

POLICE DEPARTMENT MEMORANDUM
#7-2022

DATE: March 28, 2022

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager *Hmg*

FROM: James S. May, Jr., Chief of Police *JSM*
Randall L. Darlin, Deputy Chief of Police

SUBJECT: Sex Offender Registration and Ordinance Information

PURPOSE

To provide an overview of requirements under the Colorado Sex Offender Registration Act, which mandates that individuals register as a sexual offender upon conviction or release from custody for specified offenses. In the fall of 2021, City Council provided staff with direction to bring back options on sex offender distance requirements. The overview will provide statistics identifying the current number of registered sex offenders within Northglenn, as well as the potential impact of enacting an ordinance prohibiting sex offenders from establishing residency near areas where children congregate.

BACKGROUND

The State of Colorado enacted the Colorado Sex Offender Registration Act effective July 1, 2002. The act mandates that individuals convicted of an unlawful sexual offense as defined in the Act register with the local law enforcement agency in each jurisdiction in which they reside. Local law enforcement agencies must accept the registration of a person who lacks a fixed residence but need not accept the individual's registration if it includes a residence or location that would violate State law or local ordinance. In circumstances where the individual's location or residence violates State law or local ordinance, the law enforcement agency must provide the individual with the opportunity to secure an alternate location within five days.

Each person who is required to register pursuant to Colorado's Sex Offender Registration Act shall initially register or confirm their initial registration within five business days after release from incarceration or within five business days after receiving notice of the duty to register if the person was not incarcerated. After a person's initial registration, each person shall reregister within five business days before or after the person's next birthday and annually thereafter.

Below are examples of offenses that, upon conviction, require an individual to register under the Act:

- Enticement of a child
- Internet luring of a child
- Unlawful sexual behavior to include:
 - Sexual assault
 - Sexual assault of a child
 - Human trafficking
 - Indecent exposure
 - Sexual assault on a client by a psychotherapist
 - Engaging in sexual conduct in a correctional institution
 - Promotion of obscenity to a minor
 - Invasion of privacy for sexual gratification

Enacting a local ordinance that identifies restrictions on the location or residence of an individual who is required to register under the Colorado Sex Offender Registration Act could provide maximum protection of the health, safety, and welfare of children in the City. Sex offenders have a high rate of recidivism and removing such offenders from the proximity to places where children are located and limiting the frequency of contact between sex offenders and children is likely to reduce the risk of an offense.

Currently, 95 registered sex offenders reside in Northglenn. Of those, five have identified a non-fixed location as their residence. The City has a compelling interest to promote, protect, and improve public health, safety, and welfare by prohibiting certain sex offenders or sexual predators from establishing temporary or permanent residences around locations where children regularly congregate. Areas for consideration are:

- Parks
- Playgrounds
- Schools
- Daycare centers or preschools
- Recreation centers
- Public swimming pools
- Properties located adjacent to designated public or private bus stops

The safety of the community is paramount and may be placed before the needs of sex offenders. This type of legislation provides extra protection to ensure children and youth remain safe and protected. Any proposed ordinance should consider establishing distance limitations for sex offender residency. Prohibiting sex offenders from residing within 1,000 feet of any school or daycare center or 500 feet of any park or designated school bus stop are the type of restrictions that have been established by similar local ordinances. Exceptions to the ordinance would likely be necessary. For example, established residency prior to the effective date of the ordinance or sex offenders placed in residence by State foster care programs may need to be allowed. In addition, any distance limitations considered by the City Council cannot effectively prohibit such individuals from living anywhere in Northglenn.

Included is a map created by the Planning & Development Department that identifies areas within the City that would prohibit residency by sex offenders at distances of 500, 1,000, and 1,500 feet of any private or public school, Adams 12 School District bus stops, licensed daycare and preschool facilities, child amusement activity centers, parks, public open spaces, and recreation centers.

BUDGET/TIME IMPLICATIONS

There are no financial impacts to the City.

STAFF RECOMMENDATION

The presentation is for informational purposes. Staff is requesting direction from City Council on this issue.

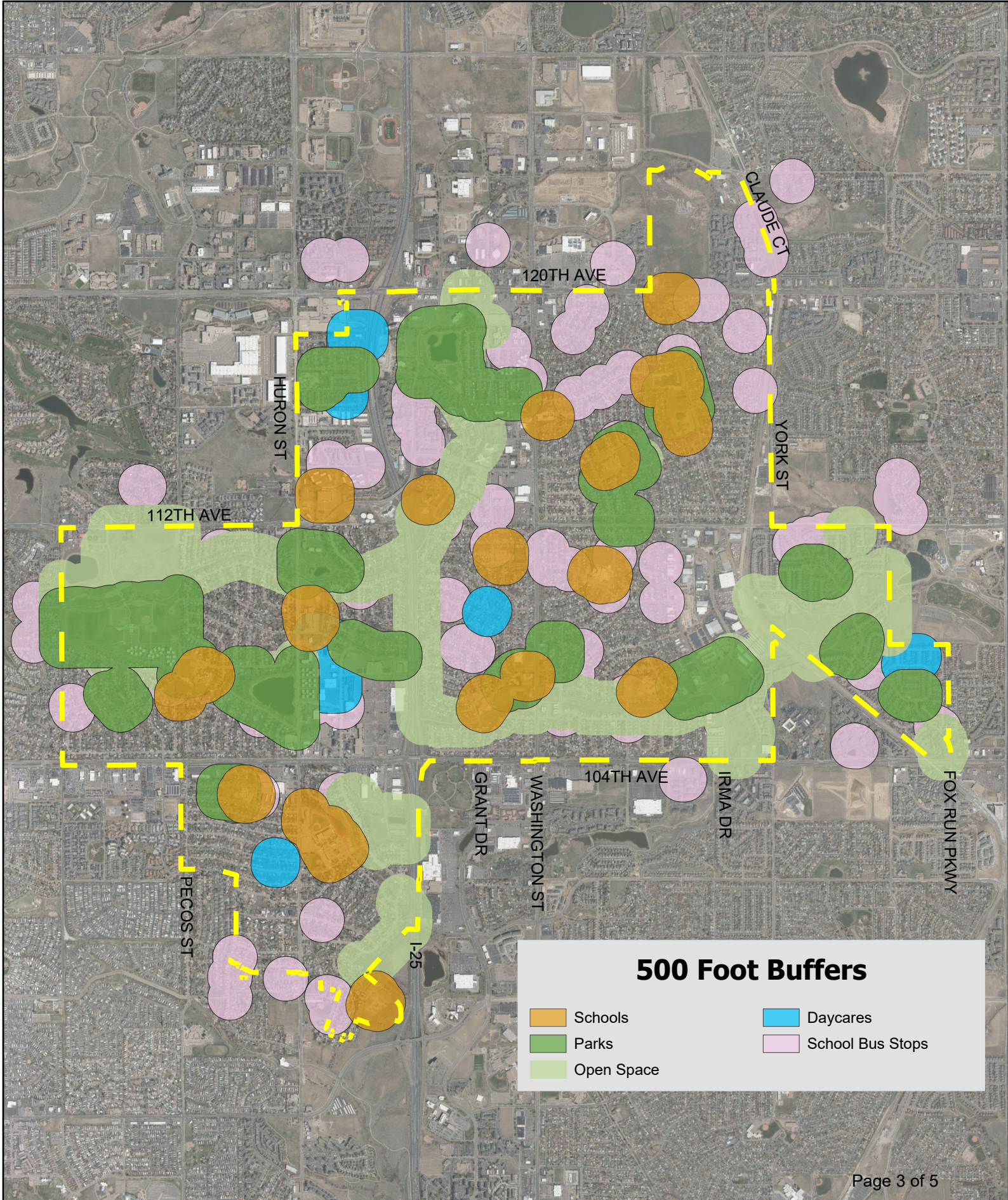
STAFF REFERENCE

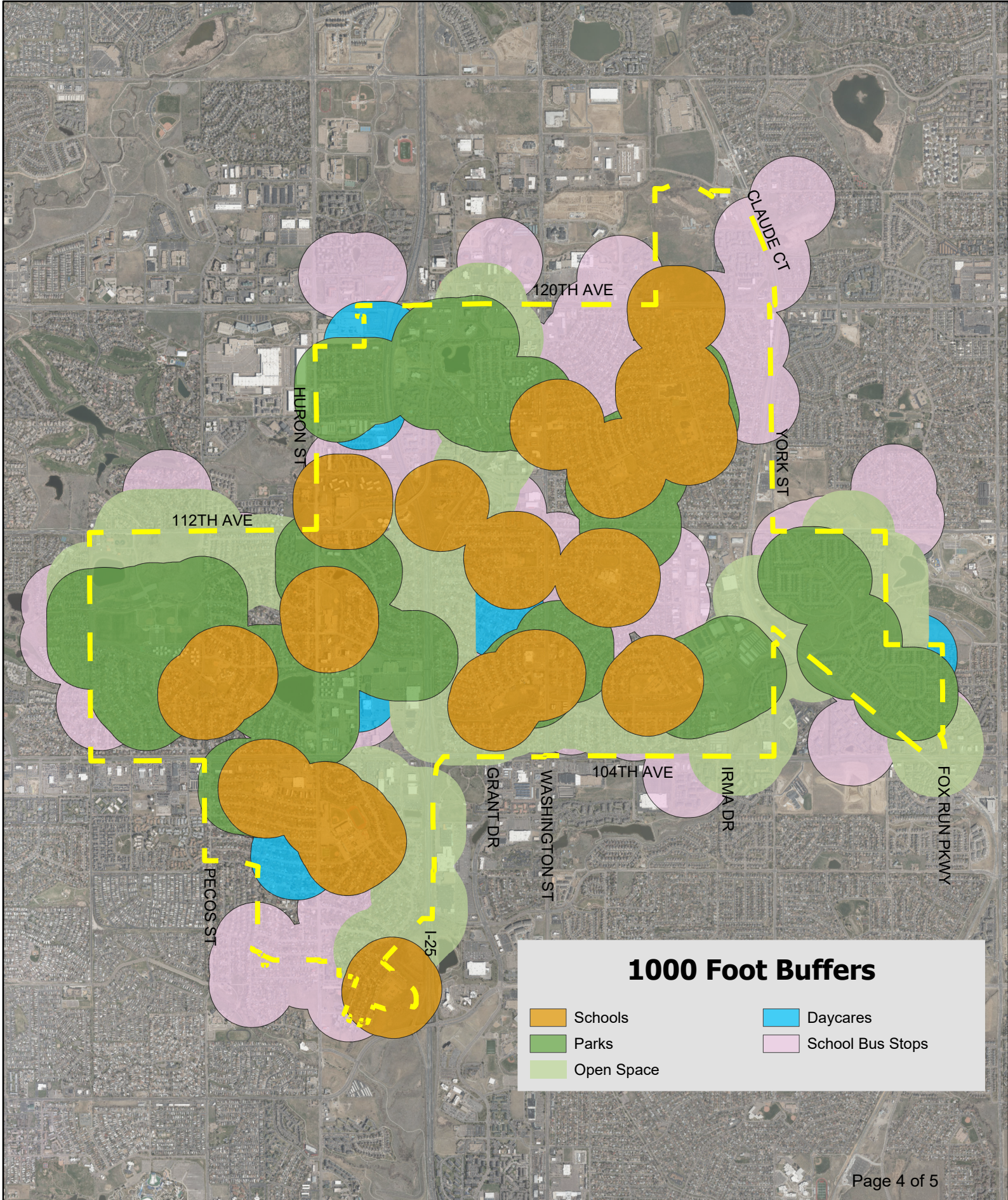
If Council members have any questions, they may contact:

- James S. May, Jr., Chief of Police, at jmay@northglenn.org or 303.450.8967
- Randall L. Darlin, Deputy Chief of Police, at rdarlin@northglenn.org or 303.450.8964

ATTACHMENT

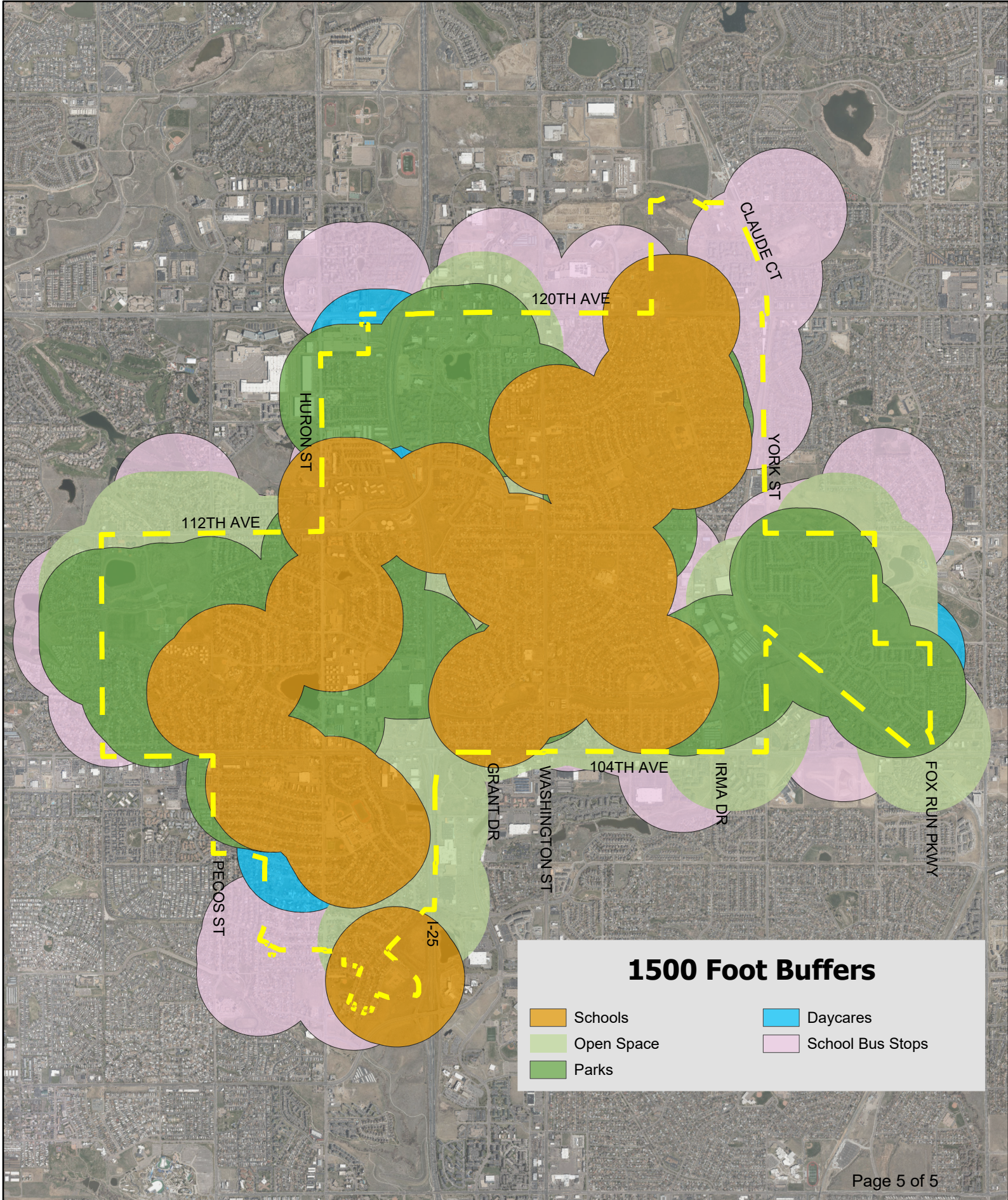
1. Map identifying 500-foot, 1000-foot, and 1500-foot distances of locations where children congregate





1000 Foot Buffers

-  Schools
-  Parks
-  Open Space
-  Daycares
-  School Bus Stops



1500 Foot Buffers

- | | |
|--|--|
|  Schools |  Daycares |
|  Open Space |  School Bus Stops |
|  Parks | |