

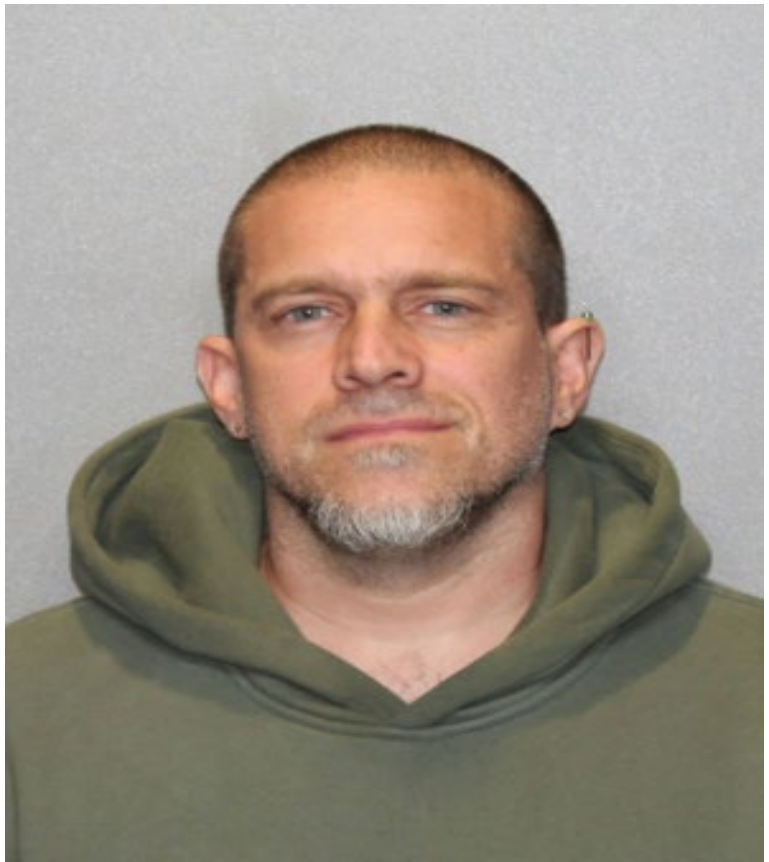
LARIMER COUNTY

SHERIFF'S OFFICE

Subject of Notification

BROGAN, ROBERT LEE

Date of Birth: 01/17/1980



BROGAN'S INCIDENT HISTORY

- **DATE OF OFFENSE**: MAY 12, 2009
- **ARREST DATE**: MAY 15, 2009
- **OFFENSE**: CARNAL KNOWLEDGE OF CHILD 13/14 W/O FORCE
- **CONVICTION**: MARCH 19, 2010
- **CONVICTED OF**: CARNAL KNOWLEDGE OF CHILD 13/14 W/O FORCE
  STATE OF VIRGINIA FELONY
- **CLASSIFIED SEXUALLY VIOLENT PREDATOR**: 11/11/2026

BROGAN’S PAST CRIMINAL HISTORY

- 02022000: Misdemeanor Poss. Of Marijuana State of Virginia
- 04252000: Grand Larceny State of Virginia

BROGAN'S INCIDENT HISTORY

- **SENTENCED: Virginia Department of Corrections (DOC)**
- **COLORADO BUREAU OF INVESTIGATION FINDINGS: BROGAN** DETERMINED TO BE A SEXUALLY VIOLENT PREDATOR IN STATE OF COLORADO
- **MUST REGISTER AS A SEXUAL OFFENDER QUARTERLY** (4X PER YEAR) IN THE STATE OF COLORADO

NATIONAL SEX OFFENDER LEGISLATION

- **Jacob Wetterling Act, 1994**- requires states to establish sex offender registration for convicted offenders and a system to track them.
- **Megan's Law, 1996**- requires states to inform community residents about the presence of convicted sex offenders in their neighborhoods.
- **Pam Lychner Act, 1996**- amended the Wetterling Act by mandating lifetime registration for some sex offenders, and mandating a National Sex Offender Registry

Colorado Sex Offender Legislation

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

- **Community Notification:**
  - C.R.S. 16-13-901

- **Sex Offender Registration:**
  - C.R.S 16-22-101

Community Notification in Colorado

Occurs in two ways in Colorado:

Passive: through the sex offender registration process;

Or

Active: via community meeting or on-line presentation. Only those offenders who are determined to be Sexually Violent Predators (SVPs) are subject to Active Notification.

BROGAN'S Registration Requirement

- **All SVP's must register with law enforcement:**
  - Quarterly;
  - For their entire life;
  - Disclosing all Internet identifiers and e-mail addresses.

**The SVP's residence must be verified quarterly by the Larimer County Sheriff's Office

How a Sexually Violent Predator (SVP) is Determined

- What is a **Sexually Violent Predator**?
    - This is a **LEGAL** term, not a **DESCRIPTIVE** term
- To be qualified to complete the SVP assessment, the offender FIRST must meet the date, time and relationship criteria as follows:

BROGAN
is Considered an SVP Because…..

- **Criteria #1: AGE**
  - The offender must have been 18 at the time of the offense or been tried as an adult.

- **This Offender:**
  - BROGAN was 29 years old at the time of the first offense.

BROGAN
is Considered an SVP Because……

- **Criteria #2: DATE**
  - The crime must have been committed on or after July 1, 1997 and the offender must have been convicted on or after July 1, 1999 of one of the following offenses (includes attempts, conspiracies and solicitations):
    - Sexual Assault
    - Unlawful Sexual Contact
    - Sex Assault on a Child
    - Sex Assault on a Child/Position of Trust

- **This Offender:**
  - BROGAN'S crime was committed in May of 2009 and he was convicted on March 19, 2010.

BROGAN
is Considered an SVP Because……

- **Criteria #3: RELATIONSHIP**
  - The victim must have been either a stranger to the offender, or a person with whom the offender established or promoted a relationship primarily for the purpose of sexual victimization.

- **This Offender:**
  - The victim was known to BROGAN.

BROGAN
is Considered an SVP Because…

- **RISK ASSESSMENT RESULTS:**

BROGAN was evaluated and found to have “positive” results on the risk assessment instrument; therefore, the State of Colorado ruled him to be a Sexually Violent Predator.

How an SVP is Determined

- **SVP Risk Assessment Screening Instrument:**
  - ➢ "Positive" results of a risk assessment along with previously mentioned criteria will result in an offender being deemed an SVP.

- **Assessment Includes:** an assessment for the presence of mental abnormality; level of denial regarding the offense; treatment appropriateness and motivation; and presence of sexually deviant interests

- The assessment is administered by probation/parole staff and a qualified treatment evaluator approved by the Sex Offender Management Board (SOMB).

SVP and Community Notification

- **If the offender meets all criteria, then:**
- Probation/Department of Corrections recommends that the Court/Parole Board designate the offender an SVP.
- If an SVP status (or it's equivalent) is designated by another state or jurisdiction, then the offender's SVP status continues locally.

- ****ALL designated SVP's are subject to Community Notification****

Probationary Requirements

- Supervised on Sex Offender Intensive Supervised Probation (SOISP). This is the highest level of supervised probation. The probationer remains on SOISP until ordered by the Court.

- Required to attend weekly Sex Offense Specific Treatment.

- Probation is monitored with polygraphs; home visits, office visits, and work visits.

SVP and Community Notification

Overview of Community Notification

- DOC/Parole/Probation notifies local law enforcement agency of SVP's arrival in community
- SVP registers with Law Enforcement Agency
- Law Enforcement notifies CBI
- CBI places SVP on Internet (within 3 days)
- Law Enforcement agency conducts community notification in accordance with SOMB criteria
  - https://sor.state.co.us/ -State of Colorado Website
  - https://www.larimer.org/sheriff/sexoffenders#/app - Larimer County Website

Sex Offender Myths

- *Myth: The majority of sex offenders are in prison.*

  Fact: The majority of sex offenders are not caught or detected

- *Myth: Most sex crimes are reported.*

  Fact: Over 80% of sex crimes go UNREPORTED.

Sex Offender Myths

- *Myth: You can "spot" a sex offender.*
- **Fact: There is not typical sex offender. All tend to be deceptive, manipulative, and secretive.**
- *Myth: Most sex 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 three or more assailants are involved, the number climbs to 90%.) (WebMD feature March 27, 2000 Berkeley, CA)**

Sex Offender Myths

- *Myth: Sexual assaults occur in dangerous places.*
- **Fact: A study conducted by the Colorado Department of Corrections indicated that 85% of 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. (Department of Justice, 2000)**

Sex Offender Myths

- *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 the rape. 70% reported no physical injuries. ALL victims suffer.**

Sex Offender Characteristics

- Most sex offenders engage in CROSSOVER behavior.
- Offenders may be caught for one type of offense and be at a high risk to commit another type.
- Most sex offenders are male. Female offenders account for less that 10% of these cases. (FBI 2006)
- Crime of conviction is only one indicator of risk.
- Child molesters in Colorado who re-offend sexually did not live closer to schools or daycare centers than those who did not re-offend. (Colorado Department of Public Safety 2004)

Stranger Danger?

- **<u>Abductions in the United States:</u>**
  - U.S. Census estimates there were 74,000,000 children age 17 and under in the U.S. in 2003.
  - 47 children, or 0.00015% were abducted by strangers in 2000. (U.S. Department of Justice-NISMART, OJJDP, October 2002)

Stranger Danger?

- In 90% of the rapes of children less that 12 years old, the child KNEW the offender, according to police-recorded incident data (US DOJ, Bureau of Justice Statistics 1/97 NCJ 163392)

Alcohol and Drugs

- **Did you know?**
  - It is a **felony crime** to have sex with someone who is under the influence of drugs or alcohol and who is “physically incapable,” unconscious, or incapable of appraising the nature of their actions.
  - (C.R.S. 18-3-402)

Community Supervision

- There is no cure for sex offenders; however, like any behavioral choice, they can learn new behaviors and skills and SOME can be safely managed in the community.

- Most sex offenders in Colorado are supervised by the Criminal Justice System in the community.

- Parole/Probation Officers set conditions, monitor behavior, and impose sanctions.

Community Supervision

- Sex offenders must be completely accountable for their behavior and must agree to intensive and intrusive measures.
- Sex Offenders must waive confidentiality for treatment and case management purposes.
- Secrecy undermines rehabilitation and threatens public safety.

Community Responsibility

- The Community has a vested interest in helping the offender be successfully managed in the Community.

- Harassment is counterproductive to the goals of Community Management and may cause the offender to go underground.

- Sex Offenders have the same need for housing and employment as other citizens.

Community Responsibility

- A stable offender = Increased Community safety. (Bumby and Talbot CSOM 2000)

- Any citizen who uses this information to harass, threaten, or intimidate will be subject to criminal prosecution.

Community Protection and Safety Issues

- SVP's do **NOT** represent all dangerous sex offenders, and the Community Notification process is not a complete deterrent to sexual assault.

Community Protection and Safety Issues

- **What can I tell my children about the SVP?**
- Avoid scary details.
- Use language that is honest and age-appropriate.
- Teach your children not to harass or visit offender's home or yard.
- Teach your children to **TELL A SAFE ADULT** if anyone acts inappropriately towards them (ex: creepy, too friendly, threatening, etc.)

Community Protection and Safety Issues

What can I teach my children?

- Pay attention to your child's thoughts/feelings.
- Role play with your child: act out scenarios of various dangerous situations and teach them how to respond.
- Avoid high-risk situations.
- Be aware and observant of your surroundings.
- Be thoughtful and use good judgement when choosing friends/partners.

Community Protection and Safety Issues

What can I teach my children?

- Teach appropriate social behaviors
- Teach correct names for body parts
- Teach children that adults are NOT always right
- Teach the importance of honesty and the danger of keeping secrets

Impact on Victims of Sex Offenses

- Victims may exhibit many different responses: crying, angry, quiet, withdrawn. There is no “normal” response.
- Sex assault by someone known to the victim creates a more difficult recover.
- 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; and both may develop substance abuse problems.

Impact on Victims of Sex Offenses

- Victims of sexual assault are three times more likely than the general population to suffer from depression;
- Are 13 times more likely to attempt suicide;
- Have greatly increased rates of substance use and abuse;
- Are likely to engage in poor contraceptive use;
- And have a higher rate of unwanted pregnancy. (CCASA, 2003)
- Victims of sexual assault have an increased risk of involvement with the judicial system. (Windom, 1995)

Negative responses are minimized when victims are believed and supported.

Community Notifications



INFORMED

COMMUNITIES ARE

SAFER COMMUNITIES