



## HB 1138 Fact Sheet Sex Offender Management Board Reauthorization Bill



### What is the Sex Offender Management Board?

The Colorado Sex Offender Management Board (SOMB) was statutorily created in 1992 to protect public safety by developing and implementing standards for the evaluation, treatment, and behavioral monitoring of adult sex offenders and juveniles who have committed sexual offenses. For the past 18 years, the SOMB has successfully utilized research and best practices to manage sex offenders and maintain a comprehensive system that prevents re-offense and further victimization. The SOMB is essential to safeguarding Colorado communities and is set to expire this year.

***CCASA, in collaboration with COVA, supports HB 1138 sponsored by House Representative Bob Gardner (R-El Paso, Fremont) and Senate Majority Leader John Morse (D-El Paso) to reauthorize the SOMB and effectively manage sex offenders.***

### What do you need to know about House Bill 1138?

House Bill 1138:

1. Identifies the board's membership and responsibilities.
2. Refers to juvenile offenders as "juveniles who have committed sexual offenses" rather than labeling juveniles as sex offenders, and adds definitions for "adult sex offender" and "juvenile who has committed a sexual offense."
3. Recommends that all complaints or grievances against treatment providers and evaluators be referred to the Department of Regulatory Agencies (DORA).
4. Retains current statutory emphasis that the SOMB must create procedures based on the recognition that adult sex offenders may present an ongoing risk to community safety: "The procedure shall provide for an evaluation and identification of the adult sex offender and recommend management, monitoring, and treatment based upon the knowledge that sexually offending behavior is repetitive. There is currently no way to ensure that adult sex offenders with the propensity to commit sexual offenses will not reoffend."
5. Emphasizes the need to assess risk on a case-by-case basis and directs the board to develop protocol for evaluating and identifying reliably lower risk adult sex offenders.
6. Sets the next SOMB reauthorization date as July 1, 2015.

## Why is it important to acknowledge that sex offending is repetitive?

- Since perpetrators of sexual violence often commit numerous sexual offenses over a span of decades, we cannot predict with any certainty who will reoffend.<sup>1</sup>
- An ongoing program of treatment and supervision is necessary to protect the community from re-offense and assist offenders in managing their risk factors and becoming contributing members of society.
- Sex offender re-offense rates are largely underestimated:
  - Studies that report low recidivism rates typically follow convicted offenders for only short periods of time (3 to 5 years)<sup>2</sup>, while studies that follow sex offenders over long periods of time consistently report increasing re-offense rates.<sup>3</sup>
- When a crime is reported, victims trust that the criminal justice system will respond appropriately to the severity of the crime and minimize future threat to the community. This approach honors the victim's experience by making a commitment to life-long management of the offender's behavior.

## What is the impact of sexual offending?

1 in 6 women and 1 in 33 men report experiencing an attempted or completed rape at some time in their lives.<sup>4</sup> Many victims struggle with the lifelong impact of sexual violence including:

- Permanent injuries
- Substance abuse
- Anxiety
- Post-Traumatic Stress Disorder (PTSD)
- Depression and other mental health problems.
- Child victims demonstrate changes in neurobiology, brain development, and developmental progress.

**Most victims of sexual violence never receive justice. Research estimates a mere 1% of sex offenders' crimes are reported to police.**<sup>5</sup> This horrific crime also carries a hefty price tag—research estimates that the cost of sexual violence per assault is \$184, 000 for children and \$139, 000 for adults.<sup>6</sup>

## What agencies have endorsed HB 1138?

This bill is endorsed by: The Alliance, Colorado Association of Chiefs of Police, Colorado Chapter of the Association for the Treatment of Sexual Abusers (ATSA), Colorado Coalition Against Domestic Violence (CCADV), Colorado Coalition Against Sexual Assault (CCASA), Colorado Department of Public Safety, Colorado District Attorneys' Council (CDAC), Colorado Organization for Victim Assistance (COVA), Denver Crime Victim Advisory Council, Denver Sexual Assault Interagency Council.

<sup>1</sup> Prentky, R. A., Lee, A.F.S., Knight, R.A., & Cerce, D. (1997). Recidivism rates among child molesters and rapists: A methodological analysis. *Law and Human Behavior*, 21, 635-659.

<sup>2</sup> Minnesota Department of Corrections, 2007; Hanson, et al, 2002; US Department of Justice, 2003.

<sup>3</sup> Hanson, et al, 1993; Prentky, et al, 1997; Langevin, et al, 2004.

<sup>4</sup> Kilpatrick and McCauley, 2009.

<sup>5</sup> Ahlmeyer, et al., 2000.

<sup>6</sup> Minnesota Department of Public Health, 2007.

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