



CSOR

*Though I have fallen,
I will rise. - Micah 7:8*

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THE MISSION OF CSOR

A wide range of people have heard the acronym CSOR, which stands for Coalition for Sexual Offense Restoration. If you would like to read the official mission statement, it is on the CSOR Website.

When my son and I sat down to talk about the birth of this new organization a number of years ago, we talked about a lot of different words that might get at what it would be about. While I have heard disparaging comments among some in the sexual offense workplace regarding the word restoration, it is the word that we chose to represent that of which we hope to be a part. The Bible talks about a woman who engaged in adulterous behavior, and states that Jesus said, "Neither do I condemn you; go and sin no more." Whether you share our belief in the Bible or not, forgiveness is a concept that we all understand, along with a person's ability to make wise and good choices for the future in spite of poor ones in the past.

While the focus of this particular non-profit is on restoration of persons who have displayed sexual offending behaviors, we want to work alongside other groups that are more directly involved with those who have suffered victimization, parole and probation officers who are helping to hold those who have offended responsible for their behaviors from a law enforcement perspective, the Department of Corrections, therapists who assist people in identifying and admitting to inappropriate behaviors and others. Our job is to support those professionals who are doing their job well and with the right spirit, to uncover situations where those being restored are treated unfairly, and to lift up those who have fallen as they move forward to rise from their fall! We have all fallen, in fact, more often than we want to admit.

Even those we consider to be in a hero class sometimes behave badly, and justice for them should be no differently applied than it is to those experiencing the system for sexual offending behaviors. I get many hundreds of letters from men at the Colorado Department of Corrections who share with me that they are so heartened by actually receiving a response back from someone they wrote to on the outside that they are hit with a ray of hope that has been missing for a long time. These men and women are looked at and treated as part of the dunghill of society which partially accounts for the suicides and suicide attempts that happen among this population. When they receive a letter from someone, it is like an acknowledgement that they are indeed a human being. I have heard it over and over again.

"The only person you should try to be better than is the person you were yesterday." - Anonymous

In spite of the daily news, we continue to assume that all who wear the badge, all who fight in our military, and all who serve on the SOMB, in the courts, as therapists, in parole and probation etc. are good people who are making the world a better place to live. While we hear stories of heroes frequently, we all too often hear stories of those in places of prominence and power who have made bad choices and have misbehaved, sometimes in an ongoing fashion.

Powerful committees and boards have lived with secrets for years, knowing that bad decisions have been made that have adversely affected peoples' lives, far beyond what they may deserve. While those who have committed a sexual offense are expected to "fess up" and make the record clear – take responsibility, these people and groups of people choose to cover up long held secrets and turn away from the harm they have caused people who do not deserve the extensive harm caused. Additionally, there is frequently no recourse or way for those non-hero fallen ones to correct the harm they have suffered from the powerful ones, as the majority cannot afford an attorney, or have such serious mental and/or physical health issues that they cannot fight the faulty designations and inappropriate sentences they have suffered.

A good example of this is the news that recently came out regarding a woman who in the 1980's told Psychology Today that 80% of people who sexually offended would re-offend. I remember that number being quoted by two high level people in Colorado, one in the Division of Criminal Justice and the other a treatment provider. The number was given as fact at a meeting I attended many years ago, and was utilized by Justice Kennedy later to make it appear that recidivism rates for those with a sexual offense were abundantly high. Studies from recent years have shown that to be blatantly false. I have never heard an apology from the people who quoted that statistic here in Colorado regarding the fact that they were wrong, and regarding how many people with a sexual offense in their past suffered unduly, partially because of their comments.

CSOR works hard to be a partner with parole and with the Colorado Department of Corrections in supporting people who are coming through the system, and back into the community. We would also like to partner more with probation and the people who work directly with those victimized; however, due to the assumption made by some that because we challenge what appears to be inappropriate behavior by those in positions of power we don't want to work with them, the doors to working together remain barely open. While punishment may need to be a part of corrective action, as the new SOMB Standards and Guidelines state: "Offenders are capable of change." They also talk about the importance of positive reinforcements as they are deemed appropriate.

I hear stories daily regarding men who have been verbally beaten down by the professionals working with them. Perhaps verbal "beatings" are needed at times, but it is my opinion that positive reminders about thinking things through before you act may be needed in some cases, rather than a 25 to 30 minute verbal beating. While "probation or parole bashing" as I have heard it called is not appropriate, the delineation of wrong behaviors, especially those that appear to be continuous, is crucial. When it is necessary for me to try to identify whether someone went too far in the way that they interacted with a client, I try to do it in a way that works with, and not against the system. Much of the time that works for the case at hand; it is not my job to attempt to reform the system as a whole. Our focus at CSOR continues to be on pursuing those avenues of action that assist the person with the sexual offending background with his or her own personal restoration!

"Faith is the art of holding on to things your reason has once accepted, in spite of your changing moods."

–C.S. Lewis

ABOLISH THE REGISTRY?

A Recent Debate and Post-Debate Poll Results



Lower Manhattan was home to a recent debate about the sex offense registry. The debate participants were: Dr. Emily Horowitz, a sociologist and author of *Protecting our Kids?: How Sex Offender Laws are Failing Us*, and Marci Hamilton, a well-known child safety advocate. Here is the proposition debated: “All the laws requiring those convicted of sex offenses to put their names in a registry should be abolished.” The Soho Forum with moderator Gene Epstein and co-sponsor Reason Magazine presented a great debate!

Dr. Horowitz did a superb job of explaining the case for abolishing the registry, as the after-debate poll numbers show.

Proposition: All the laws requiring those convicted of sex offenses to put their names in a registry should be abolished.

	Pre-Debate	Post-Debate	Change
Yes	38.89%	72.22%	33.33%
No	22.22%	15.56%	-6.67%
Undecided	38.89%	12.22%	-26.67%

Given the registry bill that just cleared Senate Judicial here in Colorado, we obviously have a long way to go to match the fervor to get rid of the registry present in those who attended and participated in the recent debate! We just have to keep fighting and trekking! While helping people move from long held beliefs can be incredibly challenging, education can and does make a difference!

"Don't sweat the petty things and don't pet the sweaty things."

—George Carlin

Violent/Non-Violent Flag at the Colorado Department of Corrections

A number of people have contacted us regarding the violent/non-violent flag at the Colorado Department of Corrections (CDOC). We have recently been able to get an answer to the question around this change in classification for those with a sexual offense.

The following is a quote from CDOC's Legal Services:

"First and foremost, there has not been any change made to the way that offenders with statutory 'violent crimes' are treated in terms of parole board review.

The Department made a change to our internally used 'flag' that is attached to an offender for purposes of community referral dates. This flag in and of itself does not dictate the manner of parole board review. For community referral purposes, statute requires that any offender that has a separate conviction under 18.1.3-406 be referred to community corrections at a date closer to their PED date versus one that does not have that separate conviction. So, if there is a separate conviction for 18-1.3-406, our flag indicates 'violent'. This is not a determination of whether the crime itself was violent, or whether that crime is included in the crime of violence statute, merely whether the separate conviction was included.

The Parole Board uses many factors to determine what is violent for purposes of triggering a full board review."

This information was provided by the Associate Director of Legal Services at the CDOC.

What I Thought I Would Never Think

By K. Matthew Nelson

"I am truly amazed that today I can sit here and say 'I am grateful for the times that have come since my conviction.' Sure, I wish I would have never committed the crime that I did, victimized the ones involved or forfeited all the freedoms I had. But I did. So I have to accept that, and now that I have, I am delighted to say that I am thankful for most everything that has come after my conviction.

Life after this conviction is allowing me to realize and work on issues of my own that I'm not sure I would have ever allowed myself to see otherwise. I am becoming a healthier individual than ever before, met some of the world's kindest people, been introduced to great advocacy groups such as CSOR, and I am now getting to expand on my gift of communication. I have learned so much from this experience, and knowledge is priceless.

Most importantly, I am grateful for having been given a platform. I get to stand up to the face of evil, oppression, mistreatment and injustice. I get to tell the whole world my story and I get to become a living example of a changed man. I will use this platform to change the minds and hearts of uninformed, uneducated, inexperienced men and women that have a generic, genuinely unrealistic idea of those convicted of sexual offenses. I was a normal 18 year old when I was convicted and I am a normal 23 year old now. Other than having to live on supervision, a registry and apply at only felon friendly employers, I am essentially the same as every other 23 year old I know, including my twin brother and all of our hoardes of friends; next year when I am 24, I will say the same thing and forever thereafter. It took me the last five years to really come to terms with the fact that I am not different. I may have made a bad choice once or more in my life but I am not different. I am deserving of the same forgiveness and second chances that any other 18 year old first time offender receives.

I am deserving of the same level of punishment too, no more, no less. We all are, but at this time there are many people who believe otherwise. This is why I am grateful for the ability to have found my voice, to stand up and shout to the world "I AM NORMAL AND I AM DESERVING.

It is important that I emphasize that all of you know you too have this platform. You too are deserving, you too can stand up, affirm your ground and change the hearts and minds of everyone around you who is willing to give you the opportunity to establish in their minds what is and what is not a person who at one time committed a sexual offense in the eyes of the law.

As of now, I am glad to get to carry on the fight for every man and woman convicted of a sex crime; for my truest friends and brothers who have to continue serving time in CDOC, and that I can do my part in creating a better tomorrow and fairer society for my brothers to return to when their time too is concluded.

Enjoined together through groups like CSOR on the state level and NARSOL on the national field, we can change America's view of every one of us that share this 'Scarlet Letter'. Even if only every one person changed one other's mind, we could heal the states of this epidemic of hate and scorn. One less person opposing us is one more pushing us. So friends, please keep your head up, push on and be better for the experiences. We share the stage; please join me in thinking what we thought we'd never think (say that ten times faster)!"

NEWS TIDBITS

(Long News Tidbits this time!)

1. SB18-17, the bill that would have given judges sentencing discretion under the determinate or indeterminate sentencing schemes failed on February 12 in Senate Judiciary by a vote of 2 to 3. The bill was sponsored by Republican Senator Kevin Lundberg. Senators Kagan and Fields voted for the bill, while Senators Gardner, Foote and Coram voted against the bill. It was a party line vote, although the reason for the against votes did not necessarily indicate that those Senators agree with the Lifetime Act.

The three Republicans who voted against the bill did not feel that it would "fix the indeterminate or lifetime sentence problem", and indicated that they might be willing to make further attempts to reform this law (the Lifetime Sentence Law) in 2018 or 2019. I talked personally with Senator Coram who indicated that in his opinion, the bill proposed this year (and last year) "did not go far enough to fix the problems associated with the Lifetime." He stated in a meeting I had with him in early February that any proposed bill in this arena needed to approach sentencing from an individualized standpoint. He mentioned a 19 year old in his legislative area who would be on the registry for life, and he stated that "just wasn't right." Unfortunately, in terms of the will of the Legislature to deal with this huge issue during 2018, it just wasn't there. Perhaps the perfect storm will form in 2019?! We can hope and pray that this will come to pass.

A bit of further news is available. As we are well aware, there has been much discussion in a variety of committee arenas regarding the differences in thinking between the District Attorneys (D.A.'s) as well as those victimized and their advocates, and those who are advocating for restoration from sexual offending behavior. This continues to be a big part of the discussion and one of the reasons that Senator Gardner made a remark at one of the recent Senate Judicial Meetings that the Governor-appointed CCJJ has likely (paraphrase) made all of the progress possible in terms of tackling the smaller issues of disagreement between the stakeholders, and tackling the larger issues such as what to do with the Lifetime Act and Registration may need to be handled at a higher level. While no movement to disband the CCJJ has taken place as yet to my knowledge, it is something that we should keep our eyes on.

2. SB18-26, also heard by Senate Judicial (same 5 Senators as above), passed out of Senate Judicial with five aye votes, and a “threat” from Senator Gardner, Chair, that if Senator Kagan tried to make any changes in the House Chamber that did not include the preferences of the D.A.’s, victims’ advocates etc., he would be very unhappy and act accordingly (paraphrase). Here are the highlights of the bill as it passed out of Senate Judicial: a) The bill states that a Colorado resident only has to register in Colorado for an out-of-state conviction if the person would be required to register in Colorado if the conviction occurred in Colorado; b) The bill allows the law enforcement agency to waive the in-person registration requirement after initial registration if the person suffers from a physical or intellectual disability to the extent that it is a severe hardship to register in person. If the waiver is authorized, the law enforcement agency must reregister the registrant after verifying the registrant’s address and provide documentation of the waiver to the CBI (Colorado Bureau of Investigation) and any other law enforcement agency with which the person registers; c) The bill requires the court to grant a petition to discontinue registration if the registrant has successfully completed his or her sentence, the registrant has not been convicted of a subsequent sex offense, and the required waiting period has expired unless the prosecuting attorney or victim objects and presents credible evidence that the registrant is likely to commit a subsequent offense of unlawful sexual behavior; d) The bill allows a registrant or his or her legal representative to file a petition to discontinue registration if the registrant is incapacitated and does not present an unacceptable public safety risk. The court shall grant the petition if the petitioner shows that the registrant is incapacitated, does not present an unacceptable public safety risk, and is not likely to commit a subsequent sex offense.

Senator Kagan would have liked to have done a more extensive registration bill, but the winds weren’t blowing the right direction for that to happen. We will settle for this little nibble which brought together ALL the players, i.e. COVA (Colorado Ass’n. for Victims’ Assistance), the District Attorneys’ Council, and the CBI (Colorado Bureau of Investigation). Thanks to Maureen Cain who now works with the Office of the Public Defender, and has, under her previous work with the Colorado Criminal Defense Bar, accomplished many great and wonderful things for the cause!

3. It came to my attention recently, and from a very reliable source, that the CDOC may be making more decisions in favor of treating low risk persons with a sexual offense on the outside, due to the overcrowding in prison, and the lack of ability to get people treatment in a timely manner on the inside. As you know, this avenue of attack was suggested by the Outside Evaluators several years ago. They stated that low risk persons who had committed an offense could be safely treated on the outside and should not have to remain in prison for treatment.



Disclaimer: Opinions expressed in this newsletter are CSOR's.

Any concerns about overall content may be sent to: Susancwalker1@gmail.com.

(Photo: Christmas cards from DOC 2017)