SUMMARY OF THE OUTSIDE EVALUATORS’ REPORT

ON THE SEX OFFENDER MANAGEMENT BOARD

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Dr. Deirdre D’Orazio, Dr. Anthony Beech and Dr. David Thornton (authors of the report)

Summary by Susan Walker, M.A.

Director, Coalition for Sexual Offense Restoration (CSOR)

720 690- 7125

The authors of the report, all world class researchers and experts in sexual offense therapy and supervision, commend the SOMB for creating a management system through which the State of Colorado can attempt to enhance the safety of the public and reduce victimization. However, the authors make it clear that Colorado has not kept up with the literature in this field, and has chosen instead to embrace “beliefs” about sexual offending that were around at the end of the 20th century – beliefs that were not based on empirical evidence. According to the authors, the tone of those beliefs around the “no known cure” terminology, still exists in the SOMB’s Standards and Guidelines, even though the no known cure words themselves have recently been removed.

The research in the field has blossomed over the last 15 years, and much has been learned about treating and supervising those who have committed sexual offenses. The model that is currently used and is successful with general felons and with those who have sexually offended is the Risk, Need and Responsivity Model (RNR), which was outlined carefully in last year’s assessment of the Colorado Department of Corrections Sex Offender Treatment and Monitoring program’s outside evaluation by the same group of researchers. Here are some of the report’s highlights in terms of changes that need to be made in the way Colorado’s Sex Offender Management Board does business:

1. There is a large number of low risk offender-clients that do not need lifetime supervision and treatment. In fact, many programs in other states for those with low risk last no longer than 12 – 18 months. This will affect people currently sentenced under Colorado’s 1998 Lifetime Supervision Act who meet the low risk criteria talked about in the next paragraph.

There are good assessment tools such as the STATIC 99 and the SOTIPS that can identify these low risk persons, and remove them from the pool of those that need longer oversight and treatment. Colorado has just recently begun to utilize the SOTIPS (right before the evaluation of the CDOC began last year). Money saved because these folks are removed can be spent on PUBLIC EDUCATION and SERVICES TO THOSE WHO HAVE BEEN VICTIMIZED. This is true both inside and outside of CDOC.

1. Assessment instruments created in the State of Colorado which have extremely limited samples, and where bias was brought to the creation of the tools, should be replaced with tools that are used nationally and internationally, and that have been deemed valid and reliable instruments (i.e. they assess what they are supposed to assess in the desired populations of offenders). These tools are named in the report, and include the Sexually Violent Predator Assessment, the Child Contact Assessment and the Low Risk Assessment. These tools which do not identify what they claim to identify, have caused harm to many families who could have their fathers back, to many men who are not “sexually violent predators” but have been so designated, and have kept people who are legitimately low risk from benefitting via a low risk assessment that is not born out of bias, because the tool’s creator believed that there were only a handful of low risk offender-clients in the state. The creators of these faulty tools here in Colorado are strong believers in the old notion of “no known cure”.
2. The authors do not believe that the “one size fits all” model utilized in Colorado responsibly represents the true picture of sexual offending that is clearly characterized by recent literature. To that end, men who are currently not allowed to see their families and specifically their children, because Colorado treats everyone the same, should be considered through an appropriate assessment for the ability to begin again to father their children. Men who have abused a child would have to be more closely assessed for a longer period of time than those who did not abuse a child.
3. Criteria for release from CDOC, supervision reduction and treatment progress are based on literature that is very old. Research from the past 10 – 15 years has identified that two methods utilized in Colorado, Offense Cycles and Relapse Prevention Plans are “now definitely outdated”. Other outdated beliefs brought to criteria for release etc. include the ideas that being accountable for everything in the police and victims’ report(s), not denying any aspect of those reports, having empathy for victims, and passing the Sexual History Polygraph Examination must be precursors to release from prison or lowered levels of supervision and treatment. Current research, however, shows that none of these things appear to be related to recidivism or the likelihood of someone committing further sexual offenses.
4. The polygraph, like any other tool, is fallible. Research shows that the polygraph can be close to 90% accurate when well identified single issues are being tested. Because Sexual History Polygraphs are not testing single issues that are well identified, the accuracy level is much lower. False findings of deception as well as false findings of non-deception are likely to be found in significant numbers when multiple issue polygraphs are conducted, as in the case of Sexual History Polygraphs. Thus, the authors suggest that there is misuse, abuse, and overuse of the polygraph in Colorado, and that its use should be re-examined, especially with specialized populations such as the developmentally disabled, those with diseases of aging such as small stroke dementia and Alzheimer’s Disease, PTSD and other mental illnesses and those who commit juvenile sexual offenses as well. The authors point out that there are ways to help the offender-client look at their sexual history apart from the “polygraph heavy approach” that is currently used in Colorado.
5. The current criteria in Colorado for release from custody and supervision and treatment reduction do not portray the principles of Risk, Need and Responsivity (RNR). For further information on this model, e-mail Susan Walker at susancwalker1@gmail.com or google RNR.
6. The Containment Model (Kim English, researcher for Colorado’s Department of Criminal Justice), basically seeks to make it difficult, if not impossible for offender-clients to re-offend sexually. The authors state that Colorado’s focus on external supervision, sanctions, return to prison to keep people in line takes away from offender-client’s ability to internalize the desire to change and live a “good life”. The Good Lives Model (Ward) and the strength based approaches of Dr. William Marshall assist offender-clients in internalizing the principles they learn in treatment, rather than always having to be controlled externally to make sure that they do not reoffend.
7. The authors contend that despite the cries of some representatives of those who have been victimized, a model that more generally looks after the offender as a human being with goals for living a good life, especially when combined with Motivational Interviewing and Socratic questions, involvement of offender-client in goal setting etc., is much more likely to produce greatly reduced recidivism rates. Monies currently spent on too much supervision and treatment, both inside and outside, can then be used for services to those who have been victimized, and on much needed public education regarding the truths and myths about sexual offending.
8. Presently, treatment done on probation must be redone if a probationer goes to prison. Likewise, when someone is ready to leave prison and go the community on parole or into community corrections, treatment must be redone. This is a major complaint of those in the system, who feel that they are forced to take the same courses over and over again, because of the unending nature of Colorado’s sexual offense treatment and supervision approach. The authors suggest that it is not necessary for offender-clients to retake and retake the same classes, and that instead of sanctions or return to prison when treatment seems to not be working, changing the treatment approach is a better method to pursue. The literature shows that being in treatment and being supervised too long is actually a precursor of increased recidivism in those with low risk to reoffend.
9. The authors state that the Containment Model (Kim English, Colorado Department of Criminal Justice), which functions on the premise that polygraphers, therapists and supervising officers (parole and probation) form a triangle around the offender-client and basically incarcerate them outside of CDOC. The model only works if supervising officers and therapists are able to work together to reach consensus about appropriate treatment and supervision for a particular offender-client. Unfortunately, because supervising officers have the last word (Standards and Guidelines), and there is no-one who is non-partial that can mediate differences of opinion, the offender-client is often caught in the middle of these disagreements. The Standards and Guidelines make it clear that differences should be settled at the level of the containment parties and offender-clients should not be brought into them. We know from abundant anecdotal reports that those being contained are all too often brought into the middle of these disputes and that they are hurt in terms of their treatment progress. Therapists frequently feel that they cannot be true to their ethical standards of practice and abide by the decisions of supervising officers. The authors recommend a softening of containment model, if it is to continue to be used, by incorporating the Good Lives Model and other strength-based approaches. It is not clear that the current containment approach can be integrated successfully with Good Lives and other strength-based models.
10. The evaluators make the point that because Colorado’s SOMB has been the model for approximately six other states in creating a Sex Offender Management Board, they must also lead by staying abreast of current literature. The majority of U.S. States do not have formal management boards, but function with task forces and registration, according to a chart in the report. **Because Colorado has lagged behind in keeping current with sexual offense literature, the evaluators ask that another study be done in two years to help the SOMB stay accountable for making necessary changes**.

This is a short summary of the 168 pages in the report. I hope it will be helpful to those of you who do not have time to read the whole thing, or who cannot get the complete document. Feel free to contact me for more specific details and information at susancwalker1@gmail.com or at 720 690- 7125. I am happy to talk with you and share more specifics about the evaluation. There is a great deal of work that needs to be done to bring Colorado into line with the rest of the treatment and supervision community, and the research supporting current approaches in this field. We need to get started!