

Advocates For Change



# THE ADVOCATE

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**AFC MISSION STATEMENT**

AFC supports those with a sex offense and their families by:

- Advocating for change in sex offense laws and policies, and for the adherence to constitutional rights;
- Educating the public, lawmakers, and the judiciary;
- Promoting the successful treatment and reintegration of those with an offense into the community, thus reducing victimization and enhancing the safety of all.

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**AN OLD TAKE ON THE REGISTRY**

**A MESSAGE FROM THE CHAIR**

Does the Sex Offender Registry remind you of this? Is this what is ahead for us? Do the families of Registered Sex Offenders have this to look forward to? Are the yet unborn children, grandchildren, greatgrandchildren and generations to come of those on the Sex Offender Registry destined to be born to this kind of social ostracism? Read on . . .

The Criminal Tribes Act in India required all ethnic or social communities perceived as being inclined to the systematic commission of theft and murder to register.

The government imposed restrictions on their movements and compelled adult male members of such groups to report weekly to the local police station irrespective of whether they had actually committed any offense.

Criminal behavior was viewed as being hereditary rather than habitual. Biological reasons were assigned to unacceptable social behavior. Crime became ethnic.

At the time of Indian Independence in 1947 there were thirteen million people in one hundred and twenty-seven such earmarked communities. Consequently, anyone born in these social categories was presumed to be a criminal irrespective of their precedents.

This gave the police sweeping powers to arrest, control, and monitor their movements. Movements were monitored through a system of compulsory registration and passes, which specified where the holders could travel and reside.

The Act was repealed in 1949 but it did not change the social ostracism for members of these tribes. Since 1961 the government of India regularly releases a list of such "criminally inclined" tribes. It continues to haunt the majority of the sixty million people belonging to these tribes.

*Carolyn Turner, Chair  
 Advocates for Change*

**A CHANCE TO ADVOCATE FOR YOUR LOVED ONE**

**SOTMP Meeting Date: May 17, 2017** - Meet directly with DOC officials to air your concerns about a loved one who is incarcerated or on parole. RSVP/Consent to Search forms are due May 15.

More info:<https://www.colorado.gov/pacific/cdoc/citizen-advocate-meetings>

## UPDATES

### **AFC Chair, Carolyn Turner Hurt in Accident:**

After a day at the Capitol meeting with legislators, Carolyn, AFC Chair, was in a serious automobile accident. She was headed home when she had a head-on collision. She has a number of broken bones and her recovery will take a while. Her get-up-and-go personality will be slowed a bit as the bones heal, especially her right ankle and tibia which will make driving a problem.

Not being able to get to the meetings she usually attends and the many other meetings she participates in, will give Carolyn the motivation to get better sooner. In the meantime, as she heals at home, we'll keep her busy with making appointments, writing flyers and any other things she can do from her chair at home. Keep her in your thoughts as she takes on this challenge.

**Meeting with DOC Parole:** In January AFC met with Melissa Roberts and staff to discuss parole issues with them. Our main concern discussed at this meeting was the fact that parolees are given verbal permissions (to do various things, go somewhere or possess something) that are not adequately documented by the parole officer.

The problem is made worse when new parole officers are assigned and have no knowledge of the permissions given. When individuals on parole have nothing in writing to say what they have permission to do or where they can be, those individuals can end up being sanctioned or arrested for violation of parole. When new parole officers have nothing official to go on, they decide that the activities are out of bounds and worthy of sanction.

AFC would like to see documentation given to the parolee as proof of permission and see new parole officers review the documentation with their parolees so that everyone is on the same page.

Ms. Roberts suggested that we work with Jeff Geist, Parole, to see if a new and improved system can be created. Improvements in this area could also reduce court appearances and save the taxpayers the money involved in court costs.

Right now there is a problem with parole communication – a disconnect between parolee and parole – written documentation can solve the problem.

## AFC ACHIEVEMENTS IN 2016

The year was full of activity and many things happened for AFC and for you. While we can't take full credit for the changes, AFC worked hard supporting them.

**SOMB now must provide data to the legislature:** Of the legislation passed during the 2015-2016 legislative season, HB16-1345 was the most significant accomplishment. The legislators were astonished that there had been no data collected by the SOMB for 25 years on how effective their programs are working. So, the judiciary now requires the SOMB to show how they are meeting requirements established by the external evaluation in 2014.

The report showed that SOMB was not using best practices and still treating offenders in a no-known-cure model of containment and treatment. Best practices show that RNR – Risk, Needs and Responsivity – is the model for treatment. In practical terms this means treating people individually. In January, the judiciary required SOMB to collect data showing how effectively they are progressing in this area and others.

**Choice of two Treatment Providers:** Another area approved by the Judiciary committee was allowing people to choose between two treatment providers. In the past, the parole office selected one and off you'd go. And it didn't matter if this provider was a good one for you or not.

**Next Review in Four Years:** The SOMB had requested that they not have another review of their agency again for nine years but they will be reviewed again in four years.

**AFC Continues to Fight the Polygraph:** During 2016 AFC began to tackle polygraph issues and research the use of polygraphs in other states and countries. Members have had many meetings regarding the use of the polygraph with knowledgeable people throughout the state. AFC met with Judge Maes, retired district judge from Pueblo. He feels that the use of polygraphs is illegal in Colorado legislation and has given us help with the subject. Sometimes this feels like an uphill battle, but AFC will keep fighting against the use of the polygraph.

**Stronger Together:** AFC members have met with many people from various organizations for the purpose of collaboration and information. Our organization recognizes that working with other groups can help make change more quickly.

## MAILING PACKAGES

**Mailroom Tip:** In talking with the mailroom at Bent County, the manager suggested having a gift certificate be sent with the order. This could help with the problem that many have with Amazon orders where the receipt is not included.

## MEETING WITH THE PAROLE BOARD

On January 30, 2017, AFC had an opportunity to meet with the parole board. The, entire board, with the exception of Joe Morales were present. We asked a variety of questions about the parole board procedures.

**Paroling More People who Meet Criteria:** Members of the board said that they are paroling more people, but they hesitate when the individual seeking parole has no support, housing or the prospect of a job. The comment was they don't want people to fail on parole. They rarely parole someone who has had no treatment but some are paroled. For those that meet criteria, the parole board says 95% get discretionary release.

**Problem with Incomplete Files:** One of the Parole Board's biggest concerns is the lack of information in the file they receive from the Case Manager. One parole member said they will open a file and find practically nothing in it. They have been having Parole Board hearings with legislators present who have been present when an empty folder is opened.

**Number of Board Members Needed for Full Boarding:** For people who have been full boarded, we asked how many board members are present for the full board hearings. There needs to be four votes for parole. The board usually meets with all seven members, but never meets with less than five. It takes approximately 33 days for the results of a full board decision.

## Working the Legislature

AFC puts a priority on visiting the Capitol to talk to legislators. Many of the legislators are new and we educate them on the laws that impact so many. The history of the Lifetime Supervision Act is explained and then we move on to how the SOMB functions and the changes we would like to see. Statistics are offered to support what we say but the passion we show probably has the greatest effect.

AFC creates a variety of flyers that Carolyn Turner diligently takes to the Capitol weekly that offers information and facts so that someone is looking at the issues weekly. Bills that might make positive changes are being written. While they are not necessarily being passed, they are making an appearance which hasn't happened before. This is very good news. AFC presses on with the issue that we hope will make the positive difference in people's lives.

## AFC FUNDRAISER

### **Art & Change Gallery Gala Food, Fun, and Prizes**

Denver's Historic Art District  
Friday, June 9, 2017  
6:00 – 8:30

AFC continues its work to change laws and practices for people who have been marginalized and relegated to literal banishment by society. And most importantly AFC advocates for people who are left with no voice.

No matter how serious the crime, punishment is not supposed to be forever. Everyone deserves a second chance and the opportunity to prove to society that they belong to be a part of the community without being haunted for the rest of their lives. AFC is fighting every day to educate the public, legislators and the system to see that the humane thing to do is to restore the lives of people who have committed a crime.

The Gala will be a fun evening of enjoying the company of others who are working their way through the process or working to change the process.

**AFC needs your support** to continue our work in the advocacy of those with a sex offense and to right a ship that is upside down.

Please plan to attend or ask family members to support this event. Our work continues because of you.

**Price: \$25.00/person; \$30/person at the door  
To include a light dinner, drink, prizes**

**Location: Grace Gallery  
877 Santa Fe, Denver**

Purchase tickets at the AFC General Meetings or send a check to AFC, PO Box 103392, Denver CO 80250. You can also call AFC at 720-329-9096 to make a reservation.

Your support shows that you care about making a real difference!

## AT THE LEGISLATURE

### **HB17-1305 – Limits on Job Applicant Criminal History**

**Sponsors:** Representatives Foote & Melton and Senator Guzman

**Status:** House Judiciary Committee - Not calendared yet as of 4/3/2017

**Description:** Prohibits employers with 4 or more employees from asking about an applicant's criminal history on a job application or advertising that people with criminal histories need not apply. The bill states an employer may run a criminal background check at any point during the hiring process. Employers that fail to comply with the stated requirements may be penalized with warnings and/or fines.

### **HB17-1308 – Individualized Conditions of Parole**

**Sponsors:** Representatives Salazar & Sias and Senators Kagan & Cooke

**Status:** House Judiciary Committee - Not calendared yet as of 4/3/2017

**Description:** This bill stems from the Colorado Commission on Criminal and Juvenile Justice (CCJJ). It removes the requirement that the Parole Board fix the manner and time of payment for restitution payments and modifies the requirement that a person on parole obtain consent before moving residences. Instead a person would only need to notify her/his parole officer prior to moving. The bill removes language barring association with other justice involved people. It also eliminates the requirement that every person on parole be drug tested and instead allows the Parole Board to have discretion as to whether a random drug test is required for an individual while they are on parole.

## **AFC Meetings**

**Become Informed. . . Voice Your Opinion. . . Make a Difference!**

### **Denver General Meetings**

4th Tuesday of the Month

### **Colorado Springs Meetings**

2<sup>nd</sup> Tuesday of the Month

**More info:** <http://www.advocates4change.org>

### **SENATE BILL 17-087**

Senate Committees House Committees - Judiciary  
SENATE SPONSORSHIP

Aguilar, Guzman, Kagan, Lundberg, Merrifield

HOUSE SPONSORSHIP- None

**Description:** Currently, a court is required to sentence certain sex offenders to an indeterminate sentence that is a maximum of the sex offender's life. The bill allows the court to choose either the indeterminate sentence or a determinate sentence in those cases. The bill addresses the factors related to punishment and treatment that a court must consider when deciding between an indeterminate or a determinate sentence. The court must specify its reasons on the record for choosing either a determinate or an indeterminate sentence.

This bill did not make it out of committee. Voted for was Senator Kagan. Voted against were Senators Gardner, Cooke, Fields and Coram.

### **Senate Bill 17-141**

SENATE SPONSORSHIP Aguilar

HOUSE SPONSORSHIP Herod

### **Low-risk Sex Offender Community-based Treatment**

Concerning allowing low-risk sex offenders to receive required sex offender treatment in a community-based program.

Session: 2017 Regular Session

Subject: Crimes, Corrections, & Enforcement

The bill requires the sex offender management board, in collaboration with the department of corrections, the judicial department, and the parole board, and in consultation with sex offender research experts, to establish evidence-based criteria for the release of low-risk offenders. The bill requires the department of corrections to allow a low-risk sex offender to complete his or her required treatment in a community-based program if the department does not have sufficient prison-based treatment for the offender. The bill prohibits the parole board from denying parole to a low-risk sex offender because the offender did not complete treatment if the offender is seeking release to complete treatment in a community-based program.

This bill did not make it out of committee. Voted for were Senators Kagan and Fields. Voted against were Senators Gardner, Cooke, and Coram.

## Bill Would Ban Adults Without Kids from Playgrounds

by Lenore Skenazy-Free Range Kids

December 28, 2016

A City Councilman in Los Angeles, Mitch O'Farrell, has proposed a bill to keep playgrounds "free of creepy activity" by not allowing anyone unaccompanied by kids to enter one.

Shamefully, that is already the rule here in my burg, New York City. This has led to the arrest of two women who dared to eat donuts on a playground bench in Brooklyn (exposing kids to potential predators AND processed food!), and to the ticketing of seven guys who were playing on chess tables too close to a Manhattan playground (tables placed there *by the city*, but whatever). The fact that the guys had been playing chess there for years and even taught some kids the game was of zero import to the **authorities determined to see only potential evil, not actual good.**

Kudos, then, to the Los Angeles Times for objecting to this grandstanding law. As the paper put it in an editorial titled, "L.A.'s proposed ban on single adults near playgrounds is **fear-based policy making at its worst**":

***O'Farrell argues that we can't assume every adult who wanders into a children's play area is benign. But why should the city assume that every adult without a child is a pedophile?***

Why indeed?

Because we have been that taught worst-first thinking is prudent and wise: Think up the worst-case scenario first, no matter how unlikely, and proceed as if it's about to happen. We automatically worst-first in many cases when an adult, especially a male, is in close proximity to a child.

(Remember the British Airways ban on men being seated next to unaccompanied minors on planes — a policy Qantas clings to still?) And we simply cannot stop fixating on stranger danger, even though the vast, vast majority of child abuse is at the hands of someone the child knows and the family trusts.

Not someone eating donuts on the playground park bench. Separating the ages is a form of segregation and prejudice. If you're looking for a creepy activity, *voilà*. — L

**Editorial Policy**

*The Advocate* is published by Advocates for Change. We provide information on our efforts to affect change in legislation, treatment, and re-integration into the community, primarily for those who have been convicted of a sex offense. Nothing offered by AFC is intended to be legal advice, and any information provided should never be a substitute for obtaining counsel and/or conducting your own research.

Submissions from inmates/offenders, parolees, and members, are encouraged. Please limit articles to 300 words. The editor reserves the right to publish all, part or none of the contributions submitted. Send contributions for publication and/or comments on the newsletter to: Advocates for Change, Newsletter Editor, PO Box 103392, Denver, CO 80250.

**PLEASE JOIN US**

Membership Fee is \$20 for family membership, \$5 per year for returning citizens, and 8 stamps for those on the inside. Any additional donations are gratefully accepted.

Today's Date: \_\_\_\_\_

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Phone: \_\_\_\_\_

Address: \_\_\_\_\_

- Newsletter preference:  regular news letter  
 plain news letter in plain envelope  
 do not send a newsletter

Please feel free to share an application with a friend or a family member. Call 720-329-9096, if you have any questions or comments.

**Send membership applications to: AFC Membership  
P. O. Box 103392  
Denver, CO 80250**



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