



SITE SELECTION

Political Safety & Transparency

A Denver Metropolitan Area Land Use Project For Repeat Adult Sex Offenders

SOLVING THE PROBLEM OF WHERE THEY CAN LIVE

Basic principles for siting this *necessary* but *politically threatening* project:

- A. Any land use project that potentially ruins political careers can not be expected to succeed.
- B. Political danger has to be removed from land use projects if they are to succeed.
- C. Transparency is an essential part of any public land use project. Transparency means an open discussion / debate regarding how a given tract of land is to be used.
- D. Political safety disappears the minute any particular tract of land is considered for the use of housing sex offenders.

Every tract of land has a meaningful political constituency. That constituency can be expected to do whatever it can to stop that tract of land from being used for the purpose of housing sex offenders.

- E. Thus, the requirement for transparency produces a political impossibility for creating a long term, community-based residential setting for sex offenders, even if the project is intended to increase public safety. Any such project is doomed to never succeed.

There is ample evidence of this: residential sex offender projects have not had public support, and the media has a constant stream of stories about sex offender living location problems with no solution being offered.

- F. SOLUTION:

Gain transparency by debating the *formula* for site selection, *not* the location of the site itself.

- Have a public education campaign that addresses the fact that “Where sex offenders can live” within the Denver metro area is first a political survivability challenge. That is simply a matter that must be made open and addressed directly.
- The state legislature can vote on whether or not a community-based residential facility shall be created within the metropolitan area of Denver – not the actual location.

- The legislature will debate the process and formula for site selection to be used, not specific tracts of land.
- An independent & trusted company will be randomly chosen from a pool of suitable companies.
- This trusted company will select numerous potential and reasonable (none will be perfect) sites according to a formula. These sites will be put into a pool of possible sites.
- The pool of possible sites, and the work entailed in determining those sites done by the trusted company, will **not** be subject to review and will be kept private within that company – hence the need for a trusted and independent company.
- Final site selection from the pool of possible sites will be done randomly.

THE BASIC FORMULA – SITE SELECTION

1. The Watch House will be located within seven county Denver metropolitan area (spec., Denver, Douglas, Adams, Jefferson, Arapahoe, Boulder, and Broomfield counties). [If Clear Creek and Gilpin Counties are to benefit from TWH then they would need to be able to have suitable sites within reasonable daily commute to major centers of employment in Denver area.]
2. The executive branch will create a pool of 10 possible planning and development companies, preferably from out of state. Each company will have the ability to perform services of being the “entrusted entity.”
3. TWH will be within reasonable daily commuting distance to centers of employment.
4. TWH will be located at a site with relatively low residential population density compared to the more populous local neighborhoods.
A specific population density comparison formula will have to be chosen by the “entrusted company.”
5. The site must consist of a tract of land suitable for developing a gated community for at least 300 sex offenders and the necessary administrative services and the ability to expand.
6. The executive branch will randomly draw one name to be the chosen “entrusted entity” out of the pool of names of possible entrusted companies.
7. The entrusted entity will create a pool of at least 30 possible development locations for THW.
8. Each of the 7 counties will have to have at least one possible site.
9. The entrusted entity will use an equalizing formula to create a drawing situation in which each county has the same risk of one of its sites being selected as any of the other counties.
10. The entrusted entity will be expected to perform a sufficient suitability for placement and development study for each of the sites within the one year of allotted time.

Note A: With the passage of TWH bill all issues of home rule, local ordinances, zoning, water, access, utilities and other similar concerns will be addressed. It should be noted that

there exists in Colorado legal precedence supporting the establishment of sex offender residence over home rule challenges.

Note B: The entrusted entity will not review any of the sites with elected officials, Colorado citizens, the media or anyone outside of itself (i.e., the entrusted entity). The entrusted entity is specifically entrusted to work privately.

Note C: Colorado government and every county, including local planning and assessor's offices shall provide any and all information or requested assistance to enable the entrusted entity to complete its task with the full assistance of all Colorado government and without interference. The entrusted entity will be free to make use of local brokers and other professionals provided sufficient guarantees for privacy are and control and conflicts of interest within the entrusted company are not threatened.

FUNDING and GOVERNANCE

1. As of June 2008, The Watch House project is in the process of fundraising to pay for the necessary development studies in order to provide the Colorado Legislature with the necessary specific cost information to be able to vote on a bill TWH bill which will have a fiscal note.
2. Regarding the flow and control of money:
TWH will be built and operationally paid for by the state of Colorado. Operationally TWH will be paid for on a per bed per diem plus any ramp up cost needs. The money will be placed in the hands of the new community corrections board that is a sex offender specific community corrections board. The board will be composed of professionals and community leaders with leadership abilities. The principle requirement of board members will be that they will have no professional agenda that could reasonably compete with the prioritization of public safety. (Please see: The Watch House – governance Jan 2008).
3. The new community corrections board will represent the seven county Denver metropolitan area and while remaining small, for efficiency sake, will seek out members from all of the seven counties while prioritizing on the best candidates.
4. The new community corrections board will select an operating company to operate The Watch House facility and program.
5. The sex offenders who apply for, and are, granted the privilege of living at TWH will be expected to work and pay into an account to pay back the state of Colorado for room, board, treatment and management. The new community corrections board will create the pay back formula.

SEQUENCE

1. TWH bill will be voted on during the 2010 legislative term.
2. The executive branch will create a pool of 10 potential entrusted entities with 4 months after the passing of TWH bill.
3. The entrusted entity will have 1 year to create the pool of potential sites and make the random selection.

4. TWH will be built and made operational within 18 months of site selection.
5. The entire Watch House project will be designed to meet all foreseeable ramp up needs including but not limited to effective meshing with all governmental (esp., criminal justice) agencies and bureaucracies.

Notes:

A new board and authority is created with expectations to focus on no-cure sex offenders. That group will develop the knowledge and experience to become accepted experts in the field, clearing the way new initiatives in treatment and control.