



CSOR

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

34th Edition

March 2022

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CSOR Newsletter
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THE SOMB AND HOUSING: An Attempt to Blend Ideas and Resources

At the last SOMB Meeting, we discussed an issue that has never, over the many years I have been attending the meetings, been discussed by the SOMB as a Board. My first goal was to see if Chris Lobanov-Rostovsky, Head of the Board, would consider leading a panel discussion on this complex and at this time, overwhelming issue. I had hoped that he would include more people from “outside” the Board than he did, but it appears that he felt it most politically appropriate to have three SOMB Board Members on the panel, with me as the non-board member, representing those of us who are advocates. The reason I was involved is that I had just done a housing presentation at the NARSOL Conference in October 2021, and that it was my idea to get the Board involved. The goal from Chris’s perspective was to “frame the purpose of the presentation including what are the issues to be discussed as well as the challenges, and to identify some ideas about steps that should be taken to address these challenges”.

Besides me, representing our men and women from an advocate perspective, there was Charla who is a treatment provider, Jeff who is a policeman in Pueblo, and Katie who is a victims’ advocate. Chris felt that this combination of people would be a good one in order to have a well-rounded discussion. Charla and I were tabbed as having the most direct experiences on a regular basis working with persons who have offended; Jeff is involved with registry issues in Pueblo and has seen Pueblo, in his opinion, move to a fairly comfortable amount of housing for our men and women who want to live in that area; Katie is a victims’ advocate and presented the housing issue from a victim perspective, i.e. that sometimes those who have been victimized, especially those who are from less advantaged families, areas of town etc., also may have trouble finding housing.

The U.S. Department of Housing and Urban Development has put landlords and other housing providers on notice that a policy of denying housing to anyone with a prior arrest or any kind of criminal conviction would violate the Fair Housing Act.

The Fair Housing Act prohibits racial discrimination in the sale, rental, or financing of homes. A policy refusing to rent or sell homes to people who have criminal records is illegal discrimination, HUD announced last week, because African Americans and Hispanics are disproportionately arrested, convicted, and incarcerated. – Equal Justice Initiative

Here are the questions that were asked:

1. What are some of the challenges related to finding housing for those who have committed a sexual offense? (answered by Susan and Charla)
2. What are some of the public's perceptions about this population and where they live that factor into these challenges?
3. How do those who have been victimized feel about where those who have committed a sexual offense live (proximity to victim/survivor, or other vulnerable populations), and do those who have been victimized also have housing challenges and concerns?
4. What have you done to try to assist individuals who have committed a sexual offense to find housing?
5. Can community notification strategies assist with the public's perception and gain their support for suitable housing for this population? (This is doubtful in my opinion).
6. How do we notify those who have been victimized about the housing for adults who committed a sexual offense so that they understand the safety considerations?
7. What challenges have you seen related to finding group living situations (nursing homes, group homes, housing for individuals with disabilities, etc.)? (at this moment, very little available).
8. What things would you suggest the SOMB can do to assist with the challenges related to housing?

Since this was a virtual meeting, it was harder to have a discussion, but we did attempt to have one, and I was assured by Chris that he would be following up on this topic to see if there are ways the Board could be more active in promoting more and better housing options for men and women getting out of prison with a sexual offense.

SHORT-LIVED REIGN FOR CHANGE IN SEX OFFENDER LANGUAGE

Not long after the CSOR December Newsletter went out, there was a major "ruckus" regarding the language issue related to calling someone a "sex offender". We thought that we were moving toward some small and partial resolution of that issue, but the powers that be (i.e. the same culprits, D.A.'s and victim advocates) blew a gasket and spoke out in the newspaper regarding the horrific change that the SOMB had voted in, and how unfair and inappropriate it was for those victimized. There was a huge string of comments from the public, who showed their utter lack of understanding regarding sexual offending behaviors. CSOR responded to the outcry from the public with a rebuttal to all of the ignorant responses people made after Alex Burness wrote and published his article: "Should Colorado still use the term 'sex offender'? A state board is considering new language."

The amazing amount of disdain for those who have sexually offended was obvious from the 50 or so responses to the article. It is clear that people reading the article were rabidly against the move made by the SOMB to make what was actually a very small change in the language – instead of "a person who committed a sexual offense", it had, for a short time, become: "persons who commit sexual offenses." This took the focus off of "one person" who committed a sexual offense, to the total number of those who have committed sexual offenses. It was indeed, a very small move in a better direction, and also very short-lived. The Governor and others immediately stated their unhappiness regarding the change and supported the outcry against the new language as soon as the story hit the newspaper.

The old Kris Kristofferson song and I know I have used this example before – “Everybody’s got to have somebody to look down on”- continues to ring in my head when I think about how our men and women are the “looked down on” population of today. There is always a person or a group that is forced to stand in the abominable place. What is it about our society that encourages this behavior and thought process? Perhaps it is that as human beings, and if we were being fully honest, look at times to put others down so that we feel better about ourselves. It remains true that none of us are perfect. We all make bad decisions, and frequently there are decisions that can hurt other people and hurt the heart of our Creator as well.

Change is something that happens slowly, as we have seen with the injustices that have too often been shown against African-Americans, those of the Jewish heritage, and others. While we do not condone behaviors that hurt the heart of God and hurt our fellow human beings, we also know that forgiveness is alive and well, and while we have all fallen short of what our maker intended us to be, if we ask, we can be forgiven, even with a sexual offense in our background! I know that there are therapists and others out there that would not agree with the language I have used, but each of us have the right to express ourselves in writing and in person in a way that we believe represents the truth!

I am pretty sure that we have NOT heard the end of this story!

DORA (Department of Regulatory Agencies)

Brian Tobias, the head of DORA (Department of Regulatory Agencies), reached out to me in order to get my input as to how the Sunset Review coming up again in 2023 should “handle” the SOMB (Sex Offender Management Board) in terms of their statutory requirements. I was referred to Brian by a significant “player” in the sexual offense arena.

Brian had given me a sheet to review and utilize in preparation for my discussion with him. It talked about a variety of issues – mainly focusing on thoughts and questions such as: 1) Was the sexual offending/sexual offense milieu similar or the same as it was when the SOMB was last re-enacted? 2) Was the Board doing a good job in terms of the services that it was delivering? I.e. Was the ARC (Application Review Committee) doing a good job of reviewing complaints against therapists/polygraph examiners on behalf of “clients” (i.e. our men and women)? 3) Was the SOMB meeting its statutory requirements when it comes to doing everything possible to keep the public safe? 4) Were treatment providers doing their job in terms of utilizing Risk, Need, and Responsivity (RNR) in their therapeutic practices?

I pointed out in my conversation with him that indeed, much had changed since the original SOMB had been put together back in the 1980’s and 1990’s. For one thing, Greig Veeder, whose use of the “no known cure” language and in my opinion, inappropriate treatment of those with a sexual offense, was no longer an obvious part of the SOMB. We were able to remove “no known cure” language from statute around 2008 (I think is about the right year), and with that removal, there was movement toward an acknowledgement that not everyone who committed a sexual offense was out to destroy humankind through sexual offending. That does not mean that someone was not hurt during an individual offense.

There was also the fact that we as advocates were able to convince the JBC (Joint Budget Committee) around 2012 that we needed outside evaluations by experts in the research and treatment field re: sexual offending behaviors. These evaluations of first, the SOTMP within the Colorado Department of Corrections, and then of the SOMB in the community, pointed out glaring errors in the way that treatment services were being delivered, in the SOMB Standards and Guidelines, and the fact that Colorado’s, thanks to Greig Veeder, no known cure philosophy, was NOT supported by a current and growing body of scientific literature. Rather, Risk, Need, and Responsivity were now touted as the appropriate way to work with people who had committed a sexual offense, NOT the containment approach.

“Compassion is the basis of morality.” — Arthur Schopenhauer

I also pointed out to Brian that the vast majority of other U.S. States do NOT have SOMB or similar boards. A survey that I did a few years back also showed that of those (between ten and twelve) that did have Boards of some kind, several were not actively engaged in regular meetings, setting policies etc. Most states function by utilizing different parts of the criminal justice system to “manage” those who have committed a sexual offense – i.e. police, therapists inside and outside of prison, parole and probation officers etc. I checked in with California’s SOMB, which was started after discussion with Chris Lobanov-Rostovsky, head of our SOMB, and while they do have a functioning Board (much smaller than ours), at the time a couple of years ago when I talked with them, their Standards and Guidelines were around 60 pages long, compared to Colorado’s number of pages, which is over 300. Colorado also has an additional huge appendix!

Given the significant changes in Colorado of which we have discussed just a few, one has to wonder whether a Board of 25 or 26 people is necessary in Colorado. These matters are being reviewed by the Legislature, since victims, their advocates, and D.A.s went “overboard” after last year’s advocates’ attempts to make significant changes.

Brian indicated he would be talking to other people as well regarding the questions he had put before me. It is interesting that Senator Bob Gardner from Colorado Springs who told me back around the 2008 changes that “you will never fool us again”, has written a bill that is still being reviewed by a significant number of people, that

would, if passed, split the adult and juvenile boards in two. One of the complaints about the Board has been that it is way too big – 26 people, the majority of whom NEVER speak at the meetings – a few therapists and victims’ advocates monopolize the conversations at SOMB Meetings at present! We will see where this all goes. At this point, Gardner is the only sponsor on his bill. It is being reviewed carefully by folks on both sides of the aisle. Since the Legislature put the date for the Sunset to be reviewed into 2023, we will possibly not have any specific resolution as to exactly how the SOMB will function (I doubt that it will go away)- until 2023. As I mentioned to Brian while we were talking, I appreciated his taking the time to talk to advocates, but realized that he could potentially “lose his head” if he were to listen too carefully to advocates, and actually recommend serious changes in the Board, or actually getting rid of the Board. It is highly unlikely that will happen for many obvious reasons.

STORIES, STORIES AND MORE STORIES

I talked with a man recently who lost his job, first of all, due to having Covid, and secondly, because he has peripheral neuropathy. If you aren’t familiar with this disease that can affect the feet, legs, arms etc. with feelings of stick pins, sometimes numbness and pain in each area of the body affected, I am. My late husband died after having this disease for around 20 years, although it was COPD that actually took his life. It is virtually impossible for this 59-year-old man to work, and for the first time, he is not able to pay his rent. He has been told that there is nothing that can be done without money – i.e. Medicaid will not cover necessary shoes, foot supports, according to the doctors and clinics he has asked. The only good thing that may have come out of our conversation is that he is renting from a landlord I have not heard of before. I have already left him a message to see if he has openings. It is my hope and prayer that as I talk with folks at Denver Health and wherever they will listen to me, there will be some assistance forthcoming for this man. Some days, my heart is broken as I hear the stories of so many with our particular offense who have struggled to make it and are running up against brick walls. There are others who are doing amazingly well, post prison, post parole and treatment. It is necessary for me, as I listen to peoples’ stories, to remember that life is never 100% fair to any of us, and that we all need to hold each other up through prayer, letters, phone calls etc. I also talked to a mother in another state whose son is in prison in Colorado for our offense. She is raising his child who is autistic. As we talked, my heart went out to not only the son in prison who is also autistic, but to this older Mom raising her granddaughter in her son’s absence. If I didn’t believe there was a God, there are days I just couldn’t take.

“Whoever is kind to the poor lends to the LORD, and he will reward them for what they have done.” - Proverbs 19:17

NEWS TIDBITS

1, We “love” writing to all of you. At times, we are overwhelmed. Thanks to each of the people who have volunteered to write letters. Just an important reminder that we cannot be “pen pals”. We are writing to support you, to acknowledge that you are, to us, an important part of the human race, and we want to help you if and when we can. Sadly, some of you consider us “pen pals”, and that we cannot be. Please write us when you not only feel the need to talk to someone who cares, but when you need specific advice, help, or support about important matters such as treatment, seeing the Parole Board etc. We also cannot be attorneys for you. AGAIN! Do not send big manila envelopes full of legal papers for us to review and try to do something about. None of us at CSOR are attorneys or even paralegals. Unfortunately, your envelopes will not be read. We just do not have time. We wish we had the time and that we were legally educated/trained to assist you, but we ARE NOT! Right now, I have 8 to 10 manila folders sitting in my office which will not be reviewed or read, because it is all I can do (goes for Tami and Rick as well, and others who are assisting with writing letters) to read and return answers to your letters. Please do not write more than once a month unless you are: a) seeing the Parole Board within the next 3 months or so; b) you are facing adversity from guards, therapists etc. and are being impeded in moving forward; c) you are experiencing physical or mental health challenges about which nothing is being done, or d) there are other significant problems present in your life that you cannot solve any other way than writing to CSOR. It is all we can do to handle the current flow of written letters, phone calls, family calls, and calls from the outside for housing etc. that come our way! Spread the word to you friends. e) Keep your letter to two pages as much as possible. f) Write in big enough print that we can see it without a microscope! We know that some of you have problems with your eyes, and your writing ability for a variety of reasons – please do the best you can! When we have 40 letters sitting on our desks, reading several 5 – 10 page letters makes our lives a lot harder – we just can’t do it! g) It helps if you do a short introduction and then NUMBER any specific concerns that you have. h) Pretend you are on the receiving end of a 6 or 8 page letter and consider what it would take for you to answer regarding ALL of the points mentioned. “Walk a mile in OUR shoes”. Thank you all so much.

2. We are aware that many of you have finished treatment or completed your required years in DOC, yet you cannot get out due to not being able to find an address. We are very aware of this situation – you can’t imagine how aware! We are working as hard as we can, especially regarding those with an SVP designation, to try to find suitable addresses that will accept you. Please be patient with us – we hate to ask you to be patient when we know how patient many of you have already been for years! We are definitely in a housing “blah” right now and are doing all we can to fix this problem!

3. On the positive side of the housing issue, there are a number of people with whom we have met recently who are purchasing or already own houses that will hold a number of our men. One man I had breakfast with a few months ago and who I just spoke to at the beginning of February, is full at 5 people in his home, and is hoping to procure funds to buy another house and do the same! The need is great, but each of these people and others like them who step forward to provide this essential housing, will find great rewards in doing this work. I know that the folks we have housed and continue to house have, for the most part, brought great joy to our hearts and our lives! Disappointments are a part of life, and those happen occasionally as well as we fight to win this housing battle!

4. In an effort to improve the housing opportunities for all of you, CSOR has undertaken a few ventures. Tami and Rick’s assistance in picking up a significant piece of the letter writing has given me some time to clean up my home office – what a mess it has been! I am slowly making progress on that. Several other folks are also assisting with writing at this point and we are grateful for all helpers! Also, I have been able to reach out to other organizations in the community that are struggling as well to find housing for men and women with our offense in their background – these organizations have reached out to us to help guide the way for those folks on the outside who also need housing because of their offense background. Included in this list of organizations are: Family Tree, Colorado Coalition for the Homeless, Denver Rescue Mission, Salvation Army Cross Roads Shelter, Jewish Family Services, Volunteers of America, Empowerment, Second Chance Center and so on. All of them have reached out to CSOR to assist with their housing needs, some once or twice, and others much more often.

5. The Denver Office of Housing Stability is a fairly new entity in Denver to my knowledge. Unfortunately, this office is working mostly with people who are experiencing homelessness that do not have our offense. The setting up of tents in “safe surroundings” (good tents for that matter), making bathrooms available and so on, is not, as far as I can tell, including us. So, people already on the streets who have an S.O. offense in their background, would not at present be able to take advantage of these new trial options to get people housed.

I have reached out to this office to no avail at this point, to remind them of our men and women coming out of prison with an S.O. offense who also have, in many cases, nowhere to go. I just made a second stab at reaching out to the Office, via an extensive e-mail. At the same time, I wrote to Mayor Hancock to see if I could get his attention for our men and women. We will see what, if anything my efforts bring in terms of the willingness of the powers that be, at least here in Denver, to recognize the immense need for housing for this population! We will keep you up to date on this.

6. Along similar lines, it will be my privilege to interact with the case managers at the Colorado Coalition for the Homeless in the near future and share some of the challenges as well as positive trends we are seeing in some areas. Having already met with the lead case manager, it is clear that they are facing major challenges as we are, to be able to provide housing. Remember that a significant number of their clients are also “our” clients. I will be presenting on the “inside and outside” groups of people who desperately need housing in order to do well with their lives and talking with them about how we may be able to all work together to improve/enhance the housing options for our clients facing mutual challenges in the public arena.

7. Another opportunity to reach out came from Attorney Jessica Meza who is on the Board of the Empowerment organization. Jessica asked me if I would be willing to present to them. Of course, I said yes. Sharing with these two groups (Coalition for the Homeless, and Empowerment) will be a good start toward sharing with hopefully, all of the groups that are struggling to find housing as we are.

THE EMPOWERMENT PROGRAM



The Empowerment Program is a community that believes humanity is best served by a diverse population coming together to encourage the most caring and equitable relationships between people. We align with those working to improve the health of our humanity by opening our minds and hearts to a world where all are loved and compassionately cared for. We understand we have much in common with each other, while also embracing our differences as essential to the human spirit and to its health and well being.

The Empowerment Program stands against all acts of hate and bias as we stand in solidarity with our Asian and Asian-American staff, participants, and with the wider Asian community. Today, and every day, we affirm our commitment to the incredible diversity that defines the Empowerment community as we work together to build a healthier, safer, and more inclusive environment.

<https://www.empowermentprogram.org/>