



CSOR

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

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A LEGISLATIVE AUDIT OF THE SEX OFFENDER MANAGEMENT BOARD IS NOW A REALITY!

A legislative audit of the Sex Offender Management Board (SOMB) is now a reality. Thanks to the hard work of Dale Ann Jenkins, a supporter of both CSOR and AFC, and the tenacity of Representative Leslie Herod on our behalf, the audit that has never happened in the history of the SOMB will happen soon.

Here is Dale's e-mail to all of us regarding this: "Earlier today the Legislative Audit Committee approved the audit of the Sex Offender Management Board, including the Office of Domestic Violence and Sex Offender Management, on a vote of 8 – 0."

The definition of an audit, according to Dale, and as described on the Officer of the State Auditor's (OSA) Website is: ... "a systematic and objective examination that involves extensive review and analysis of various data, documentation, and processes. Audits provide essential accountability and transparency over government programs. The OSA's financial, performance and IT audits provide solution-based recommendations that focus on reducing costs, increasing efficiency, promoting the achievement of legislative intent, improving the effectiveness of programs and the quality of services, ensuring transparency in government, and ensuring the accuracy and integrity of financial and other information that decision makers need to hold government agencies accountable for the use of public resources."

Dale goes on to explain a bit further that "performance audits determine whether programs are operated in an effective and efficient manner to accomplish their intended goals and in compliance with laws and regulations." We are pleased that Dale took this on for all of us and commend her work.

As we are all aware now, the bill that would have put pressure on people making a lot of money providing services to those with a sexual offense in terms of being able to sit on the Board and make decisions regarding the delivery of those services, did not pass. Whether this audit will help to make any kind of difference in that decision remains to be seen. One of the reasons that the Governor seemed opposed to the bill sponsored by Representative Herod was that he felt that other government involved boards had the same problems as the SOMB, i.e. that subject matter experts were on these other boards as well, and that a floodgate would open in terms of people affected by those boards wanting to do the same thing. Another huge reason was that the victims' advocates came forward at the last moment with a public relations blast, saying that if this bill passed, they believed it would harm victims.

Perhaps this audit will help the SOMB to further improve its work as it hopefully moves more toward a philosophy of improving the opportunities for both victims and registrants to heal! It is my hope that between this audit and the Sunset Review and the teaching that Michelle and Rochelle are doing in the community, change becomes a reality!

**NORTHGLENN AND FEDERAL HEIGHTS REFUSE
TO ALLOW A PERSON WHO COMMITTED A SEXUAL OFFENSE TO
REGISTER IN EITHER MUNICIPALITY BECAUSE OF
THE "CRIME PREVENTION ACT"**

As told to Susan Walker in a phone conversation by a
person trying to register in both of those
municipalities

A front range registrant trying to register in either Northglenn or Federal Heights as required by Colorado Law was told by an officer at the police station in those cities (according to his phone report to me) that he could NOT register there because of the Crime Prevention Act. He was also told by a "friendly" officer that instead of registering, he should "keep in touch" with the police on a regular basis.

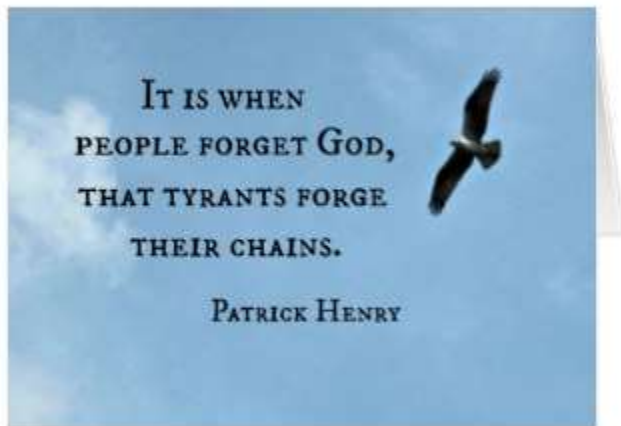
The man shared with me that he was very scared that he would be arrested because it was close to his birthday, and he needed to register according to the law. I asked him why he didn't move to Denver where he would be allowed to register, and he said that the rent prices in Denver were just too high. This man had not just a sexual offense, but a history of other offenses as well. Besides having trouble registering and finding his own place to live, he was also having trouble finding a steady job, and was trying to make it doing odd jobs for people in the community.

There are a number of cities in Colorado that have residency restrictions – Englewood, Greenwood Village and a number of others – where persons with a sexual offense are not allowed to live. These decisions to exclude those who have committed a sexual offense are usually made by City Councils and are city ordinances. Englewood, where we spent every other Monday night at City Council Meetings for seven months last year trying to convince the City Council not to kick those persons with a sexual offense in their background out of the city, did decide to allow those already in place there to stay, but we have heard since then that they are not allowing any new persons with a sexual offense into their city.

After perusing the internet and seeing nothing local on anything called The Crime Prevention Act (there was one national reference to a Crime Prevention Act), I decided to call the police stations in the City of Northglenn and the City of Federal Heights to see what further information I could get, and why this man was not allowed to register in either of their cities. I also asked for information regarding the aforementioned Crime Prevention Act.

At this point I have only heard back from the registration officer in Federal Heights who states that he is the only one doing registration in that city, and that he registers everyone, realizing that if people have housing (jobs etc.) they are more likely not to recidivate with any offense. I still await a call back from NorthGlenn.

Remember that so far, I have heard this only from one person, so I cannot be sure that this was not a special circumstance of some kind. It is interesting, however, that so many fail to realize that continuing to reduce an already low rate of recidivism is helped by letting people live somewhere!



**COLORADO'S PROPENSITY TO "HOLD ON" TO OLD WAYS
OF DOING THINGS AS DISCUSSED IN:
"The Influence of Risk Assessment Instrument Scores on Evaluators'
Risk Opinions and Sexual Offender Containment Recommendations"**

Katherine E. McCallum, Marcus T. Boccaccini, Clair N. Bryson
From: *Criminal Justice and Behavior* 201X, Vol.XX, No.X Month 2017

This is a thought-provoking article written by three researchers from Sam Houston State University in Texas. The Abstract states that Colorado's "Evaluators' ratings of risk indicated by non-instrument factors were often higher than their ratings of risk indicated by instrument results, but only their ratings of non-instrument factors were independently predictive of containment recommendations."

The "containment" state, Colorado, has prided itself on its embrace of Kim English and her Containment Model for many years. It is only recently that legislatively mandated outside evaluations and pressure on the Legislature and the SOMB by registrant advocates have resulted in getting the containment language out of the SOMB Standards and Guidelines. It was just a year or two ago that I gently reprimanded a well-known Colorado therapist for his use of the "containment" language in front of a judge at a revocation hearing which I had been asked to attend. His comment back to me when I suggested that we no longer use that language was "well, as long as the containment model is still going on without the name, I guess that is okay."

The questions the authors ask are: "But how do evaluators use this vast array of information to come to a conclusion about the offender's level of risk? Do they consistently favor some types of information over others?" It is stated in the article that it appears to be common practice for evaluators to override the risk assessment scores and utilize other factors such as denial and motivation for treatment to determine the level of "containment." The article further points out that Colorado's Standards and Guidelines have a list of things that evaluators must take into consideration when making risk level decisions. This list is lengthy, but includes offense history and victim choice, criminal history, social support system, level of denial, level of empathy and many others.

Besides using the Colorado required list, evaluators also often utilize more than one risk assessment instrument. Colorado also requires a psychosexual evaluation. The article further states: "The SOMB also cautions evaluators against overreliance on risk measure scores: Evaluators shall incorporate all available information when making a determination regarding risk and not rely solely on risk assessment instruments. Risk assessment instruments will not identify all risk factors" (SOMB, 2011, p. 32). The article says that it "appeared to be common practice for evaluators to override risk instrument results in some cases, and that evaluators tend to use overrides to increase as opposed to decreasing the offenders' level of risk." This has obvious impact on supervision and treatment intensity and time.

Chris Lobanov-Rostovsky, in a response to this article states: "The work of the Colorado Sex Offender Management Board (SOMB) has been called into question as a result of the manuscript "The Influence of Risk Assessment Instrument Scores on the Evaluators' Risk Opinions and Sexual Offender Containment Recommendations" published in *Criminal Justice and Behavior* (2017). This response covers the following areas: significant nomenclature problems used to describe the Adult Standards and Guidelines, the dated nature of the SOMB citations in the manuscript, the flaws in the interpretation of the use of the 17 SOMB risk factors and the SOMB policy related to risk assessment, a potential confounding variable that may explain the results obtained, and finally the work of the SOMB to foster the use of validated risk assessment instruments and evidence-based policies and practices. The SOMB takes pride in providing up-to-date, research-supported practices for its providers and would never intentionally do otherwise, as suggested by the article."

"Human reason can excuse any evil." — Veronica Roth, *Divergent*

Response from Susan Walker:

As someone who advocates for fair laws and practices for those who have sexually offended, and after sitting through several years of Standards and Guidelines re-writes, it is obvious to me that while some language changes have been made in the new Standards, and an attempt has been made to bring Colorado into sync with more of the current literature, there are still huge pockets of resistance to embracing a new approach. There is almost infinite trust by Colorado in “our way” of doing things, and while the language in the Standards and Guidelines has been updated, it has been done very carefully, in order to keep the door open for the hard-line approach toward those who have sexually offended here in this state. As the Colorado Probation Analyst recently said, “I want people on probation to do their probation in Colorado.”



This statement was made to support what she believes is a better system of management and oversight in our state than elsewhere. It is interesting that other states have similar low recidivism rates to those in Colorado without all of the overdone management approaches and “tools” in our state. While this is my opinion, it is held by many of my colleagues as well, who would agree that we still have “miles to go before we sleep” on this subject! Kudos to the authors of the article for daring to question the validity of Colorado’s approach.

SIGHTS AND SOUNDS FROM THE COLORADO SPRINGS PAROLE OFFICE

Susan Walker

Friday the 31st of July, I left Denver at 6:15 a.m. to pick up a man I had agreed to support at Cheyenne Mount Re-Entry Center (CMRC). The Parole Office was “hopping” with parolees; most had been out for a while; the person I was with appeared to be the only new release that morning.

I had called the afternoon before the trip from Denver to the Springs and left a message for his parole officer telling her that my husband was on in-home hospice, and that I was supporting one of her new parolees. I asked if this man’s intake could be expedited so that I could get him through all the hoops and to his new residence and not be too late getting back to Denver to my family. I did not hear from her that afternoon.

We checked into parole around 9:30, as quickly as we could get there after his release from CMRC. I again asked at the window if the Officer could be informed that he was there, and why his visit needed to be expedited. The whole process – i.e. parole office visit, RMOMS and ankle bracelet can take a long time – a previous visit for a similar purpose got me home after 6:00 p.m. in the evening. The young woman behind the desk simply replied “Well, he’s on the board”. There was no obvious attempt to share my problem with the officer or an officer.

At 10:30, an hour later, a male officer came out and said that the officer we were waiting for had to go to court that morning, and that they were still working on getting the paperwork together for the person I was supporting. He told him to go downstairs to RMOMS to get his case management set up, and by then Parole should be ready to do his intake. Why couldn’t they have told us that at 9:30? The whole thing smacked of disorganization and potentially, lack of caring.

More questions went through my mind as I observed the scene in the parole waiting room.

1. How could parolees keep a job when they had to, in some cases, sit and wait for 45 minutes or longer to see their officer? I took a poll while sitting there, and almost everyone in the room had a job which they had to leave or go to after the meeting with their parole officer. I am aware that sometimes officers see people at home and sometimes visit them at their jobs, but the long waits in the parole officer seem so useless and disruptive to a normal work pattern. Research shows that jobs as well as housing and pro-social support promote success on parole. Employers cannot be happy when their employees miss work on a regular basis to visit the parole office!
2. Did the observed parole officers enjoy their jobs at all? The haste and lack of positive emotion displayed when they finally appeared to greet people didn't indicate, in my opinion, that they had any real zeal for what they did.
3. Except for one female officer, the faces of the officers did not reflect a smile.
4. Except for a couple of officers, people were called in by their last names. Two officers used "Mr." in front of the last name. It felt a little like herding cattle rather than welcoming someone you were trying to support and help. I remembered Director Raemisch' presentations at the Legislature where he stated that parole officers should be $\frac{3}{4}$ social worker, and $\frac{1}{4}$ cop, and that if they wanted to be a cop, they should go be one. It appeared to be exactly the opposite of what he believed to be important as expressed on more than one legislative occasion.
5. I had called Colorado Springs Parole a week before the person I am supporting was scheduled to get out to see if an officer had been chosen for him yet. An officer had not yet been assigned. That is why I asked the night before my visit in a phone call for some attention to be given, if possible, to my personal situation in terms of not delaying what we had to accomplish the next day. It was never clear that the receptionist or the officer who came out an hour later and told us to go to RMOMS while they prepared his paperwork understood or cared about the reason for the urgency in getting through the needed steps as quickly as possible.

Despite Melissa Roberts, the CHAMPS Grant/program, and a focus on Motivational Interviewing, it appeared to me that the status quo (stagnation) was winning. Achieving a change in this arena should not be that difficult. I truly believe that a better parole is very possible, but it will take officers who are committed to not just mandating, but truly supporting real change in peoples' lives, i.e. in the lives of people for whom they play such an incredibly important role!



NEWS TIDBITS

1. Susan Walker, Maureen Guy and Tami Floyd from CSOR and Roger Kincaid from AFC (hangs around CSOR frequently as well) attended the Road to Independence Conference in June held by NARSOL (National Association for Rational Sex Offense Laws) in Independence, Ohio, just outside Cleveland. Besides seeing old friends and colleagues, we were privileged to sit in on a session led by David Feige, film/documentary maker, on his current projects that follow the film Untouchable. David led the group in a discussion on ways to make our message about registrants more palatable to the community at large. What approaches should be taken, and how do we get people to take the research that shows extremely low recidivism rates seriously?
2. NARSOL is working actively to combat scams across the country against the registrant population. Lori Hamilton from Oklahoma Voices and many others have been approached by phone and e-mail and told “scary” stories – as an example, that if they don’t report to the police station and pay \$500.00, they will be sent back to prison. There are many scams out there, and NARSOL is taking a stand against them and the harm they cause our men and women.
3. It has been much tougher to get all of your letters answered in a timely fashion since my husband went on in-home hospice. He is suffering from end stage COPD (Chronic Obstructive Pulmonary Disease), Peripheral Neuropathy and memory loss and confusion. The good news is that over the last week, we have hired a company to provide “helpers” for him so that I can continue to work a bit more consistently. They are with us three hours a day three to four days a week. Hospice is here the other three days for shorter, but nevertheless helpful visits from a certified nursing assistant, a nurse, a chaplain and a social worker. My apologies for not getting your letters answered faster! I know you all understand. Some of you have asked if you have offended me in some way as you have not heard back from me. Please don’t ever believe that! I am still trying very hard to answer all of your letters. The pile goes down, but when I go to the Post Office, it goes right back up again! Thanks for your patience, prayers and understanding.
4. A brief note of update. It is now several days or a week since I wrote the above number 3 regarding my husband’s condition and how that is affecting my ability to get work done and letters back to all of the men who read this newsletter at CDOC. My husband is now sleeping all the time, not eating or drinking, and his crackly, pneumonia – ridden breathing being controlled by morphine and lorazepam. Up until a couple of days ago, he had a bit of lucidity at times, but that has disappeared. My goal is to keep him comfortable and clean. We continue to appreciate the care and support of hospice in this endeavor. I am trying hard to get this newsletter out in a timely fashion, but we’ll see what the next few days bring.
5. (UPDATE) Ray passed away at 4:30 a.m. on Friday August 17. He passed peacefully and was ready to go. He told me the Wednesday before that he wanted to die. The memorial service is at 10:00 a.m. Saturday August 25. Please join us in spirit at Bear Valley Church for the service!

The Hospice Prayer

O’ gracious God, Giver of
all hope and comfort,

You have called us here to
be the companions of
those who are making
their way home.

As you draw them into
your healing light, touch
us also. Transform our
knowledge into vision, our
skill into comfort, our pain
into compassion, and our
grief into love;

That those who go before
us may leave in dignity
and peace, and that we
may grow in gratitude.

Amen

Disclaimer: Opinions expressed in this newsletter are CSOR's. Any concerns about overall content may be sent to: Susancwalker1@gmail.com.