



THE ADVOCATE

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Special points of interest:

AFC will be assertive in our advocacy work.

AFC supports the class action lawsuit against the DOC.

The challenges our loved ones face are monumental as is the task of **AFC** in defending and protecting them.

AFC will hold those charged with the treatment of our loved ones accountable to the letter of the law.

Get Involved: Come to the meetings; join a committee if you can not be at the meetings

WHO ARE WE AND WHAT WE DO

BIRTH OF ADVOCATES FOR CHANGE

In November, 2009, the Colorado CURE Board voted to disband SOIG (Sex Offender Issues Group), the CURE group that dealt specifically with issues related to those who had been charged and/or convicted of sex offenses. Aware of the desperate need for advocacy on issues regarding our loved ones and friends who have been so charged and/or convicted, the members of the now defunct SOIG decided to continue its work under another name and **Advocates For Change** was born. **Advocates For Change (AFC)** is made up of former and present CURE members, families and loved ones of those charged and/or convicted of sex offenses and people who have committed or been charged with sexual offenses.

AFC will be assertive regarding its advocacy work and is moving forward with legislative efforts, support of a lawsuit against the Department of Corrections, a survey of former legislators who voted on the Lifetime Supervision Act, and attendance at meetings important to the fair treatment and welfare of people charged and/or convicted of sex offenses.

One of **AFC's** goals is holding those people charged with the oversight of our loved ones and friends accountable to the letter and spirit of the Lifetime Supervision Act, i.e., that those sentenced under the Act have a legislative mandate to treatment, the right to progress through treatment and upon meeting appropriate criteria, to be released from prison. **AFC** is also committed to the fair treatment of those so charged who are on probation or parole in the community. The challenges they face are monumental, the inability to get housing and jobs among them.

If you have the same or similar concerns and want to join our group, we welcome you. There is much work to be done. There is a membership form at the end of this newsletter. We hope to see you soon.

LOGO CONTEST

We would like to announce to all of our friends and loved ones that we are looking for a logo. This is where you come in. For those on the inside, we will be having a contest to see who can come up with a great design for our logo. Because we would appreciate having a logo soon, please have your submissions postmarked by the deadline of May 1, 2010. If your design is chosen you will receive our newsletter free for one year. So, please send any submissions you have for the logo contest to: AFC Newsletter, 10343 Federal Blvd., PMB #444, Westminster, CO 80260.

HOW CAN YOU HELP? - GET INVOLVED!

Many of you have asked how you and/or your families and friends can help. The best way to help is to get involved. There is MUCH work to be done and we really need people in all areas. You can attend our meetings. **AFC's general meetings** are held the **third Tuesday of each month at St. Paul's Lutheran Church, 1600 Grant Street, Denver from 7:00 pm until 9:00 pm**. These are open forum meetings where we actively engage our membership in the issues facing our loved ones. What is shared there remains there. What is learned there is taken with us. AFC is a volunteer group. AFC does not offer legal advice or legal services.

Become a Member: You will find an application for membership at the end of this letter.

Join a committee. Several committees will be formed to forward our work such as legislative, education, research, membership and communication (newsletter and website).

Do anything but please get involved!

Legislative News

SUNSET REVIEW OF THE SOMB

The Department of Regulatory Agencies (DORA) presented its Sunset Review recommendations of the Sex Offender Management Board to the House Judiciary Committee on January 21, 2010. Ten AFC members testified in support of the recommendations with ten other members attending in support. The recommendations are:

- 1) *Continue the Sex Offender Management Board for five years, until 2015.*
- 2) *The Board should study and determine whether and to what extent the treatment of sex offenders and other Board policies, including the no-cure policy, work, and present the report to the General Assembly no later than December 1, 2011.*
- 3) *Require the Division of Criminal Justice to hold public hearings as listed under the Administrative Procedure Act on treatment standards, Lifetime Supervision Criteria, and the requirements to be listed as an approved provider.*

4) *Complaints, investigations and discipline of treatment providers should be administered by DORA.*

5) *Schedule SOMB for sunset review in 2012.*

The following week the House Judiciary Committee voted unanimously to accept DORA's recommendations and to move forward with a bill to change some of the language in the current Lifetime Supervision statute. At this meeting, Chair, Claire Levy stated that in her opinion the "no known cure" language should be stricken from the existing statute since it was not based on any known research. The SOMB was directed to write a white paper presenting research in support of keeping the "no known cure" language in the statute. A committee, chaired by Peggy Heil from SOMB, is moving forward with this white paper. Several members of AFC attend these committee meetings.

QUOTE OF THE MONTH

"No Known Cure" is a moral idea, not an assertion of fact.

Anon

YOUR LOGO HERE

Help us design a logo. If yours is the winning idea you will receive your newsletter free for one year.



Legal News

The Department of Corrections Civil Action lawsuit (DOCCA) spearheaded by attorneys John Pineau and Tom Carberry and assisted by CU and DU law students seeks to ensure that all who fall under the Lifetime Supervision Act will receive treatment as mandated by state statute and once treatment has been completed they will be released by their bottom number date.

Although the legal team is not taking fees for this work, there is a cost for filing fees, subpoenas, etc. and as such, AFC is seeking

contributions, small or large, from all who care about this work. Contributions should be made out to DOCCA and sent to Advocates for Change, PO Box 441656, Aurora, CO 80044. The attorneys have set up a trust account, DOCCA, for this work. The goal is \$40,000 to begin the work. We are well on our way. Please contribute if you can.

Q and A's

Questions may be submitted to our newsletter address and we will answer or find the most qualified person to answer your question.

Recorded at the 2/17/2010 AFC General Meeting: Paul Prendergast, Chair, SOMB and AFC guest speaker.

Q: Why does the Colorado containment module for SO treatment/management lack any policy on analysing standards?

A: Prendergast: SOMBs statutory authority is to set standards, not program details.

YOUR LOGO
HERE

Help us design a logo for our name. If your design wins you will receive the newsletter free for one full year.

Alphabet Soup:

AFC – Advocates for Change, action group addressing issues related to those who have been charged with or convicted of a sex offense

BAG – Breakfast Action Group

DOCCA– Department of Corrections Civil Action Lawsuit

CURE – Citizens United for the Rehabilitation of Errants

LSA – Lifetime Supervision Act

MRD – Mandatory Release Date

PED – Parole Eligibility Date

SLA – Shared Living Arrangements

SOMB – Sex Offender Management Board

SORFC – SO Ready For Change

SOTMP – Sex Offender Treatment and Monitoring Program

MORE THAN A LABEL

People who have been convicted of a sex offense are more than the label SO. It is the only crime where a label is used to define the criminal, an all encompassing label that does nothing to differentiate among the variety of sex offenses that exist. A person is so much more than any offense she/he has committed. It is the only crime where the label follows the person for the rest of his/her life, hindering opportunities for the full re integration into his/her community. It is the modern day equivalent of the scarlet letter.

AFC is committed to making a change in the way it describes those who are convicted of a sex offense. AFC will not use the label in any of its communications, verbal or written, the exception being when reporting when other organizations or groups use it.

THE ADVOCATE EDITORIAL POLICY

The Advocate newsletter is published by Advocates for Change, providing information on efforts of this group to affect change in legislation, treatment, and re-integration into the community, primarily for those who have been convicted of a sex offense.

Submissions from inmates/offenders and parolees are encouraged. Articles should be no longer than 300 words. Content should be about a single issue, be original, and accurate, citing sources if appropriate. Personal stories and fresh ideas about your experiences in the current system are welcome. Contributors will be identified by first name only. Unless submitted by a practicing lawyer we can not publish legal advise.

The editor reserves the right to publish all, part or none of the contributions submitted. Send contributions to Advocates for Change, PO Box 441656, Aurora, CO 80044.

Editor: BJ Russell

Publisher: GL Rosencrans

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Watching the WatchHouse

This column will regularly update readers on The Watch House,

“the first facility of its kind to monitor repeat sex offenders 24 hours a day, seven days a week. Teaching Humane Existence (T.H.E), a nonprofit organization, plans to submit a bill to build The Watch House, a 300 bed-facility in the metro-Denver area. The sex offenders will live at The Watch House until the end of their sentences, or until they have reliably and sufficiently changed. Unfortunately, such change is not common.”

- the WatchHouse newsletter, Winter 2008.

Mr. Greig Veeder from T.H.E. and the sponsor of The Watch House push presented his ideas for The Watch House at the February 24, 2010, CURE meeting. He likened The Watch House to a Fort Logan for sex offenders or a half way house. He agreed that some would stay there for the rest of their lives and that he believes that the majority of sex offenders are at a high risk for reoffending with a sex crime. Although initially this proposal is presented as solving the housing problem many with these offenses face, it is apparent the primary goal is civil commitment, removing all those with sex offenses from their communities. In the 2/24/2010 theWatchHouse newsletter on the web site www.thewatchhouse.org, there appears the following headline: Get Sex Offenders Out of Your Neighborhood and Into The Watch House with the following fear laden message: “More than 65 percent of convicted sex offenders live in our neighborhoods and more than 50 percent of these predators continue to commit sex crimes.”

He has a proposed bill (so far unsponsored) that will ask the state to provide the land, the construction and operation of the facility.

Of special note, in the packet of information distributed to the attendees was a proposed bill (separate from the proposed bill for the state to fund the development, construction and operational costs of the Watch House) entitled Bill for Sentencing Release for Low-Risk Sex Offenders which at the offset seems to be aimed at eliminating indeterminate sentencing for low risk offenders. At a closer look at the details in the proposed bill, quite the opposite is true. Among the details in the proposed bill are the following:

the assertion that only 20% of the adult sex offenders were low risk;

that pre-sentence investigations do not determine the full scope of risk (in fact, it states that “psychosexual evaluations done as part of a presentence investigation are far more likely to err in the direction of under-representing dangerousness than over representing dangerousness”). No basis for this assertion is given;

that if this bill becomes law, a person deemed to be low risk at time of pre-sentence investigation has 15 months of SOMB supervised treatment before a reconsideration hearing of the sentence BUT there is a rather *long list of stipulations* to be eligible for sentence reconsideration. Some but not all of them are:

- not identified as a sexually violent predator;
- no history of compulsive or repetitive sex offending;
- was not in a position of trust;
- not convicted in a sex-offense sting or child porn dissemination;
- no offense against a child under the age of 13 years;
- must register as low risk on a battery of relevant risk assessment scales;
- the offense can reasonably be considered consensual – *various features of consent to be identified by SOMB*
- the entire containment team must participate in the reconsideration and be unanimous in its decision to release the sex offender.

This proposed bill bears watching. It seems designed to challenge the pre-sentence investigations that assess risk and to potentially raise the number of previously determined low risk offenders to the high risk category, placing that responsibility with the SOMB.

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INSIDERS AND OUTSIDERS OPINIONS

Opinions from those who have been convicted of an offense

COLORADO CAN SAVE \$ ON A DIFFERENT APPROACH TO S.O. TREATMENT

Submitted by Inmate Roger

For those individuals who have been convicted of sex offenses and have been sentenced to the CDOC for a determinate period of time, the likelihood of receiving any offense-specific treatment while incarcerated in prison is now virtually nonexistent, due to a change in CDOC Administrative Regulation (AR) 700-19 (Sex Offender Treatment and Monitoring Program), which gives first priority for such treatment to indeterminate-sentenced convicted sex offenders that are within four years of their Parole Eligibility Date (PED), effective as of April 1, 2009. There are at least 1,400 indeterminate-sentenced CDOC prisoners currently, with more being sentenced to the CDOC on a regular basis; it becomes obvious that the CDOC cannot handle sex offense-specific treatment for the amount of prisoners who are in need of such treatment – which leads to the question – does Colorado continue to sentence convicted sex offenders to an ineffective, overburdened CDOC, or are there viable alternatives which must be explored which are more efficient and effective?

One possible solution to the CDOC's failure to provide such meaningful, effective offense-specific treatment (and maximize taxpayer dollars spent on such treatment, while maximizing public safety), would be for the state to redirect funding away from incarceration of convicted

sex offenders and towards community-based programs, paid for at state expense. The state would save approximately \$19,000/year per person since convicted sex offenders (both determinate and indeterminate sentenced) would be obligated to attend community-based treatment as part of being placed into the community.

Currently, the state spends approximately \$28,000/year to incarcerate each prisoner in CDOC (The Gazette Telegraph, October 11, 2009, "Lawmaker Wants to Sell Maximum Security Prison, Local Section, pages 1,3). If the state were to pay for community-based offense-specific treatment (\$50/week or \$2,600/year), polygraph examinations (\$275 every six months or \$550/year), and a Global Positioning System (GPS) monitoring device (\$450/month or \$5,400/year for each convicted sex offender now sentenced to CDOC, that \$9,000 annual cost per person would be an annual savings to the taxpayer of \$19,000/year.

The payment by the state of treatment, GPS monitoring and polygraph examinations of convicted sex offenders in the community is vital to successful re-entry into society, particularly in the current unstable employment market, and the fact that there is substantial societal discrimination and stereotyping of sex offenders. Sex offense-specific treatment programs all emphasize that stress is the primary reason why people engage in dysfunctional thought and behaviors, which could be decreased or perhaps eliminated if the state were to assist such individuals with the costs associated with community-based treatment and monitoring.

AFC

This article has been submitted by inmate Eric

Life has a funny way of letting us know that we have lost our focus on what is important. We all have a lot going on in our lives and surely they are important things. Some of us are trying to get out of prison, some are getting out and trying to prepare to return to a life that has been on hold. Outside these walls and razorwire fences our families continue to push forward without us, not because they want to but because they have to.

We all have a lot on our minds and after this week, I realized that as difficult as my life is, I have it easy compared to the people Haiti and Chile. I have often thought about how few possessions I have here in prison but I am wealthy when compared to the people who have lost not only their homes and everything they own but their families. An 8 year old girl lost 10 members of her family. I have a fairly large family and the loss of even one of them would send me into a state of shock and depression.

I can't even imagine being only 8 years old and losing 10 of the people I love all at the same time. I look around my cell and realize that each item I have is something that most people in Haiti and Chile don't have. I know that as inmates we can't do a lot to help these people but if you know of any way and have the means to do so, please help these people. Even if its just some positive thoughts – its still something they don't have.

AFC does not endorse or disclaim any opinions expressed by the contributors to the "Insiders/Outsiders" section of this newsletter.

**ADVOCATES FOR
CHANGE**

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We're on the Web!
See us at:
advocates4change.org

JOIN US

Membership Fee \$20 for those on the outside and 8 stamps for those on the inside.

Any additional donations are gratefully accepted.

Name: _____ Phone: _____

Address: _____

If you would like to work on one of our committees, please check here:

Call Annie Wallen at 303-333-7023 if you have any questions or comments.

Advocates For Change

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