

# **Resource Guide**

for Families of Adults

Accused, Charged or Convicted  
of Sexual Offenses in Colorado

## **Part 2 Chapter 11**

**Parole under the Colorado Department of Corrections**

## **Part 3 Section 10**

**Parole**

**DRAFT**

**09/02/2021**

## DRAFT WORK PRODUCT—OUT FOR REVIEW AND COMMENT

Inside Front Cover

**A NOTE TO FAMILIES:** The beginning point in the process is one where you may feel totally alone. No one you know has something like this going on. And it's the beginning of a process where you often feel the need to hide from friends and families. But in truth, these people may be an important lifeline for you. You need as much support as you can get.

One source for support is through advocacy groups available in the area. The people involved with advocacy have a long experience in this area and can help guide you, give you information, and be support for your family. The advocacy groups can't give legal advice but can help you understand what is happening to help you through the process. You don't have to walk this road alone.

### PARTIAL LIST OF COLORADO AND NATIONAL RESOURCES

<p><b>Advocates for Change (AFC)</b>  <a href="http://www.advocates4change.org/">http://www.advocates4change.org/</a>                  PO Box 103392                  Denver CO 80250                  AFC Response Line: (720) 329-9096</p> <p><b>Key areas:</b> reform sex offense laws, advocate for those in the system, provide family support</p>	<p><b>Coalition for Sexual Offense Restoration (CSOR)</b>  <a href="http://www.csor-home.org/">http://www.csor-home.org/</a>                  Susan Walker, M.A.                  720-690-7125  <a href="mailto:SusanCWalker1@gmail.com">SusanCWalker1@gmail.com</a></p> <p><b>Key areas:</b> education, mentoring, re-entry, support, care management</p>
<p><b>Colorado Citizens United for the Rehabilitation of Errants (Colorado CURE)</b>  <a href="http://coloradocure.org/">http://coloradocure.org/</a>                  3470 S Poplar St                  Denver, CO 80224-2929</p> <p><b>Key areas:</b> promote criminal justice reform, improve prison conditions</p>	<p><b>Colorado Criminal Justice Reform Coalition (CCJRC)</b>  <a href="http://www.ccjrc.org">http://www.ccjrc.org</a>                  1212 Mariposa St., #6                  Denver, CO 80204                  phone: (303) 825-0122                  E-mail: <a href="mailto:info@ccjrc.org">info@ccjrc.org</a></p> <p><b>Key areas:</b> fight mass incarceration, racial disparity and a failed drug war</p>
<p><b>National Association for Rational Sex Offender Laws, Inc. (NARSOL)</b>  <a href="http://nationalrsol.org/">http://nationalrsol.org/</a>                  PO Box 400838                  Cambridge, MA 02140.                  888-997-7765</p> <p><b>Key areas: promote effective, fact-based sexual offense laws and policies</b></p>	<p><b>Women Against Registry</b>  <a href="https://www.womenagainstry.org/">https://www.womenagainstry.org/</a>                  P.O. Box 463                  Arnold, MO 63010                  800-311-3764</p> <p><b>Key areas:</b> reform punitive registry laws, eliminate damage to families caused by the registry</p>
<p><b>Sex Offender Resource Website</b>  <a href="http://www.sexoffenderresource.com/colorado/">http://www.sexoffenderresource.com/colorado/</a>  <b>Key areas:</b> links to possible sources of information</p>	

#### WHO PREPARED THIS GUIDE

In response to concerns raised by family members to the Sex Offender Management Board, a committee was convened to focus on family education, engagement and support. The committee is facilitated by family members and includes: family members, registered citizens, advocates for people with sexual offenses, advocates for people who have been sexually victimized, community and prison-based therapists, parole and parole representatives, and Sex Offender Management Board members and staff.

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### DISCLAIMERS

**LEGAL:** This guide does not serve as legal advice. Because sexual offense cases involve complex and technical areas of Colorado criminal law that change frequently, you may wish to consider a lawyer who specializes not only in criminal defense but also has some expertise in handling sexual offense cases.

**MENTAL HEALTH:** Your family may be impacted significantly by this challenging experience. There will be difficult moments. You are encouraged to reach out to mental health providers who are trained and experienced in working with issues that impact a family in which sexual abuse allegations are present.

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# Introduction

When your loved one is accused, charged or convicted of a sex offense and lands in the Colorado legal system, you may feel at a loss as to what to do, how to be supportive, where to go to find answers to your many questions, how to understand the maze of systems your loved one will face, and how to get the emotional support you and your family need. Your family may experience a wide range of feelings. Family members may react differently from each other and their reactions may puzzle you. There are no absolute answers to the many issues that families will face, but this guide is meant to be a starting point.

## How to Use this Guide

This guide has been prepared to answer many of your questions, to provide resources, to validate the emotional upheaval that your family may experience, and to guide you as your loved one goes through the legal system. Individuals accused, charged or convicted of a sexual offense in Colorado will face several complex areas of Colorado criminal law. During your loved one's journey through the criminal justice system, you will be introduced to a great deal of information that may be overwhelming and confusing.

This guide consists of three main parts, plus some additional information:

- Part 1 – Supporting Your Loved One from Arrest to Sentencing
- Part 2 – Serving the Sentence
- Part 3 – Information from System Officials

**Each chapter in Parts 1 and 2** is written from a family member perspective. These chapters are divided into the following sections:

- Key Terms - short definitions of some of the important terms that may be new to you.
- Overview - Factual information on the subject of the chapter
- Family Impact - What your family may face and feel
- What You Can Do - Opportunities for family engagement
- Where to Find Answers and Help
- More Information (about the system or process)

**Each Chapter in Part 3** provides information from an agency point of view.

**Additional information** is included in Key Terms, the Glossary, Appendices, and Flowchart and Call-out Boxes.

Key Terms: At the beginning of each chapter, you will find key terms to help you understand some of the important concepts that will be discussed in that chapter.

Glossary: The legal system is complex and some of the terms and concepts may be new to you, (such as the difference between parole and parole). These will be designated by *red italic* type

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throughout the guide. You will find definitions and explanatory notes of these terms and concepts and in the glossary at the back of the guide.

Appendices: Every situation is different. The appendices provide more detailed information about certain topics that may be of concern to some families, but not others.

Flowchart: A simplified flowchart of many of the most common events in the legal system is also at the back of this guide. The actual series of events that people experience may be very different.

Call Out Boxes: Throughout this guide you will find **Quick Tips**, **Alerts**, and **Personal Stories** to help you and your family through this journey.



# Part 2

## Supporting Your Loved One - Serving the Sentence and Beyond

Chapter 5 – The Role of Treatment

Chapter 6 – Probation

Chapter 7 – Community Corrections (COMCOR)

Chapter 8 – Jail

Chapter 9 – Prison under Colorado Department of Corrections

Chapter 10 – Parole Hearings before the Colorado Parole Board

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Chapter 12 – Serving the Sentence under Interstate Compact

Chapter 13 – Sex Offender Registry

Chapter 14 – Post Sentence Considerations

## **Chapter 11 – Parole under Colorado Department of Corrections**

In Colorado, parole is a way for your loved one to continue to serve out the sentence in the community. People who are on parole and who have been convicted of a sex offense will also have additional terms and conditions.

This chapter talks about

- What is parole?
- How does parole work?
- Conditions of parole
- Progression through parole
- Mandatory treatment when on parole

### **Key Terms**

**Community Supervision Team (CST)** – A team of professionals including therapists, supervising officers, and others who collaborate to make decisions about your loved one.

**Disclosure** – Your loved one sharing information with others about their sexual offense and related behaviors

**Community Parole Officer (CPO)** – A DOC employee responsible for supervising your loved one in the community and supporting their successful reintegration into the community, while recognizing the need for public safety.

**Revocation Hearing** – A hearing held where the Parole Board considers revocation, modification, or continuation of parole when someone violates one or more conditions of parole.

**Safety Plans** - Required written agreements between a person with a sex offense and the CST. Each plan specifies how the person will increase awareness of potential risk-related behaviors and situations engaging in a certain social activity (e.g., attending a social event). The plan outlines steps that will be taken to reduce the potential for risk-related or harmful behaviors that could lead to violations of parole or treatment contract.

**Interim Safety Plan** – An initial safety plan approved by the Community Parole Officer to allow restricted movement within the community, prior to acceptance into treatment.

**Intensive Supervision Program (ISP)** – A specialized program within parole that is designed to provide a higher level of supervision.

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### **What is Parole?**

In Colorado, parole may be a next step for your loved one, once they have been released from prison. Specifically, parole is a period of supervision in the community following release from prison. Parole is a Division within the Colorado Department of Corrections (DOC). The general conditions of parole are listed in the Colorado Revised Statutes. Based upon the offense, risk and need of your loved one, the Colorado Parole Board may require other individualized additional conditions. Some conditions allow

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the **community parole officer (CPO)** to exercise discretion in determining whether and when those particular conditions are required.

The DOC regularly updates Administrative Regulation 250-48 which contains the guidelines for supervising someone on Parole with a sexual offense conviction. The current Administrative Regulation 250-48 is available on the DOC's website.

Your loved one will be directed to report to their assigned parole office on the day of their release. As part of parole, your loved one must follow a specific set of conditions as ordered by the parole board. These conditions will be reviewed at the first meeting by a CPO, who is not necessarily your loved one's assigned CPO.



### TIP – Parole and Probation Are Different

Parole is often confused with Probation although in reality they are quite different. The Division of Adult Parole supervises those persons released from prison unlike Probation which supervises offenders as an alternative to prison.

Parole has administrative regulations (AR's), while probation has overarching guidelines that may be implemented differently by individual judicial districts.

Another major difference between parole and probation in Colorado is that community parole officers (CPOs) are peace officers who are authorized to carry firearms and make arrests.

### Determinate vs. Indeterminate Parole

Parole can be determinate or indeterminate. An indeterminate sentence or Lifetime Supervision means your loved one must serve a minimum of 10 or 20 years on parole based upon their felony conviction. They may be released from parole supervision by the Parole Board based upon on their compliance with supervision and treatment. If not released after the 10 or 20 years they may remain on supervision for the remainder of their life. A determinate parole means that there is a definitive time period of supervision your loved one must serve (for example 2 years) before they can be discharged from parole. For more information see Part 1 – Chapter 4, section 4.3 on sentencing.



Alert

### MANDATORY SEX OFFENDER REGISTRY

While on parole and until a court order ends the registration, your loved one will be required to register within 5 business days of release from prison.

See Chapter 13 of this guide for more information about the Sex Offender Registry.

### How Does Parole Work?

Your loved one will be assigned a community parole officer (CPO). The CPO's primary responsibilities are to assist your loved one to re-integrate into the community and to ensure your loved one abides by the terms and conditions of parole. Meetings with the CPO can take place at the parole office or at your loved one's home or workplace, which may at times include evenings and weekends.

CPOs also work with those they supervise to help them-change their behavior. CPOs assess risk factors and monitor your loved one's behavior in the community and compliance with treatment. Any violation of the terms and conditions of parole, except a new crime, can be a **technical violation**. When there is a

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technical violation the CPO will make recommendations to the parole board regarding changes to your loved one's parole conditions. The recommended changes may range from modification of terms and continuance on parole to revocation and reincarceration. The Parole Board makes the final decision regarding any requested recommendations.

CPOs are part of the **Community Supervision Team (CST)**, which is a team of professionals including a minimum of the supervising officer, the treatment provider, victim advocate and the polygraph examiner. The CST members work together to make decisions about the person on parole and their progression in treatment and compliance with supervision. The final decision regarding community safety and supervision is the responsibility of the CPO. The CST may also include family members, other therapists, and other supportive individuals.

People on parole who are convicted of a sex offense are typically required to undergo **sex offense-specific treatment** which is monitored by the CST. The treatment provider, in consultation with other members of the CST, will determine the treatment plan. In general, the length of time your loved one must participate in treatment will be determined based on their progression in treatment. The length of treatment does not necessarily depend on the length of the parole. Your loved one may be in treatment throughout the term of their parole or they may complete treatment prior to the end of their sentence. The final decision regarding treatment is the responsibility of the treatment provider. The CST may also require your loved one to attend substance abuse or mental health counseling based upon their needs. For more information on treatment see **Chapter 5 - The Role of Treatment** and also the section in this chapter on **Mandatory Treatment during Parole**.

### Progression through Parole Supervision

There are many conditions parolees must follow to progress while on parole. To determine your loved one's progress, CPOs use information they gather through home visits, office meetings, conversations with family members, clinical indicators to include polygraph, and progress in treatment.

#### Conditions of Parole

The conditions and requirements of parole go into effect as soon as your loved one is released to the community. At the start these conditions are very restrictive. These initial conditions may be adjusted as a time goes on.

Your loved one will be provided a copy of a long list of conditions, which they must sign. During the first meeting with the CPO, An interim (temporary) safety plan will also be completed, if it was not already submitted before your loved one was released from prison.

Some of the initial conditions, requirements, and restrictions can include but are not limited to the following:



#### Tip – First Meeting with Parole

The first meeting with the community parole officer (CPO) can be overwhelming for your loved one.

If possible, it is helpful for a family member to be with their loved one during that first meeting to listen, take notes and ask questions. There may be circumstances where this may not be possible. There may be circumstances where this may not be possible.

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- When and how often to meet with the CPO
- Who your loved one can have contact with (e.g., immediate family only, no minors under age 18)
- Where your loved one can go with an interim/temporary safety plan (e.g. limited to a certain count, shop at a single grocery store, etc.)
- What restrictions are in place for cell phone and internet use
- What curfew restrictions are in place
- Where and when to register on the Sex Offender Registry
- How to check-in daily by telephone
- Where and when to get an electronic monitoring which may include an ankle monitor
- Where and when to provide a UA (urinalysis)
- How and when to schedule treatment

### Tiers of Parole

Parole supervision has multiple supervision levels or tiers. Generally, your loved one will be assessed to move tiers after approximately 1 year. Movement through tiers depends on whether your loved one meets the treatment and supervision benchmarks called *core competencies*. These core competencies include compliance with the conditions of parole and individualized progress in certain areas of treatment. If your loved one does not meet the required benchmarks, they may be given more time in each tier in order to progress and reduce their supervision level. Parole tiers include the following:

- **Tier III/ISP:** (Intensive Supervision for those on Lifetime Parole Only): Electronic monitoring for approximately 1-year (may vary depending on individual situations). Meetings with CPO 2 times monthly, starting treatment, creation of treatment plan and learning core competencies. Learning how to write safety plans.
- 

**Intensive Supervision Parole (ISP)**

SOISP is a specialized program within parole.

The Judge must, by law, sentence anyone convicted of a felony sex crime to SOISP. Those convicted of misdemeanor offenses are generally not sentenced to SOISP, but their supervision may look similar.
- **Tier III non-ISP:** (Those with Determinate sentences with no prior treatment) May include electronic monitoring (includes ankle monitor). Meetings with CPO monthly, continuation of progression in treatment to meet core competencies guided by CST.
  - **Tier II:** Independent achievement of treatment and supervision expectations, meetings with CPO monthly, reduction in SO directives, and continued progression in treatment to meet core competencies.
  - **Tier I:** Meetings with CPO monthly. Currently working towards or in maintenance phase, ready to progress to last stages of treatment and supervision. Able to manage risk factors independently and able to present core competencies to CST.

As your loved one progresses on parole and in treatment, additional privileges may be approved. However, privileges may be removed if your loved one does not follow the rules of parole or treatment.

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Finally, it is also important to note that your loved one may have different conditions and restrictions from other people on parole.

### Dual (Courtesy) Supervision

It is possible that your loved one will be subject to the jurisdiction of more than one agency. For example, your loved one may be on parole and probation at the same time. Others may be on parole and be required to live in a community corrections halfway house. When this occurs, they will have more than one supervising officer (e.g., a parole and probation officer and/or, a community corrections case manager).

It is possible for dual supervision to last for the entire period of supervision. But generally, there is a certain period of overlap. Then toward the end of the supervision period there will be only one agency involved, as the jurisdiction of the other agency will have ended.



#### TIP - Dual Supervision is complex

When there are multiple agencies involved, communication must be clear and consistent so that everyone one knows exactly what is expected of your loved one. It is also very important that your loved one is communicating clearly with all of the agencies involved.

When possible, you and your loved one are encouraged to ask questions of the supervising agencies when there are dual supervision requirements.

### Sexually Violent Predator (SVP) Designation

The designation of Sexually Violent Predator (SVP) is determined by the court or the parole board. Individuals who meet certain criteria are evaluated using an assessment whose criteria are determined by statute. The SVP designation came from a federal law and does not necessarily represent the specifics of the offense. The eligibility to be assessed is based on the conviction and the age of the individual at the time of offense and other criteria set in statute. Information obtained in the assessment involves mental health issues, lifetime of difficulty, and the likelihood this person may cause harm in any number of ways. The court may also consider additional factors in their decision whether or not they will apply the SVP designation to your loved one.

A loved one who is designated as a Sexually Violent Predator (SVP) will be subject to all the general requirements for parole, according to their individual circumstances. In addition, they will be required to register quarterly for life and will be listed as SVP on Colorado's sex offender registry public website. A person with an SVP designation is subject to community notification by the local law enforcement agency.

Your loved one will be advised by their CPO if they have been given an SVP designation. If your loved one is designated and SVP, there will be a community notification completed by law enforcement regarding their status and residence information. If your loved one is designated and SVP, there will be a

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community notification completed by law enforcement regarding their status and residence information about them. The notification process may vary based on the area in which your loved one lives. A community notification may occur in a number of ways including a town hall meeting or notifications via electronic media.



### What is an SVP designation?

#### Definition of Sexually Violent Predator

In the mid-1990s, federal law mandated that each state develop a mechanism to identify “sexually violent predators (SVPs).” The federal legislation identified the individual’s behavior present in the current crime and the risk of committing future similar crimes as primary criteria for the states to use in the designation of SVPs. The Colorado General Assembly complied with the federal SVP mandate during its 1998 session by enacting 18-3-414.5, C.R.S. An adult convicted of at least one of the qualifying offenses<sup>[1]</sup>, assessed as meeting the criteria for SVP through the Sexually Violent Predator Assessment Screening Instrument, and designated SVP by the Court or Parole Board is required to register quarterly for life and will be listed as SVP on Colorado’s sex offender registry public website. Finally, the SVP is subject to community notification by the local law enforcement agency.

<sup>[1]</sup> Sexual assault, or sexual assault in the first degree, as it existed prior to July 1, 2000; Sexual assault in the second degree, as it existed prior to July 1, 2000; Unlawful sexual contact, or sexual assault in the third degree, as it existed prior to July 1, 2000; Sexual assault on a child; or Sexual assault on a child by one in a position of trust, for a conviction on or after July 1, 1999 for offenses committed on or after July 1, 1997.

## Mandatory Treatment as a Court Ordered Condition of Parole

Your loved one will most likely be required to attend court ordered treatment, which may include group and individual sessions with assigned treatment providers. The treatment provider, CPO, polygraph examiner and your loved one should work as a team toward increasing your loved one’s healthy behavior and reducing risk-related behaviors. The members of your loved one’s **community supervision team (CST)** – consisting of the treatment provider, CPO, polygraph examiner, and victim representative – will be sharing information with each other about your loved one when they feel it is necessary and appropriate. This sharing of information is different from traditional psychotherapy, where information is kept confidential between client and therapist.

### Continuity of Care

Continuity of Care is the process of transferring the responsibility of treatment from one treatment provider or care team to another. It involves the direct communication between providers, documentation about the need for treatment, risk issues and treatment recommendations.

If your loved one participated in treatment under the SOTMP while incarcerated, they will receive a discharge that will include a recommendation of a tier level and parole directives which will be communicated to the CPO by the SOTMP community liaison. If your love one did not participate in

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treatment under the SOTMP while in prison, they will be referred to a treatment provider to assess their treatment needs.

Your loved one may have received treatment in SOTMP prior to being placed on parole. Even if your loved one completed one or both of the levels of treatment in SOTMP, they will still be expected to participate in treatment in the community. The treatment your loved one receives should follow continuity of care requirements as outlined in section 7 of the SOMB Standards, and build upon the treatment received in SOTMP.

It is also important for family members and your loved one to know that the new community-based treatment provider may need time to properly assess your loved one's treatment needs. This may feel like your loved one is starting over. But the goal of the community-based treatment is to support skills already learned in SOTMP as your loved one learns how to apply them in the community, and work on other areas of treatment that have not been fully addressed in prior treatment.

### Signing the Treatment Contract

Your loved one will be asked to sign releases of information (see chapter 5, section x) as well as a treatment contract. This contract is a legally enforceable document. By signing this contract, your loved one will be agreeing to follow the rules, abide by the agreement, and accept consequences for failures. Your loved one's therapist and CPO are there to make sure your loved one follows all of the rules in the contract.



Family members should be aware that

- Information that family members share with therapists may be shared with other people who are involved in the treatment and supervision of your loved one.
- Treatment providers cannot share information with family members about their loved one's therapy unless a release of information has been signed by their loved one.

### How Treatment Providers Are Assigned

For individuals under supervision (e.g. parole, parole) supervising officers must refer your loved ones to treatment providers who have been approved by the SOMB. When possible, the supervision officer will provide your loved one with the choice of two appropriate treatment providers. Your loved one will not be able to change treatment providers once one is chosen without permission from the CST (16-11.7-105 (2) C.R.S.)

### Progressing through Treatment

Your loved one, based on progress in meeting treatment requirements and demonstrated use of the tools learned in treatment, may earn privileges, have them taken away, and earn them back with appropriate strategies. Progressing through treatment will take time and the CST will make an effort to create a smooth transition.

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Treatment providers are required to determine the intensity and frequency of treatment based on the risk level of your loved one. The structure of treatment may vary between treatment agencies. The SOMB Standards recommend not mixing lower and higher risk clients within the same group setting.

### **How Often Must a Loved One Attend Treatment**

While in community-based treatment your loved one's treatment provider will provide a schedule for treatment sessions. Generally, at the beginning of treatment your loved one will be required to attend at least weekly meetings whether they are group, individual or family sessions. Your loved one may be asked to attend more frequent sessions to address individual goals, problems in achieving these goals, and attempting to achieve these goals in a shorter amount of time.

### **Tools Used by Treatment**

Tools used by treatment may include

- safety plans
- third party disclosures
- placing restrictions on interpersonal relationships and contact with children
- polygraphs, plethysmographs, urinalysis, electronic monitoring
- daily activity reports

### **Safety Plans**

As loved ones learn skills to manage themselves in the community, they are asked to anticipate difficulties as they navigate day to day living. They are asked to complete safety plans which require them to think about how they will handle various situations. A safety plan is a required written agreement between a person with a sex offense and the CST.

Safety plans are a tool that individuals use to plan how they will conduct themselves in the community and handle situations such as grocery shopping, restroom use, transportation issues, child contact or other unforeseeable events. Each safety plan must be approved by your loved one's treatment therapist and community parole officer (CPO). Safety plans are granted on a case-by-case basis, taking into account your loved one's progress in treatment and supervision.

### **Third Party Disclosures**

There may be times when the CPO feels it is appropriate to notify a third party (such as a potential employer, landlord, or neighbor) of the fact that your loved-one is on parole and the nature of your loved one's offense. The CPO is allowed to disclose only public information, as defined by the Criminal Justice Records Act. Before making a third-party notification, the officer should discuss the rationale supporting the need for a third-party disclosure with your loved one.

### **Approval of Interpersonal Relationships**

Once on parole, your loved one must get approval from the supervising officer and the therapist before being allowed to associate with other people in their lives. This includes family members, friends, romantic interests, and support people from the community. Individuals who want to support their loved one in a formal way may have to meet with therapists or attend special training sessions before

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being allowed to provide that support to their loved ones. Someone new coming into your loved one's life in a significant personal way usually must receive a **disclosure** from your loved one and understand the nature of the crime of conviction.

### Limits on Contact with Children

Your loved one typically will not be permitted to have contact with any child under the age of 18 until meeting certain criteria and until the CST approves the contact. These criteria are detailed in the SOMB Standards and Guidelines. The only exception is that the Court may permit a parolee to have contact with his or her own child(ren)

- as long as the child was not a victim at the time of sentencing and
- if there are have not been any identified risk factors that may pose a risk to harm the child.

If contact is granted by the Court with their own child, this contact will not apply to any other children including other relatives.



#### COURT APPROVED CONTACT PROVISIONS CAN CHANGE

Family members should be aware that although the Court may grant child contact at the time of sentencing, this order may be changed by the Court at the recommendation of the CST, if the child is deemed to be at risk.

There are different levels of contact with children that can be allowed including phone contact, letter writing, supervised contact, and unsupervised contact. The level of contact may increase as your loved one progresses in treatment and supervision.

There are two types of contact: **incidental contact** and **purposeful contact**. Incidental contact involves your loved one seeing or hearing children during routine approved community movement. Purposeful contact includes having more significant interaction with a child such as ongoing verbal contact, physical contact, or staying in close proximity to a child. Your loved one is expected to acknowledge their experiences in the community in regards to contact with children with the members of their CST, whether it is incidental or purposeful. For more information about incidental and purposeful contact with children, you can refer to the SOMB Standards Section 5.715 Definitions.

Your loved one bears a significant responsibility to understand how to respond appropriately and to put that understanding into practice, when incidental contact with children does occur. This responsibility can be stressful for your loved one and for you because children are a natural part of everyday life. Your loved one should talk with their CST about what is required and how contact situations should be handled. As your loved one progresses in treatment, greater community access including the potential for being approved to have purposeful contact with children with a safety plan may be allowed.

### **Incidental Contact**

There will be times when your loved one will have incidental contact with children while in community. Incidental contact involves your loved one seeing or hearing children during routine approved community movement such as grocery shopping, commuting to work, or other approved activities.

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Safety plans should address how your loved one will minimize contact with children while in the community. This may include things such as not beginning a conversation and moving in a way to limit being near children. Your loved one will be expected to report any incidental contact to the CST and discuss how the situation was handled.

### ***Purposeful Contact***

If your loved one intentionally begins contact or stays in contact with a child, this is purposeful contact. Purposeful contact examples include deliberately going into a situation to interact with a child, failing to leave a situation where a child initiates contact, or failing to leave when a child unexpectedly shows up at a family event. Incidental contact becomes purposeful contact if your loved one's response to the incidental contact is to continue the contact intentionally.

Your loved one will be in violation of their parole for having purposeful contact (without prior approval) with a child. Your loved one will be required to take all reasonable steps to avoid non-preapproved, purposeful contact with children and immediately discuss any such contact with the CST.

In rare circumstances, your loved one may need to have purposeful contact with a minor child (without prior approval) based on an imminent danger. The CST should consider the context for this unapproved purposeful contact when responding to these situations.



**Alert**

#### **WHEN DEALING WITH INCIDENTAL VS. PURPOSEFUL CHILD CONTACT**

- Your loved one should be aware of their surroundings, particularly regarding whether children are nearby.
- Your loved one's safety plans should address what they should do when incidental contact happens in the community.
- Your loved one should seek guidance involving contact with children with their therapist and CPO.

The CST might require your loved one to have an ***approved supervisor*** who has received training to chaperone or supervise your loved one at family functions. It takes time to be approved for contact with children, and your loved one and family should request information about the steps necessary to reach that point. Refer to **Part 1 – Chapter 4 of this guide** for more information about Child Contact Considerations.

### **Polygraphs**

Your loved one most likely will be required to submit to regular polygraph exams. Polygraph exams (sometimes referred to as lie detector tests) measure and record several physiological indicators such as blood pressure, pulse, respiration, and skin conductivity while a person is asked and answers a series of questions. Polygraph exams can be uncomfortable, intrusive and intimidating for your loved one. Polygraph testing provides information for CST decision making related to treatment and supervision.

### **Psychological and Physiological Tests**

Your loved one may be required to participate in and pay for certain psychological and physiological tests such as VT (e.g., Abel/Affinity/LOOK) which are done on a computer) or plethysmography. A Plethysmograph (PPG) measures, in a private laboratory setting, your loved one's blood flow to the penis, as way to assess sexual arousal in response to certain pictures or sounds. These tests may feel intrusive and make your loved one feel uncomfortable. The test results provide information for CST decision making related to treatment and supervision.

### **Electronic Monitoring**

If your loved one is under Tier III supervision, an ankle monitor with GPS may be required to track their location. In this case a GPS monitor must be Court ordered. In addition, your loved one may be required to install monitoring software, at their own expense, on computers, cell phones, or other electronic devices in order to use those devices.



**Alert**

#### **YOUR LOVED ONE HAS RESPONSIBILITIES RELATED TO A GPS MONITOR**

Your loved one may be expected to cover the cost of any ankle monitors. They are also responsible for ensuring the unit is kept charged and kept in working condition. Your loved one must not remove the unit without permission as it will result in a violation.

### **Drug and Alcohol Testing**

Your loved one may be required to submit to random drug and alcohol testing. In this case, your loved one would be required to call the hotline each day to know whether they are required to participate in testing for that day. Testing may include collection of oral swabs or monitored collection of urine samples. Your loved one may be asked to pay for their drug and alcohol testing.

### **Daily Activity Planning and Reporting**

Your loved one may be required to keep a log of daily activities and report on those activities to a therapist and/or community parole officer on a daily or weekly basis. Sometimes the CST will require clients to use and pay for a Tracker (usually a retired or off-duty police officer) or GPS device to confirm your loved one's whereabouts during the course of the day.

### **Successful Completion of Court Ordered Treatment**

In order for your loved one to successfully complete treatment, the therapist must agree that your loved one has successfully progressed through the requirements of treatment (which include goals set within your loved one's individualized treatment plan), has accepted responsibility for his or her sexual offense behavior(s), and has the skills to avoid causing harm in the community.

Successful completion of treatment will generally require:

- Satisfactory awareness of consent
- Compliance with community supervision

## DRAFT WORK PRODUCT—OUT FOR REVIEW AND COMMENT

- An ability to create and follow safety plans
- Open communication related to sexual history
- A plan to manage risk factors
- Victim awareness and empathy
- Possible clarification of offense behavior with victim's and secondary victims
- The ability to manage sexual thoughts, feelings, and behaviors
- Social skill development, emotion management and improved thinking skills
- Adequate self-esteem and healthy relationship skills
- A plan to manage risk factors in the future

Additional goals may specifically address the ability of loved ones to show improved mental health show they can deal with their own trauma, and demonstrate they have steady employment, stable housing, and stable relationships. Your loved ones need to demonstrate they are using the tools learned in treatment in a meaningful way in their lives.

It is important to remember that treatment is only one requirement of the Terms and Conditions of parole. If your loved one has successfully completed treatment, this does not necessarily mean their parole sentence is over. Parole sentences can be longer in duration than treatment.



### TIP - Have Your Loved One Get a Copy of the Discharge Summary

At completion of treatment and /or supervision it is important that your loved one obtain a copy of their discharge summary from the treatment provider. Treatment providers are required to keep records for only seven years.

**Your loved one will need this document when requesting to be removed from the registry.**

### Consequences of Unsuccessful Discharge from Treatment while on Parole

Your loved one may be unsuccessfully discharged from treatment for various reasons. This may include failure to progress in treatment or a violation of the written treatment contract. If your loved one is unsuccessfully discharged from treatment, there are several possible outcomes. These outcomes may include:

- Referral to a higher level of treatment
- Referral to an alternative treatment provider
- Revocation of parole and return to prison

### Revocation of Parole

A revocation of parole means that your loved one will be returned to prison for a time period determined by the parole board. A revocation of parole can occur for the following violations:

- failure to comply with parole terms and conditions set forth by the parole board
- failure to progress through the requirements of treatment or termination from treatment
- commission of a new crime

## Discharge from Parole

When your loved one has a determinate parole period they will have a pre-determined discharge date. Just like when your loved one was in prison, they can receive *earned time* and reduce the length of time they are on parole. When they reach their discharge date, they will receive a discharge certificate from their parole office.

If your loved one has an indeterminate (Lifetime) parole period they may discharge their parole after their required 10 or 20 years of supervision and upon successful completion of treatment. After meeting these requirements the parole board will determine if your loved can be discharged from parole.

### **SEX OFFENDER REGISTRATION IS STILL REQUIRED AFTER SUPERVISION ENDS**



**Alert**

Prior to your loved one's discharge from parole, the CPO should explain the continued requirement for registration as a Sex Offender. Love ones need to know registration continues after supervision. For those who are subject to 5, 10, or 20 year waiting periods, before they can file a petition to stop registering, the waiting period starts when the parole sentence has ended.

**It is important that your loved one obtain a copy of their discharge summary from treatment at the time of discharge, in case those records are no longer available from the treatment provider at a later date.**

## Family Impact:

Having a loved one on parole can impact your family in so many different ways. Initially, one of the most difficult things is that extended family members and those under the age of 18 will not be able to be



### **Family Impact**

#### **Shell-shocked - The First Day on Parole**

The day I picked up my son from Fremont at 6am after a 10 year stay there, he was, I think, in shock. I had gotten permission from his parole officer ahead of time to stop for lunch on our way from Canon City to Denver where he was to meet with his parole officer. He had a hard time choosing something from the menu...too many choices.

At the parole office I asked to sit in on the intake. I brought a notebook to jot down important dates and requirements. Good idea because I think my son was still in shock, especially when he heard all of the requirements and restrictions and what violations would mean. As we left the office on our way to get him fitted for an ankle monitor he said, "maybe it would be easier if I just stayed in prison...I would have had more freedom".

Now I was shocked. It took a good talking to him about how the beginning of parole was strict but would get better as he progressed. Got him to see the big picture. But it wasn't easy the first three months. Getting into treatment, getting a job and getting his driver's license helped him a lot moving from depression to hope, from dependence to independence, from being known as DOC # to being known as a citizen with a first and last name.

*- A Mom's Story*

## DRAFT WORK PRODUCT—OUT FOR REVIEW AND COMMENT

around your loved one, even your loved one's own children. In the beginning parole allows contact only with people who are on an approved list...and the list is fairly short. Parole believes it's in the best interest of the your loved one to start out with limitations on contact. As the parolee becomes more adjusted to the outside world, the restrictions will be lessened. It is hard to explain this to relatives and friends who are excited to be reunited. The timeline for lessening these restrictions will be determined in large part on your loved one's following the rules and meeting the conditions.

### Financial Impact:

Your loved one may need to ask you for financial assistance with general living expenses and special expenses associated with being on parole. This may be especially hard on everyone until your loved one is able to obtain regular income through employment or benefits. However, there are resources that can help your loved one get back on their feet. (See the What You Can Do Section for some ideas).

- Sometimes your loved one will be required to live apart from the family, especially when the victim is a child in the household. Setting up a second residence can be a financial strain on the family.
- If your loved one is permitted to live with you, you may be asked to help bear the cost of general living expenses. Also, you may be asked to provide transportation or help with transportation costs.
- In certain circumstances, your loved one may be required to pay for certain costs related to treatment. They may also be required to pay for monitoring software installed on cellphones or computers that have been approved for their use.

### Costs Associated with Treatment

While under supervision, your loved one will incur many costs. If your loved one is unable to pay, you may be asked by your loved one to help with those expenses.

Your loved one could be required to do one or more of the following:

- attend sex offense specific treatment from one to several times each week
- undergo required polygraph and/or other exams
- wear an ankle monitor
- submit to drug and/or alcohol testing (urinalysis)
- take anger management, substance abuse, or other classes
- submit to monitoring of cell phones and/or computers

Although the Division of Parole pays for some of these required services, part or all of the payment for other treatment and services is the responsibility of the person with the offense. When family members are asked to help out, especially if the loved one is the breadwinner of the family, these costs can place a large financial burden on the family.

### Emotional Impact:

Your loved one's feelings as well as your own will run the gamut from hope and excitement to worry, caution, and feeling overwhelmed. On the day of release, happiness reigns until your loved one visits

## DRAFT WORK PRODUCT—OUT FOR REVIEW AND COMMENT

the parole office. The restrictions placed on your newly released loved one can be overwhelming to the point of defeat before getting started. It is important for you or a family member to be present during the parole office first visit (usually the day of release) to offer encouragement – restrictions that feel like house confinement are temporary.

Expectations about picking up relationships where your loved one left off when incarcerated may be unrealistic. Patience is necessary from family members toward their loved one, especially if there was a long term of incarceration. Family relationships may have to be mended.

In some cases, some family members won't want to be reunited. Reunification of the loved one with other members of the immediate family is most difficult when the loved one and the one who has been harmed are from the same family. Counseling and/or clarification may help. Your loved one may need a lot of time and treatment to deal with the trauma experienced in prison. More than likely you will not be told much about what happened to your loved one while in prison.



### **Family Impact Adjusting to a New Reality**

The second day my son was out on parole after 12 years in prison, we were at the grocery store that had been approved for him to shop at. He was nervous about running into someone he knew from the old days and what he would do if they came up to him or wanted to give him a hug.

About halfway through shopping, he said, "I wonder how long it will take me to stop checking my back to make sure I'm safe and not going to be jumped". It was then I realized there was going to be a lot more adjustment than I thought and a lot of it was hidden.

- A Mom's Story

In the beginning you can expect to spend time providing transportation to the parole office, the store, work interviews and work, as well as to treatment and any required drug or alcohol testing. Your loved one's driver's license may have expired while in prison and may require a written, as well as an actual driving test to renew. Driving your loved one everywhere for months can be disruptive to your own schedule.

Living with an adult child who has been incarcerated for some time requires adjustments on nearly all fronts. Your adult child hasn't had to worry about laundry, making meals, scheduling, finding a job, paying bills and searching for appropriate healthy social connections. Making personal decisions on all aspects of living life on the outside is now the reality for your loved one within 24 hours of leaving prison. In addition, your loved one will need to make an appointment with the assigned treatment provider and to contact the local police department to register.

### **Impacts on Your Loved One Can Also Impact Family Members**

While on parole, your loved one may be allowed to live in the community under supervision. Or your loved-one may be required participate in a work release program (in jail at night), while continuing to work in the community. To remain on parole, your loved one must abide by very strict rules.

In some cases, a loved one on parole may not be allowed to return home and may be required to live elsewhere. If the person with the offense and the victim of abuse are both family members and if the person with the offense is allowed to stay, minor children might be removed from the home. In other

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cases, the influence of family members, (even well-meaning family members) may be regarded as an obstacle to your loved one's progress, resulting in your loved one being required to leave the home. Regardless of the reason, this tearing apart of families adds to the hurt and trauma felt by family members.



### Family Impact

#### Transition from prison to the outside

##### – a message to friends and family about the importance of having support

*The transition from the prison to the outside was hard in several ways.*

*One, mainly being the different culture. Time freezes when the steel door closes behind you. The events of the world seem removed, distant. You quickly learn to harden your heart to survive. In prison, there is a whole new set of mores you must learn, not including the rules. And those mores- the convict code- inhibits you from reintegration.*

*Example: If someone steals from you in prison you only have 2 options; violence or suck it up. Outside the responsible thing is to call the authorities. If someone disrespects you in prison, cuts in line say, you have to stand up, i.e. violence or you become a target for everyone else. Outside, that behavior will return you to prison.*

*Secondly, it is very scary and disheartening when you come out, especially after a few weeks when everything you've known is changed, no longer there or valid. Simple things that everyday people do, like pay bills, plan meals, budget money for them, utilities, what clothes to even wear, can be overwhelming and frustrating. Especially if you have no one to help you. Many begin to reflect on what it was like on the inside and how simple it was. And yet, yearn for freedom they don't know how to cope with. Many return to their old coping mechanisms, drugs, alcohol, crime. Having that safety net, a person there to help me was utterly crucial to succeed.*

*Third, and though there are tons of resources for inmates coming out, the general knowledge of what, where and who is not well known on the inside. We-inmates newly released- just don't know where to go for help. Even the how of finding out the what, where and who is not generally known to people coming out. I was fortunate to go to a halfway house. It let me reintegrate slowly, a piece at a time. Just being on the street corner catching the bus for the first time was an adventure, both exciting and terrifying.*

*Trying to find my way around the city, on my own, well, it was frustrating and stressful and forced me to dig deep into my resources of determination. Having someone help you navigate thru life's little trials for the first few weeks is huge. Heck, the first time I went to King Scooper's, I was like holy cow look at all the stuff. Where do I even start?*

*And we want everything, all the bells and whistles, we want to hear everything, see everything, do everything. We cannot. It is too much. We are unprepared to get Medicaid started or how to. Sure prison signs ya up but that's it.*

*Most of us have not had to work and are ill prepared for an 8-hour day responsibility. In prison, all your responsibilities are regimented. Most of us have no clue how to schedule our time- one of my biggest struggles. What helped the most was having someone there, not to hold my hand, but guide and encourage. I would tell someone coming out of prison, take it slow and steady. Small bites. And forgive yourself for what you don't or can't know. It will come. And be brutally honest with yourself and your support.*

*- A message from a Loved One who served time.*

## DRAFT WORK PRODUCT—OUT FOR REVIEW AND COMMENT

If your loved one is allowed to live in your home, the rules of parole can impact family members and disrupt the household in many ways. For example, your loved one most likely will not be allowed to have contact with children, at least during the beginning of parole. In this case, children would not be allowed to live in or visit the home without special permission. You may be asked to take down any pictures of children you have in your home and anything related to children may have to be removed (e.g. your antique doll collection, toys for the grandchildren). Alcohol and firearms may not be allowed in the house, or at the very least would have to be locked up. Having your loved one live with you will affect who can drop in to your house, including members of your own family (until they can be put on an approved list). Even though it can be disruptive to your household, you will have to agree to allow the CPO to make unannounced visits to check-in on your loved one and to inspect the house.

Having an adult child move back in with you has its own challenges. When you add all of the restrictions and responsibilities and institutionalization that come with someone who has a sex offense conviction and who has been incarcerated for a period of time, it has to affect the daily life of your family.

### **PO Home Visits (if your loved one lives in your home)**

Under standard parole, parolees are required to report to community parole officers (CPO) on a schedule and to receive unscheduled visits from officers at reasonable times. These visits can feel unsettling and may feel intrusive to family members, even though they are not the ones on parole.

CPOs are required to check on parolees:

- Are they home when they are supposed to be?
- Are they going to places that have not been approved?
- Are they associating only with people on their approved list?
- Are they engaging in activities/behaviors that are not allowed by their parole contract?

Friends and family members may feel awkward, upset, or even angry when the person they care about is being questioned or their loved one's belongings are being searched.



### **TIP - Don't Leave Cell Phones, Tablets, or Other Electronics Laying Around**

Family members can also help avoid misunderstandings by not leaving their electronics lying around in common living areas. When POs conduct home visits and family members are not home at the time to answer questions, POs will not know who owns various cell phones, tablets, laptops, etc. These items can be confiscated if your loved one has access to them, even if the items belong to other family members and even if the items are password protected.



## **Family Impact**

### **Helping a Child in Need: Consequences**

*In the early days of parole with all of the restrictions, requirements, our family worried about the “no children” contact requirement, especially about incidental contact once our loved one ventured out into our community. My son, a former teacher, was worried about meeting up with a former student, now a mother, in the grocery store and having her, child in tow, walk up to him and giving him a hug before he could retreat. As it turned out, his biggest, most costly decision was helping a child in need, one which nearly caused his revocation of parole.*

*My son was working as a service manager around noon one day when a young boy entered the service center unattended and asked for help. The school bus had just dropped him off at his grandparents’ house across the street from the service center. The house was locked and grandparents weren’t home. At the time, my son was helping a customer. He knew he couldn’t ignore the boy or send him back outside. Thinking the boy was safer sitting in the service center, my son periodically checked the house across the street to see if the grandparents had returned. After some time waiting for the grandparents to return, his teaching instincts kicked in. He asked the boy his name (ironically his name was the same as his son who he had been fighting legally to have contact with). Additionally, the boy was the same age as my son when he was molested by a neighbor boy. So, there were several emotional triggers going off at the same time. He decided to take the boy across the street to check out the house. He asked two of his mechanics to maintain a sight line of him as he checked out the house. The house was locked and there was no response to knocking on the door. He brought the boy back to the center and checked the boy’s backpack, hoping to find an emergency number but found none.*

*He located the boy’s school and called to see if someone could come to the service center to pick him up. Apparently there had been an early release day. Within an hour, the principal and the boy’s first grade teacher came and took the boy back to school.*

*Afterwards, my son, emotionally spent, called his parole officer to report the contact as per his contract. His therapist thanked him for calling and said his parole violation would have to be staffed, meaning the CST team of his therapist and parole officer would review the violation to determine the consequence. As it turned out, the agency’s entire therapists’ staff reviewed the violation, and if not for his parole officer and his therapist, he would have been recommended for parole revocation. Instead, he served 5 days in county jail, had to wear his ankle monitor for an additional year and had time extended on his progression level. Also, he was required to write a letter to the boy’s grandparents disclosing that he was a registered sex offender. Whether or not it was ever delivered, he doesn’t know.*

*Staff said he should have immediately called his PO or 911 since removing himself from the service center was not an option and that he should have thought about himself first rather than the child. Much later his therapist asked me what I thought about what he did in the situation. I said he did just what I thought he would do, putting another ahead of himself. I remembered that it had been such an emotional situation for him that my son cried when he told me about it when he came home from work. It was a stark reminder of how being on parole for a sex offense can turn one’s decision making on its head when it comes to unexpected contact with a child in need of help. The human response is to help. My son would have to learn to be selfish. I hope he doesn’t.*

*- A Mother’s story*

### **If Your Loved One Is under Intensive Supervision**

**Intensive Supervision Parole** (ISP) is common during early parole, especially for those with indeterminate parole sentences. ISP requires more frequent visits than non-ISP with your loved one's CPO. In addition, your loved one will most likely have a very restrictive curfew and may need to wear an ankle monitor. Even though these restrictions technically apply only to your loved one, they can have impacts on family gatherings and activities.

### **If Your Loved One Has a Sexually Violent Predator (SVP) Designation**

If your loved one has an SVP designation and is living with you, the impact on your family may be significant. Your community will be informed of your loved one's residence and designation as an SVP. The term *sexually violent predator* itself may alarm your neighbors. In some cases, there have been reports of extreme responses such as neighbors insisting that a person with an SVP designation leave the neighborhood. Your household and your family may be shunned. Finding another place for your loved one to live may be difficult because the new landlord will be informed of the designation, as will the community of the new residence. If your loved one must find a new residence, there may also be the expense of the additional residence. In a best-case scenario, once the community is informed, no issues will arise.

### **Difficulty Finding Work**

Finding good paying work can be very challenging for a person with a sex offense. When applying for a job, applicants will most likely be asked whether they have a felony on their record, and if so what the nature of the felony is. Many employers will not hire individuals who have a sex offense on their records. Companies may have policies that come from concerns about the safety of other employees and customers. They may have fears that business will suffer if they hire someone with a sex offense. Some employers need their employees to be there full time, do not have flexible schedules, and cannot afford to give their employees enough time off every week to meet with their PO and attend treatment during the workday.

Even if an employer is willing to hire your loved one, parole conditions and/or treatment restrictions may prevent your loved one from being able to take a particular job. Your loved one most likely will not be allowed to have a job where children are regularly present. Your loved one's community parole officer (CPO) will need to approve whatever job your loved one is considering. CPOs keep community safety in mind when considering job approval. They also want to avoid approving employment that may put people on parole in a situation where they could violate parole conditions, face public scrutiny, or face unfounded accusations by angry co-workers or members of the community.

### **Sex Offender Registry**

People with sexual offenses who are on parole must register on the Sex Offender Registry. Registration is dependent on the classification of the crime. It can range from short-term to lifetime. In some cases, having a registered citizen living in your home may have unforeseen consequences on other members of your family. (See additional information under Agency Information- 3.11 Sex Offender Registration Requirements in this guide).

## What You Can Do:

### For Yourself

Sometimes family members need help with their own issues before they can be in a position to offer support to a person with a sexual offense. This can be especially true if the person with the offense and the victim of abuse are both family members.

### On the First Day

- **Pick up your loved one at the prison facility:** Parole begins when your loved one is released from the prison facility. You can check with your loved one's **case manager** as to date, time and place to pick up. Civilian clothes may be mailed to the facility ahead of time. Check with the case manager ahead of time regarding what clothes will be accepted. This process may differ from facility to facility. If there is no pick up at the facility, your loved one will be bussed to 940 Broadway for re-entry instructions and services. You can pick up your loved one there.
- **Take your loved one to the parole office and if possible sit in on the initial meeting.** Your loved one will be required to go to the assigned parole office to meet with a CPO on the day of release. When possible, Parole encourages family members to attend the initial visit to have a second set of ears there, because there will be many requirements and dates to remember. Ask questions if you need clarification or examples of the requirement, e.g., "What do I do if a cousin suddenly drops by to see me"? "How do I handle the friend who I haven't seen in seven years, who comes up to me in the grocery store and gives me a hug?"

### In the Early Days

- **You and your loved one should become familiar with the requirements of your loved one's parole.** Not understanding and following the rules can put your loved one in a position to violate parole conditions and can result in a return to prison.
- **Provide transportation in the early days on parole.** It may take some time before your loved one is able to get a new driver's license or obtain permission to ride public transportation. Your loved one may need a ride to places like the DMV, parole meetings, treatment, or the grocery store.
- **Be patient with your loved one and yourself:** Your loved one will need time to readjust to life on the outside.



#### TIP – From a Family Member

It helps some family members to think of the early days of parole as being like *house arrest*.

During this time, your loved one will have very limited freedoms. You can help your loved one get through this time, by reminding them and everyone in the family that these severe restrictions will decrease over time, as long as they meet the conditions of parole.

## DRAFT WORK PRODUCT—OUT FOR REVIEW AND COMMENT

- **Listen:** As your loved one becomes more used to the requirements of parole, the responsibilities for re-establishing a life after prison, and the challenges of old and new relationships; listen for the emotional and psychological messages your loved one is sending.
- Respect your loved one's privacy, but **get to know your loved one's the therapist(s)**.
- **Get to know the community parole officer (CPO).**

### Provide Positive Support

While parole can last many years, people can and do make it through their parole period and are released from parole and treatment. **Positive engagement** by family members and friends can make a huge difference in a loved one's successful completion of parole. Your loved one will be held accountable for every term and condition of parole. Positive support begins with family members understanding the terms and conditions of parole your loved one must meet to be successful.

### For Those who Can Be More Involved

- **Become a *Parole Sponsor*** in order for your loved one to live in your home. Prior to your loved one's release, you will be required to sign the parole sponsor forms.
- **Become an *Approved Community Support Person*** which means you may escort your loved one to approved places in the community, when your loved one is not allowed to go alone.
- **Become an *Approved Supervisor*** in order for your loved one to have contact with specific children. Approved Supervisors must receive training and follow guidelines outlined in the SOMB Standards and Guidelines.

### When Your Loved One Gets a New Community Parole Officer (CPO)

It is very likely that your loved one will have more than one CPO over time. A newly assigned CPO may be different from your loved one's former CPO in personality and approaches to enforcing the conditions and terms of the parole. Those old feelings of uncertainty and anxiety may return.

Communication is key to understanding the relationship between your loved one and the new CPO. In the case of the loved one living with family, it might be helpful to share with the new PO any family situation or circumstances that would help the PO understand the parolee's living situation. Family members can also help avoid misunderstandings by not leaving their electronics unattended in common living areas. See the Tip Box for ideas about what you and your loved one can discuss with the new CPO.

### When It Seems Like CPOs and Therapists Are Not on the Same Page

Sometimes your loved one may feel that the therapist and the CPO are giving different directions or seem at odds with one another. The therapist's mission is therapy. The CPO's mission is holding your loved one accountable to the conditions and terms of parole. These two different missions can create situations where the therapist may be ready to allow your loved one to do something that parole may not be comfortable allowing. Family members need to know that the CPO and treatment provider should be communicating on a regular basis. Your loved one can request a meeting with the community supervision team (CST) to clarify expectations and directions



**TIP - Encourage Your Loved One to Have a Plan for Dealing with Change**

Changes to your loved one's circumstances will happen from time to time. When your loved one is assigned to another CPO, it will take time for the parole office and your loved one to get to know each other. During this time of change, it sometimes may feel like progress is slowing down, coming to a standstill, or even moving backwards.

*Things to encourage your loved one to do include the following:*

- *As soon as your loved one is informed about the change, ask if the current CPO would be willing to document particular things that your loved one would like the new CPO to know.*
- *Keep a copy of approved safety plans and the dates when the plans were approved. Even if your loved one cannot get a photocopy of a signed plan, at least there will be a starting point for talking with the new CPO.*
- *Keep a list of electronics (cell phones, tablets, computers,) that belong to other household members and share that list with the new CPO.*
- *Keep a list of people approved for contact and the dates when approval was granted.*
- *Talk with the new CPO about progress and privileges that have been earned and ask the PO if there are any concerns about certain activities.*
- *Try to keep an open mind and try to keep the lines of communication open. This can be challenging when people first meet and do not know what to expect from each other.*

### **Where You Can Find Help and Answers:**

- **Ask your loved one:** Your first place to have your parole questions answered is by your loved one. Sometimes, this is easier said than done. If you have a comfortable enough relationship, you might consider asking to see your loved one's parole contract.
- **Contact your loved one's community parole officer (CPO):** If you are not able to get the information you need from the parole office, you can go up the chain of command for parole.
  - Community Parole Officer (CPO)
  - Team Leader [may be the same person as the assigned officer]
  - Supervisor
  - Manager
  - Associate Director
  - Deputy Director
  - Director

## **DRAFT WORK PRODUCT—OUT FOR REVIEW AND COMMENT**

- Your first place to have your treatment questions answered is your loved one’s therapist.
- Information about the specifics of a loved one’s Sexually Violent Predator (SVP) designation should be available in court sentencing records or Parole board records. You may wish contact your loved one’s attorney for help in obtaining and researching these records.
- For information about treatment read the SOMB’s Standards and Guidelines, available online at <https://cdpsdocs.state.co.us/dvomb/SOMB/Standards/SAdult.pdf>.
- Attend the citizen/Department of Corrections meetings where Division heads are available to answer citizen questions. The Division head of parole attends these meetings. See the Colorado Department of Corrections web site for dates and locations of these meetings and what you need to do before attending.
- Public law libraries at CU Boulder and the Supreme Court are available and open to the public. Librarians are available to assist members of the public in their research.
- Information CDOC policies which govern Parole may be found on the Department of Corrections website (<https://www.colorado.gov/pacific/cdoc/adult-parole>).



### **What Community Parole Officers Would Like Family Members to Know**

*Several Colorado community parole officers (CPO) were asked to provide information on what officers would like family members and support to know about their loved one being on parole. Their answers were provided as personal reflections. Their answers were not intended to represent thoughts of other CPOs and their answers were not intended to be official answers for any department or agency. What follows is a blended summary of what officers would like to share with family/support:*

**What would CPOs like family members to know:**

- 1) What can a family member expect upon their loved one paroling?**
- 2) How can family members develop working relationships with supervising CPOs?**
- 3) How can you support your loved one when they are frustrated with treatment and supervision?**

#### **What can a family member expect upon their loved one paroling?**

Having your loved one on parole can bring up many emotions in family members/friends/support and your loved one. Keep in mind, from the moment your loved one paroles, your loved one is going through a lot of change. Your loved one will be going from a contained environment, where they know their schedule day in and day out, to what they can perceive as a hectic environment.

From the moment your loved one is released from a Department of Corrections (DOC) Facility, your loved one will need to immediately report to a parole office. Your loved one will either be taken to a parole office via a family member/friend/support or by a Department of Corrections transport. If you decide to pick them up from the facility they are at, you can bring them a change of clothes or even food for them if you would like. Most, if not all officers, are comfortable with you going through a drive-thru with them to order them food. You will be unable to stop at a restaurant and go in to sit down at this time. The office your loved one reports to is indicated on their parole agreement. From there, they will have their initial office visit (IOV) with their supervising CPO.

During your loved ones IOV, it will be expressed to them that everything takes time and that patience is very important during this stage of their supervision. Your loved one from here on out, will need to submit safety plans for any type of community movement. This will at first be done through their supervising CPO and then through their treatment provider. This process can take time and it is the responsibility of your loved one to submit their safety plans. Many family members/friend/support are rightfully excited to have their loved one back in the community. Please keep in mind that their movement is very limited in the beginning of their supervision and takes time for their safety plans to get approved. Speaking with your loved one about what safety plans they have approved and potentially future safety plans, will help show support and keep you informed about what your loved one is approved to do in the community.

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**What Community Parole Officers Would Like Family Members to Know (continued)**

Safety plans can be overwhelming for your loved one, so keep in mind patience is important in this stage and show support by making plans around what is approved for your loved one.

As officers, there are a few areas where family members/friends/support need some clarification. Most of your loved ones will need to go through treatment to be able to have contact with minors, use the internet and go to others' houses to visit. Speak with your loved one and their supervising officer about these subjects as your loved one's supervising officer can clarify what your loved one needs to do in order to have those areas approved through a safety plan and/or a verified disclosure.

**How can family members develop working relationships with supervising CPOs?**

Community Parole Officers acknowledge that you all, their family members or other support, play a vital role in your loved one's success on supervision. From the beginning of one's parole, the rapport between family/support and CPOs can be built. Many, to most officers, allow family/support to be present for the Initial Office Visit (IOV). Upon your loved one paroling, they will need to report immediately to their assigned parole office. There, their IOV will be conducted. Family/support can either be present during this meeting or they can review their loved one's parole paperwork with them. All of those on parole will be provided a copy of the paperwork they sign. Many on parole are encouraged to review this paperwork with their support. During this initial meeting, you can ask your loved one's CPO how you can contact that specific officer. Many will provide their card, their email, phone number or C-Wise information.

Once your loved one is in the community, it is helpful to keep in touch with their CPO. Officers acknowledge that family/support know their loved one the best and see them on a day-to-day basis. Please keep in mind that you can contact CPOs about anything regarding your loved one. Reaching out to your loved one's officer is not seen as going behind your loved one's back. If anything, officers have many resources and tools they can use to assist your loved one if they are struggling in a certain area of their supervision. From treatment to other potential residences, officers have many resources to help your loved one. Many times, officers do not know what your loved one is struggling and your loved one will not tell their officer. In order to help, officers need to be aware of your loved one's concerns or issues. Also, officers can intervene with those helpful tools or resources, before anything escalates. Also, officers enjoy hearing when good things happen as well for your loved one. The goal of officers is to help your loved one enter the community safely and have a full life in the community.

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**What Community Parole Officers Would Like Family Members to Know (continued)**

**How can family members be of support to their loved ones?**

Support of your loved one and their treatment compliance can begin before your loved one leaves the Department of Corrections Facility. First of all, you can be a *parole sponsor*. A parole sponsor is a family member/friend/support who allows your loved one to live with them. Your loved one can meet with their case manager and put in a pre-parole plan to come live with you at your home. A parole officer will be assigned the plan and reach out to you to explain the guidelines for having your loved one live with you and explain what you can expect from that. If you are unable to be a parole sponsor, there are many other ways to support your loved one.

From the other questions answered in this forum, it can easily be seen that your loved one will be going through a lot mentally, once released from the Department of Corrections. Your loved one may have spent many years in the Department of Corrections. The world has changed a lot within even the past couple of years, let alone the last 20 years. Take that into consideration if your loved one is feeling overwhelmed even leaving their facility. Then, after your loved one's IOV, they will need to make a lot of appointments. Being able to drive them to their appointments or even looking through bus routes with them can be very helpful.

What a lot of officers see is the frustration your loved one is feeling. Whether they are frustrated with safety plans not being approved as quickly as they would like, or the fact they are not approved to have a lot of community movement once released, frustration can build. Talking to your loved one about patience and having patience with them will be helpful. Reminding your loved one that they can earn more movement and can work towards that as their parole continues, can help with your loved ones impatience. Encouraging your loved one to talk to their CPO about their supervision and how they can be approved to do certain things in the community or have contact with others, can be helpful. Being supportive of your loved one can go a long way in your loved ones success on parole.

# Part 3

## Agency Information

3.1 Office of the State Public Defender

3.2 Colorado Sex Offender Management Board (SOMB)

3.3 What is Treatment (A Therapist’s Perspective)?

3.4 What Happens when Police Respond to Sexual Assault

3.5 Evaluation

3.6 Probation Supervision

3.7 Community Corrections

3.8 Sex Offender Treatment and Monitoring Program (SOTMP)

3.9 The Colorado Parole Board

**3.10 Parole**

3.11 Sex Offender Registration Requirements

### **3.10. Parole**

In Colorado, Adult Parole is a Division within the Colorado Department of Corrections. Parole is often confused with Probation although in reality they are quite different. In Colorado, Probation and Parole are governed by different branches of state government. Probation is under the Judicial branch. CDOC and the Division of Adult Parole fall under the Executive branch of state government. Terms and conditions of probation are set by a judge. Like Probation, Parole conditions are both standard and individualized. Standard Parole conditions are found in the CRS (Colorado Revised Statutes) and the Parole Board determines the individualized conditions of parole, based upon the risk and need of the offender. Another major difference between probation and parole in Colorado is that Parole officers are POST (Peace Officer Standards and Training) certified. POST certification is the same training that is required for all other law enforcement officers in Colorado. Therefore, Parole officers are armed with both deadly and less than lethal weapons and have arrest authority in Colorado.

The Division of Adult Parole supervises those persons released from prison unlike Probation which supervises offenders as an alternative to prison. Parole is a period of supervision required after an offender serves the required length of their sentence. Since the early 1990s, Colorado has required a mandatory period of parole for most offenders sentenced to prison. This means that the majority of offenders who are released from prison will be required to be on parole. The parole period, again depending upon the sentence, may vary in length from as short as one year to the lifetime of the offender.

There are four categories of offenders supervised by the Division of Adult Parole;

- YOS (Youthful Offender System)
- Community Corrections inmates,
- Intensive Supervision Program-Inmates Intensive Supervision parolees and
- Non ISP Parolees.

Some offenders may be released from prison to a community corrections program prior to actually being paroled. If this occurs their status in the community is that of an inmate, not a parolee.

Upon release to either community inmate or parole, the offender will be given written directives which outline what they are required to do to be in compliance with supervision. Because each parolee is an individual different from the next, their restrictions and permissions may be different. They are determined on a case by case basis by their community supervision team. The CST is comprised of (at minimum) the supervising officer and therapist. When determining whether to grant a privilege or impose a restriction the CST will look at many factors which include: risk level, participation in treatment, compliance with supervision, the offender's ability to hold themselves accountable and understanding of treatment concepts and their protective factors. Some of the general requirements for offenders on parole are: stable residence, employment if able, treatment attendance and participation, polygraph, and safety planning. The parole officer will conduct home visits periodically at the offender's residence in addition to treatment and employment visits.

Parole, treatment, offenders and their family are all on the same team with the same goal: trying to successfully reintegrate the offender into society in a manner which is safe for both the offender and the community. Because of this, appropriate family members are encouraged to attend parole meetings and treatment sessions, as well as to call the officer when questions or concerns arise.