



# CSOR

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

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## Legislative Update

From mid-January to early February, we visited the Colorado Legislature for a variety of reasons. My first visit was to attend the SMART Hearings. I was able to testify after the Division of Criminal Justice Report, and encouraged the legislators on Senate and House Judicial to follow the strong suggestion of the SOMB (Sex Offender Management Board) for a number of years now, to get rid of the Sexually Violent Predator (SVP) designation, and to move from Colorado's "one size fits all" to a tier (risk) based registry, where Tier or Level Three could encompass those that formerly had the SVP designation. While our goal is to totally get rid of the registry, this would be a start in a better direction.

CSOR and AFC have also been at the Legislature numerous times – once to meet with Senator Pete Lee, Representative Mike Weissman and Representative Leslie Herod from Senate and House Judicial. We discussed the Sunset Review and how the legislators might be looking at the suggestions from that Review regarding whether to Sunset the SOMB, to continue it for a year while waiting for the Legislative Audit of the SOMB (results due in June) and require another set of Outside Evaluations, one for the SOTMP and one for the SOMB etc. Dale Jenkins has been spearheading the statistical work around these issues and has done a great job.

We also attended the SOMB's presentation to Senate and House Judicial on their yearly Legislative Report. The legislators on the Judicial Committees allowed a short time for the SOMB to present since there was a written report of around sixty pages, and were generous in allowing seven of us to testify from both CSOR and AFC regarding our concerns about the SOMB and its report. Laurie Kepros, Director of Sexual Litigation for the Public Defenders' Office, kicked the ball out of the park about the attempt of the preparers of the report (Chris Lobanov-Rostovsky and Elliott Moen) to undercut Dr. Theresa Gannon's recent meta-analysis on what makes treatment better, i.e. not including the polygraph in treatment. Her study showed that certain things made treatment better and other things made it less effective, or no more effective. Her conclusion that treatment is better without polygraph or no better with polygraph, was not one that made the SOMB Leadership happy, and they made an elaborate argument as to why her conclusion in that regard deserved to be seriously questioned. It was appalling, but Laurie's excellent job pointing out the error the SOMB Leadership made in putting down Dr. Gannon's research was well worth hearing and brought a sparkle to the eyes of all of the advocates present!

CSOR contributed a short summary of around 13 states that have NARSOL Chapters (National Association for Rational Sex Offense Laws), as to whether those states had an SOMB or not. While a number of the 13 states did have either an SOMB, an SORB (Sex Offender Registry Board) or an SOAB (Sex Offender Assessment Board), only a couple of the 13 states felt that the organization that was supposed to exist in their states was effectual in any way! We are interested in showing our legislators that the vast majority of states in the U.S. function just fine without the mammoth cost of having a Sex Offender Management Board.

We expect to be present over the next few months as the need arises and are appreciative of the fact that three new advocates attended the meeting with CSOR! Thanks to Chris, Melina and Erin for joining us at the Legislature for the first time!

*What if...everything you are going through is preparing you for what you asked for? -Unknown*

## The Problems with the CST (Community Supervision Teams)

The ideas of Kim English regarding what has not so lovingly been called The Containment Model are still alive and well. While the Sex Offender Management Board (SOMB) Standards and Guidelines primarily for therapists have changed their description of the oversight of Parole/Probation, Treatment and Polygraph Examiners from A Containment Model to a “TEAMS Model”, the old perceptions and beliefs about Containment are having a hard time dying.

Risk, Need and Responsivity (RNR) is supposed to be the reigning model, according to the research, regarding how men and women are evaluated in terms of the level of supervision and treatment they need. The truth is that “risk”, “criminogenic needs”, and a person’s capabilities regarding “responsiveness” to supervision and treatment vary immensely. Just like the school classroom, people are not the same; they are definitely different/unique.

The SOMB Standards and Guidelines are incredibly prescriptive, including an Appendix, around 350 pages of “prescription”. It is up to the therapists, polygraph examiners, as well as probation and parole staff to decide how to utilize these 350 pages of material to relate to the uniquely different people that make up treatment groups, as well as parole and probation caseloads. Besides adjusting material to the specific needs of each person, which is a huge and complex job, add to the mix the fact that the Sex Offender Management Board and its providers report to the Department of Public Safety and the Division of Criminal Justice, while Parole reports to the Colorado Department of Corrections and Probation reports to the Courts! This also alludes to the fact that each of these entities are under the purview of different organizations, and thus are not responsible in the same way for how they interpret and administer the Standards and Guidelines.

It is our experience as advocates that despite all of the talk about Risk, Need and Responsivity, treatment, parole and probation are still functioning on a “no known cure”, “one size fits all” plan. It is not that they don’t believe that people are different and that they need to be handled differently – it is that the complexity of doing that in the course of incredibly busy days takes a whole lot more blending of missions than is currently being done. Parole and probation, for the most part, know little regarding the research on Risk, Need and Responsivity. Therapists are familiar to some extent with the research, but just like schoolteachers, when faced with a room or building full of people, they tend to revert to the less stressful approach of “one size fits all”. What feels easier to them, unfortunately, does not produce the best outcome for the client.

Part of our job at CSOR is to remind therapists, parole officers and probation officers, that people are clearly individuals and without a doubt, need to be approached that way. Awareness is the biggest piece of getting this done correctly. We have been amazed when talking with Parole leadership and individual officers that there is little awareness of RNR and its principles. Everybody gets almost the same parole and probation directives, with the exception of major areas such as who has addiction issues and who doesn’t (one example). There appears to be little understanding among therapists, parole and probation officers as to the different special needs, cultural backgrounds, religious beliefs etc. present in the people with whom they work. Directives are perfunctory, and frequently do not relate to individual needs and risk, as well as the person’s ability to respond. Just the presence of PTSD can make a person seem unresponsive or hostile to treatment and supervision when in fact, they have a disease that makes responding differently almost impossible. How many people have been terminated from treatment and sent back to prison because of just such an issue and other similar issues? We have to say that there have been a lot!

Those of us who advocate for men and women registrants need to be actively engaged in dialogue with people who run the various pieces of the criminal justice system. As Executive Director Dean Williams of The Colorado Department of Corrections has stated, the numbers of people advocating for our men and women needs to be increasing exponentially for our voices to be heard regarding this discussion and our issues in general. The revolving door in and out of the Department of Corrections can revolve less IF we can keep the entities discussed in this article from treating everyone the same, but instead working with them as individuals with widely differing needs!

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*Remember, most of your stress comes from the way you respond, not the way life is. Adjust your attitude. Change how you see things. Look for the good in all situations. Take the lesson and find new opportunities to grow. Let all the extra stress, worrying and overthinking go.*

*– The Minds Journal*

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## Meeting with the Parole Department

On Tuesday January 28<sup>th</sup>, several advocates from both CSOR and AFC met with David Johnson, Head of Parole and Susan White, an Assistant Parole Director. Present for the advocates were: Conrad Gonzales, Janet Hunsaker, Susan Walker, Kenneth Kyle, Roger Kincaid and Pat Harris. We spent a couple hours talking about a variety of issues that could potentially be improved upon for parolees.

One of the issues discussed had to do with the high rate of revocation for technical violations for the registrant population. Examples were given of the kinds of things that set off the revocation “cycle”. We shared that when a technical violation, or perhaps a couple of such violations come to light, instead of parole taking the opportunity to discuss the issues with the parolee, the person is immediately arrested and taken to jail. This starts the spiral back toward the Colorado Department of Corrections. If time were taken to understand what the technical violations were before arrest and before jail, and an attempt was made to place the person in another treatment program, it is likely that the spiral could be stopped before a revocation happens.

Since Janet Hunsaker and I have testified on behalf of many at revocation hearings, we have sometimes been able to (1) keep the person from going back to prison or (2) lowered the amount of time for which the person needs to go back i.e. from remainder to six months, or from six months to three months as examples. We explained to the heads of parole that by this time the person’s whole life has been disrupted; they have lost their job and their housing, as well as all of their belongings. Attempts to discover the severity of the technical violations BEFORE arrest would stop the cycle at the beginning, and at the same time, would positively affect the huge amount of recidivism that the Department of Corrections, Director Williams, and Governor Polis are so unhappy about.

An added note: since few people go back for their “remainder” on a technical violation, it seems ridiculous that the parole liaison who is running the hearing for the Parole Board Member (Mr. Watters or Mr. Casius) wants everyone to go back for “their remainder”. This is a sham and makes no sense. Hopefully we will be able to get this approach changed and save a lot of people from going back for technical violations!

We also talked about the CST or Community Supervision Team and how poorly they really work together, frequently making it a dysfunctional twosome or threesome which does not act on behalf of either community safety or the betterment of the parolee. Since treatment makes the decision to discharge from their programs, and parole takes that as a signal that the person needs to go back to prison, once that discharge happens, a return to prison is highly likely to happen IF we as advocates are not there to try to redirect an unnecessary return to prison, generally for “the remainder”. It is not at all likely that it will be for “the remainder”, but the word seems to be used as a threat and a punishment for the technical violator. The third regular member of the CST (polygraph examiner) is very infrequently involved directly in the revocation hearing or action.

We plan to continue these talks on an every other monthly basis and are hoping for:

1. Better understanding between us as advocates and the Parole Department.
2. More understanding regarding the roles of clients as they interact with parole, treatment and other CST participants.

## How parole boards keep prisoners in the dark and behind bars

By Beth Schwartzapfel | The Marshall Project

July 11, 2015

A months-long Marshall Project investigation reveals that, in many states, parole boards are so deeply cautious about releasing prisoners who could come back to haunt them that they release only a small fraction of those eligible — and almost none who have committed violent offenses, even those who pose little danger and whom a judge clearly intended to go free.

A recent revision of the Model Penal Code, an influential document written by legal scholars, declared parole boards “failed institutions.”

“No one has documented an example in contemporary practice, or from any historical era, of a parole-release system that has performed reasonably well in discharging its goals,” a draft of the document says.

“Someone can be kept in prison indefinitely and could never have a clue that the victim is saying something that may be untrue,” said Barbara Levine, founder of a Michigan nonprofit devoted to reducing the prison population, and a member of the state’s new Criminal Justice Policy Commission.

“The idea was, you should only stay in as long as you needed to,” says Peggy Burke of the National Parole Resource Center. “The parole board was in a good position to judge that.”

## Probation Concerns

Over the twenty years that I have been involved with the criminal “justice” system, it has been my displeasure to witness the pain caused by some probation officers in the lives of the people they oversee. There are four or five specific instances that I am personally aware of where clients and their families suffered immense physical, psychological and frequently monetary pain based on how they were treated by probation officers. Do not conclude from this article that I believe ALL probation officers are bad or perhaps behave badly if you believe that behaving badly is a choice and not a “lifetime condition”.

Those of you reading this who are fond of the criminal justice system may say, “well, the registrants who suffered most likely deserved every bit of suffering they have endured.” We say this based on the “victim-centered” approach which is so popular in Colorado. Not that all of us aren’t incredibly sad and sorry that those victimized by sexual assault suffer-some a little before moving on, and some immensely and perhaps for life.

Making life miserable for those on probation does NOT improve the chances that they will never offend again, nor does it improve public safety. In the lives of the persons and their families who have suffered immensely at the hands of probation in the name of “public safety”, the following massive and unpleasant issues have at times resulted: family and registrant bankruptcy, family members separated from each other for years, death of the registrant by hanging and other means, massive emotional pain for the registrant and their family that sometimes cannot be repaired and more.

Just a footnote thought: We are not trying to pick on probation, and there is no doubt that parole officers at times cause the same hurt. The difference is that there is a clear path available for discussing these concerns because of parole’s attachment to the Colorado Department of Corrections. Ongoing conversations with parole leadership help us to be able to right at least some of these wrongs. Probation on the other hand, reports to the courts, and there is a much more convoluted route for trying to “fix things” that aren’t working. With over 20 judicial districts who each have their own judges and head probation officer, the route to making things better is usually hard to find. It has also been my experience that once that route is found, responses are either non-existent, very angry and/or unfulfilling in terms of trying to find a solution to the poor behavior that causes registrants and their families so much pain and trouble.

Working together and looking at clients, their families and those who have been victimized as human beings who deserve to walk a pathway that ends with redemption is my goal and the goal of CSOR. Work with us to make this happen for all involved!

## NEWS TIDBITS

1. On March 4, 2020, Governor Polis and the Colorado Department of Public Safety are hosting a meeting in Westminster, Colorado at the Westin Hotel called “The 2020 Criminal Justice Forum”. The Governor calls this a “conversation with criminal justice stakeholders from our entire state to discuss the future of criminal justice in Colorado.” The byline is: “Working Together Toward an Improved Criminal Justice System”.

The conference is focusing on our main areas: a) Recidivism; b) Sentencing Strategies; c) Detention Decision-Making; and d) Juvenile involvement. The event features two 90-minute plenary sessions and up to 12 break-out session presentations or workshops.

CSOR has moved its normal first Wednesday of the quarter meeting from March 4, 2020, to March 11, 2020, i.e. the next Wednesday for this quarter only, in order to give all interested a chance to attend this conference and still make the quarterly CSOR Meeting on March 11 from 11:30 – 1:00 with the Parole Board presenting!

2. CSOR is planning to be present at Centennial Correctional Facility on April 9<sup>th</sup> for a Jobs, Housing, and other “getting out” information Fair. We are excited to be able to attend, see some of the facility, and meet the men that are currently housed at Centennial.

Susan Walker and Janet Hunsaker are both planning to attend and be available to talk with men attending.

3. An audit of the treatment program at Fremont Correctional Facility is ongoing. The audit came about after Susan received letters from a number of men that indicated many missed sessions and that therapists did not consistently appear to be working on behalf of the men in treatment. Len Woodson and Christina Ortiz-Marquez requested the audit which is being conducted by Allison Talley, and is accomplishing a couple of different things: a) assessing the number of treatment sessions that have been completed compared to the number that should have been completed, and b) allowing the men to meet with Allison without therapists present. Of course, the therapists have a chance to speak with Allison as well regarding their interpretation of how treatment has been going. Hopefully this audit identifies what has been going well, and what has not been going so well!

We are thankful to Len and Christina, as well as to Allison, for taking on this work for the betterment of the treatment program. Thanks also goes to the therapists and program leadership, as well as to the men in the program for participating in this audit/evaluation.

4. Executive Director Dean Williams was criticized by Channel 7's Tony Kovaleski in Denver for allowing a person in prison for life on a murder charge to participate in a new program where inmates travel on busses to participate in plays and theatre-type productions. I decided when I saw this piece on Channel 7 that I would not be watching that channel as frequently as I sometimes do! The Executive Director is doing all that he can to "normalize" the prison experience as much as possible – he admits that there is still a long way to go to make the necessary changes and improvements! I for one am all in favor of this particular project and many others that he proposes that recognize the dignity and humanity of all people!
5. At long last, 80+ year old Mr. Ledezma-Ramirez will be out of Arkansas Valley Correctional Facility and going to live at Mesa House in Colorado Springs! Thanks to the very hard work and diligence of his Spanish-speaking therapist Annie Sepulveda, the attempts of Jan Hunsaker and me to find him a place, and the open hearts of the folks at Mesa House, he will at last have a home. Mesa House is known as a place for those who cannot, for whatever reason, go anywhere else. He is getting out on February 24<sup>th</sup>, 2020 and after the ride from Arkansas Valley to the Springs, and jumping through initial day out "parole hoops", he will, at last be at home. Monument House, Mesa house and Ithaca Land Trust in the Springs all do incredible work on behalf of our incarcerated folks. Thanks to the goodness and mission hearts of Steven and his wife at Mesa House, Ed and his wife at Monument House and a host of folks at Ithaca Land trust, people who have no money to start a life on the outside can frequently find help through these Colorado Springs options. As people get jobs, of course, they pay for their accommodations.

Congratulations to all parties involved for one more miracle!

## 6 Things Mentally Strong People Do Every Day

Sinem Günel  
Mar 6, 2019  
Medium.com

1. They move on. They don't waste time feeling sorry for themselves.

Moving on is probably one of the biggest strengths that a person can have. It is so easy to feel sorry for yourself and pity yourself because bad things are happening to yourself. The majority of people are great at blaming external factors for their own failures and for things that don't work out. Only truly mentally strong people value their time enough to keep moving forward instead of wasting time. No matter what happens, wasting more time on it than necessary is kind of stupid. Bad things happen to everybody. However, how you deal with those situations is only up to you. Taking responsibility for your own life is actually one of the hardest things. Accusing others of things that are happening to you is much easier. Next time you find yourself complaining about unnecessary stuff, try to be more aware and give your best to simply move on. Spending more time and energy on an unpleasant situation will never make you happy but cost you a lot of time and energy.

## 2. They embrace change. They welcome challenges.

Mentally weak people are afraid of change. Change is always related to some kind of growth and development and that is something that weak people are not open for. Mentally strong people, however, are constantly striving for progress. They not only embrace the changes that occur but openly seek new challenges and opportunities to grow. In contrast to weak people, mentally strong people can trust themselves and their abilities to overcome challenges, thus, they are more motivated to take on challenges and grow as a result. If you ask people who are mentally weak, they would probably tell you that they'd prefer to stay in their comfort zone and never do something challenging. Next time you find yourself copping out of a situation, deciding against a challenge or change, try to evaluate your own situation. Why are you deciding against change and development? What are you exactly afraid of? What is the worst thing that could happen? And what is actually the best thing that could happen that you are 100% missing if you don't take the chance?

## 3. They stay happy. They don't waste energy on things they can't control.

Mentally strong people know the worth of their own energy. They are aware that their time and energy are the most precious resources that they have, so they take care of it. A mentally strong person would not let negativity get into his way and he would not spend a second that is not necessary to dealing with negative emotions. While mentally weak persons tend to act as victims and let their emotions control them, strong people do the opposite. They take control of their emotions and choose happiness over wasting energy on negativity.

## 4. They are kind, fair and unafraid to speak up.

Also practicing kindness is something that mentally strong people are better at. While mentally weak people not only spread negativity on themselves but also on their fellows, mentally strong people do the opposite. They use every opportunity to be kind and campaign for fairness. As mentally strong people are also much more self-conscious and have higher self-esteem they can easily speak up against unfair situations and help their surroundings. In the next few days, try to analyze your own behavior when it comes to kindness and fairness. In fact, every day we face tons of situations where we have to decide if we practice kindness or simply ignore a situation. No matter if it is your family at home, during your commute to work or your colleagues. Analyze yourself and try to picture your ideal future self. As a mentally strong person, how would you like to react to unfair situations and how would you try to be a kinder person every day?

## 5. They are willing to take calculated risks.

As also stated above, mentally weak people tend to be afraid of changes and risks. They'd rather stay inside of their comfort zone and refrain from personal growth than taking risks. Mentally strong people, however, are not only great at evaluating risks but also constantly seek for new opportunities. While mentally strong people are after constant development and growth, they don't just jump on every opportunity that occurs. Instead, they are great at analyzing the pros and cons of a situation and thus taking calculated risks that are promising. Taking risks on a regular basis is also connected to a strong decision-making ability.

## 6. They celebrate other people's success. They don't resent that success.

Mentally strong people see themselves as their only competition. They strive for becoming a better version of themselves every day. As a result, they can also celebrate other's successes. Mentally strong people are also better team-players and can easily congratulate others and be happy about the progress of their fellows. On the contrary, mentally weak people have to fight with envy as they see other people as a competition. Strong people know that everybody is responsible for his own success. They always look forward with the intention of improving themselves without focusing on others.

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