successful SLAs are defined by two primary components: 1) clearly stated rules and guidelines consistently applied to all the participants in the household, and 2) the monitoring and enforcement of those guidelines.
- SLAs may be useful for both lower and higher risk sex offenders.
- UNLESS MONITORING AND SURVEILLANCE EXISTS FOR EACH SEX OFFENDER IN THE HOUSEHOLD, A LIVING ARRANGEMENT SHOULD NOT BE CONSIDERED AN SLA AS REFERENCED IN THIS DOCUMENT.