

## GETTING THINGS DONE AT THE LEGISLATURE –

### What Does it Take?

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After eighteen years of working to educate legislators here in Colorado of the real truth as supported by extensive research regarding sexual offending behaviors, it feels as though we have made very little progress. Despite getting the “no known cure” language out of statute, freeing our men and women with a sexual offense to choose from two treatment providers instead of having one picked for them by their parole officer, convincing the Joint Budget Committee to spend \$200,000 to do an evaluation of the Sex Offender Management Board (SOMB) in the community, and the Sex Offense Treatment and Monitoring Program (SOTMP, inside the Colorado Department of Corrections), as well as an audit of the SOMB that turned up somewhat scathing results in numerous areas, we are still beleaguered by tall tales! These “tall tales” began back in the late 1980’s and 1990’s when a famous judge made the statement that 80% of those who had committed a sexual offense would recidivate – i.e. do it again). He got the word from a woman who said the same thing in a Psychology Today article. This woman recently admitted that she pulled this figure out of thin air. I also remember a well know Colorado resident who works for the Department of Public Safety making that same claim in a meeting here in our state that was attended by a large number of dignitaries from the Colorado Legislature, the Department of Public Safety, Members of the Defense Bar and the Public Defenders Office, the D.A.’s and others, including me.

I had lunch with a woman I knew through the Sex Offender Management Board (SOMB) meetings who at that time was representing the District Attorney’s Council on the SOMB. Our conversation was pleasant as we got acquainted. It was definitely however, a given that we were coming from two diametrically opposed positions regarding matters relating to those who had committed a sexual offense. In spite of our differences, we had a friendly lunch and opened a

door to becoming better acquainted. As this person has now joined the ranks of Assistant District Attorney for a suburb of Denver, the “friendly” lunch that happened a year or so ago was nowhere to be found.

Despite extremely low numbers for a new sexual offense among those who have previously offended, the “team” of District Attorneys who testified at the Legislature, including my lunch partner, argued loudly and vociferously that IF the reforms we were asking for were granted by the Legislature in Colorado, pandemonium would erupt in the streets, larger numbers of people would be raped and pillaged, and life would never be the same. While burning our population at the stake wasn’t specifically mentioned, one could feel the “fire” burning in the souls of the D.A.’s. When a legislator asked for supporting research or facts that would sustain what the D.A.’s were saying, they all looked at each other with blank faces. My lunch partner was the one who attempted, after the other three looked at her, to make a case for what they were saying, likely because of her time on the SOMB Board.

It is sad that in reality, that no matter the truth in this particular situation, the voices, no matter how wrong, of those who keep our law enforcement citadels going, were loud and clear in their attempts to paint a picture of evil men and women who had committed a sexual offense that would NEVER be different than what they believed them to be when that offense was committed. Wait until one of their own loved ones commits this offense – they will definitely look at things differently.

In spite of the fact that one of our advocacy organizations (AFC) hired a lobbyist and a former legislator to assist with our bill, it was an extremely busy session. There was a late start on our bill and its particular issues. There was a struggle early on to find sponsors (two excellent sponsors were eventually engaged), and the typical end of session rush to get everything solidified and to the Governor was keenly apparent.

One week before the close of the session, and the night we hoped and prayed that our bill would pass in some way, shape or form, we were there testifying and wrapping up til 1:00 a.m. Many, many hours of hard work went down the tubes, at least for this year, as the D.A.’s hatefully lamented against us.

We will be back at it this during the coming year, which is, of course, a political year. Yes, certain legislators will be fighting for their seats. This makes it even harder to make our voices heard. However, we are a group of people whose voices will not be silenced on behalf of our men and women who at one time, made a bad decision (choice) to commit a sexual offense. We will also stand up for justice for those who have been victimized, but will never admit that fair laws for our men and women who have committed this offense should be abandoned for the purpose of destroying their lives. We believe those who have committed these offenses, and those who have been offended against (often the same population), both deserve a future life of healing and forgiveness.

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Three organizations, CSOR, AFC and Colorado CURE, worked together with the lobbyist firm, as well as with representatives from the Colorado Criminal Defense Bar, in the attempt to make dramatic changes in the way that those with a sexual offense on their record are treated in our state.