

Colorado Standards and Guidelines for the Treatment, Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders

LS 1.00

CRITERIA FOR RELEASE FROM PRISON TO PAROLE

1.010 In order to demonstrate that the sex offender would not pose an undue threat to the community if released from prison to parole, he or she must meet the criteria in each of the following areas of focus:

A. Criminal Behavior Past and Present

1. The offender acknowledges and takes full responsibility for the crime of conviction.
2. The offender has adequate plans to address components of the crime(s) that pose current risk as identified in the mental health sex offense-specific evaluation, treatment plan or relapse prevention plan. Such components may be, but are not limited to:

- P Initial charge versus the conviction or plea
- P Facts and circumstances of the crime
- P Premeditation, grooming or predatory behavior
- P Nature of the crime was incidental to another crime or was spontaneous
- P The use of threats, violence or weapons
- P Age of victim(s) or the presence of any mental or physical disability in the victim(s)
- P Any conviction other than the instant offense for a violent crime per CRS 16-11-309

B. Sentence Failures

1. The offender acknowledges reasons for sentence failures (which could include, but are not limited to deferred prosecutions or judgments, probation, community correction, or parole), as verified by official record, and has made progress in addressing those reasons or demonstrates the presence of a plan that addresses those issues.

C. Participation in Programs

1. Required participation in the Sex Offender Treatment and Management Program (SOTMP). SOTMP program staff report offender compliance with recommended program plan and sufficient progress in treatment.
2. Demonstrated participation in all recommended programs. Positive participation and recommendations from staff of each program (based on program compliance) or a clearly established plan to obtain recommended programming in the community where placement in the community does not pose an undue risk.

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3. If the offender is placed in community corrections, he or she has demonstrated positive participation and progress as indicated by recommendation from Community Corrections staff and SOMB approved sex offense-specific treatment provider.
- D. Code Of Penal Discipline Rules Convictions, Escapes or Absconds
- Discussion: Non compliance with rules in a highly structured environment like DOC is highly related to risk of re-offense.*
1. No COPD rules convictions in the last 12 months.
 2. No drug violations and demonstrates all clean UAs for the last 12 months.
 3. No sexual violations in DOC for a minimum period of the last 2 years.
- E. Classification Level Changes
1. The offender has had no increase in classification level in the last 12 months.
- F. Risk Assessment
1. The offender has completed the SOTMP evaluation (in adherence to SOMB *Standards* and including the administration of the DCJ Sex Offender Risk Scale) and has a recommendation from the SOTMP program staff, which is based on the evaluation, for release to parole.
- G. Victim Input (Pursuant to 17-22.5-404 (2) (a) (I) this may include the victim or a relative of the victim)
1. The offender has had no contact with the victim, other than therapeutically approved contact. (Contact means any kind of communication either direct or indirect by the offender with the victim and includes but is not limited to physical proximity, written correspondence, electronic, telephone or through third parties.)
 2. The offender is not engaging in victim blaming.
 3. The offender is not engaging in harassment, manipulation or coercion of the victim.
 4. Offender has demonstrated support for the victim=s recovery, minimally at the level of no contact, as verified by SOTMP staff.
- H. Age of Offender at Offense vs Date of Parole Hearing
1. The offender demonstrates the emotional maturity necessary to predict a successful release to parole.

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I. Parole Plan

1. The offender=s Parole plan minimally includes the following:

- P No undue level of risk is indicated in any part of the parole plan or recommendations from any DOC staff.
- P The offender has an appropriate plan to safely transition back to the community.
- P The home living situation is free from former and potential victims.
- P The offender has appropriate employment plans with lack of access to potential victims.
- P The offender has access to and demonstrates willingness to participate in sex offense specific treatment and other recommended treatment if released on Parole.
- P The appropriate level of supervision and containment is available where the offender plans to live.
- P The offender has a realistic plan to pay restitution based on a his or her ability to pay.

J. Honesty

- 1. The offender demonstrates truthful, complete and non-evasive answers to all questions posed by the parole board members.**