

Lifetime Supervision of Sex Offenders

Annual Report



November 1, 2024

Colorado Department of Corrections
Colorado Department of Public Safety
State Judicial Department

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Lifetime Supervision of Sex Offenders | FY 2024

November 1, 2024

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INTRODUCTION

The Colorado Department of Corrections (CDOC), Colorado Department of Public Safety (CDPS), and the State Judicial Department collaboratively write this Annual Report on the Lifetime Supervision of Sex Offenders. The report is submitted pursuant to 18-1.3-1011 C.R.S.:

On or before November 1, 2000, and on or before each November 1 thereafter, the Department of Corrections, the Department of Public Safety, and the Judicial Department shall submit a report to the judiciary committees of the House of Representatives and the Senate, or any successor committees, and the Joint Budget Committee of the General Assembly specifying, at a minimum:

- (a) The impact on the prison population, the parole population, and the probation population in the state due to the extended length of incarceration and supervision provided for in sections 18-1.3-1004, 18-1.3-1006, and 18-1.3-1008;
- (b) The number of inmates placed in the intensive supervision parole program and the intensive supervision probation program and the length of supervision of inmates in said programs;
- (c) The number of sex offenders sentenced pursuant to this part 10 who received parole release hearings and the number released on parole during the preceding twelve months, if any;
- (d) The number of sex offenders sentenced pursuant to this part 10 who received parole or probation discharge hearings and the number discharged from parole or probation during the preceding twelve months, if any;
- (e) The number of sex offenders sentenced pursuant to this part 10 who received parole or probation revocation hearings and the number whose parole or probation was revoked during the preceding twelve months, if any;
- (f) A summary of the evaluation instruments developed by the management board and use of the evaluation instruments in evaluating sex offenders pursuant to this part 10;
- (g) The availability of sex offender treatment providers throughout the state, including the location of the treatment providers, the services provided, the amount paid by offenders and by the state for the services provided, and the manner of regulation and review of the services provided by sex offender treatment providers;
- (h) The average number of sex offenders sentenced pursuant to this part 10 that participated in Track I, II, or III of the department's sex offender treatment and monitoring program during each month of the preceding twelve months;

- (i) The number of sex offenders sentenced pursuant to this part 10 who were denied admission to treatment in Track I, II or III of the department's sex offender treatment and monitoring program for reasons other than the length of remaining sentence during each month of the preceding twelve months;
- (j) The number of sex offenders sentenced pursuant to this part 10 who were terminated from Track I, II, or III of the department's sex offender treatment and monitoring program during the preceding twelve months and the reason for termination in each case;
- (k) The average length of participation by sex offenders sentenced pursuant to this part 10 in Track I, II, or III of the department's sex offender treatment and monitoring program during the preceding twelve months;
- (l) The number of sex offenders sentenced pursuant to this part 10 who were denied readmission to Track I, II or III of the department's sex offender treatment and monitoring program after having previously been terminated from the program during the preceding twelve months;
- (m) The number of sex offenders sentenced pursuant to this part 10 who were recommended by the department's sex offender treatment and monitoring program to the parole board for release on parole during the preceding twelve months and whether the recommendation was followed in each case; and
- (n) The number of sex offenders sentenced pursuant to this part 10 who were recommended by the department's sex offender treatment and monitoring program for placement in community corrections during the preceding twelve months and whether the recommendation was followed in each case.

This report is intended to provide the Colorado General Assembly with information on the 24th year of implementation of the Lifetime Supervision Act in Colorado. The report is organized into three sections, one for each of the required reporting departments. Each department individually addresses the information for which it is responsible in implementing Lifetime Supervision and associated programs.

IMPACT ON PRISON AND PAROLE POPULATIONS

The legislation enacting the Lifetime Supervision Act of Sex Offenders (CRS 18-1.3-1004, CRS 18-1.3-1006, and CRS 18-1.3-1008) affected persons convicted of sex offenses committed on or after November 1, 1998. The first prison admission for the qualifying Lifetime Supervision sexual offenses occurred in late 1999.

Admissions and Discharges for Fiscal Year 2024

During fiscal year (FY) 2024 (July 1, 2023, through June 30, 2024), 172 new court commitments were admitted to the CDOC under the Lifetime Supervision provisions for sex offenses. Inmates may be admitted to prison with a conviction for a determinate offense as well as a concurrent or consecutive Lifetime Supervision sentence to probation for the qualifying sex offense, but these inmates are not included among those counted as Lifetime Supervision Sex (LSX) Offenders. During FY 2024, 131 LSX inmates were released from the Colorado Department of Corrections: 106 were released to discretionary parole; 14 died (all while in prison); two inmates were re-paroled; eight inmates had their sentence discharged; and one was released for other reasons.

Inmates who receive prison sentences may have their sentences amended from a determinate sentence to a lifetime sentence or vice versa. A history of amended mittimus is not recorded electronically, so it is impossible to identify all sex offenders who have had their sentences amended while serving their sentence.

Current Population

On June 30, 2024, 2,763 inmates were under CDOC supervision for sexual offense convictions sentenced under the Lifetime Supervision provisions: 1,286 were in state prisons; 407 were in private prisons; 1,067 were on parole; and three were in other locations, including community corrections, interstate corrections compact transfer, jail backlog, and fugitive status. **Figure 1** further breaks down these placements.

Of the 2,763 LSX inmates under CDOC supervision on June 30, 2024, 99.0% were male and the median age was 50.6 years. Of these inmates, 54.6% percent were Caucasian, 27.9% were Hispanic, 13.2% were African American, and 4.4% were other ethnicities.

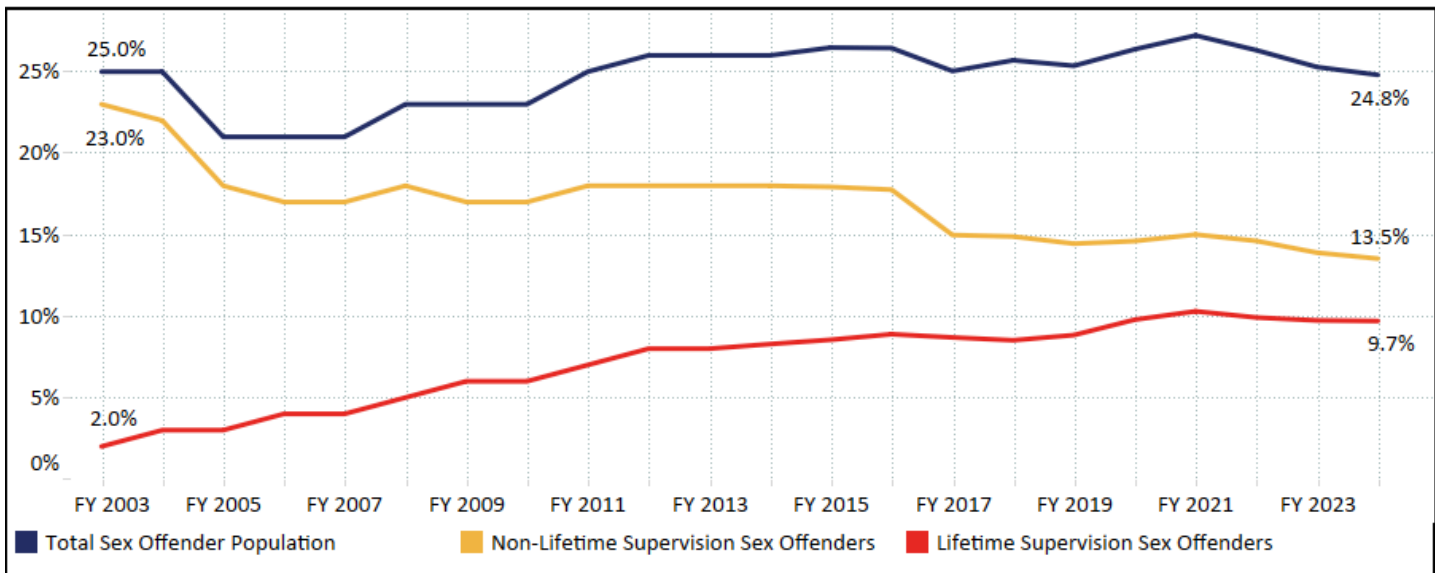
Figure 1. Location of Lifetime Supervision Sex Offenders as of June 30, 2024

State Prisons	FREMONT CORRECTIONAL FACILITY	433
	COLORADO TERRITORIAL CORRECTIONAL FACILITY	203
	ARKANSAS VALLEY CORRECTIONAL FACILITY	158
	STERLING CORRECTIONAL FACILITY	148
	LIMON CORRECTIONAL FACILITY	77
	BUENA VISTA CORRECTIONAL COMPLEX	76
	CENTENNIAL CORRECTIONAL FACILITY	72
	DENVER RECEPTION AND DIAGNOSTIC CENTER	49
	COLORADO STATE PENITENTIARY	31
	SAN CARLOS CORRECTIONAL FACILITY	23
	DENVER WOMENS CORRECTIONAL FACILITY	12
	TRINIDAD CORRECTIONAL FACILITY	1
	LA VISTA CORRECTIONAL FACILITY	1
	INTENSIVE SUPERVISION - INMATE	1
	FOUR MILE CORRECTIONAL CENTER	1
Private Prisons	BENT COUNTY CORRECTIONAL FACILITY	215
	CROWLEY COUNTY CORRECTIONAL FACILITY	192
Community	COMMUNITY CORRECTIONS	3
Parole	COLORADO PAROLEES OUT OF STATE	299
	PAROLE-SOUTHEAST	227
	PAROLE-NORTHEAST	175
	PAROLE-DENVER SOUTH	112
	PAROLE-DENVER WEST	96
	PAROLE-DENVER CENTRAL	84
	PAROLE-GRAND JUNCTION	73
	PAROLE DENVER	1

Impact on Prison Population

To assess the impact of the Lifetime Supervision Act on the total prison population, the percentage of LSX and non-LSX sex offenders within the total sex offender inmate population is displayed in **Figure 2**. The percentage of total inmates sentenced under the Lifetime Supervision Act stayed consistent at 9.7% between FY 2023 and FY 2024. On July 1, 2016, the administrative regulation on the Sex Offender Treatment and Monitoring Program (SOTMP) was modified and inmates with a sex offender treatment need level below 5 are no longer recommended for sex offense-specific treatment, unless clinically indicated.

Figure 2. Percentage of Sex Offenders and Lifetime Supervision Sex Offenders Out of the Prison Population



Impact on Parole Population

As of June 30, 2024, there were 1,782 Lifetime Supervision Sex Offenders who had been released to parole for the first time, including the 129 who were paroled during FY 2024. Since the inception of the act, a total of 1,965 inmates have been released to parole. There have been 181 inmates who had their parole revoked, returned to incarceration, and were subsequently re-paroled. There have also been two inmates who were released under COVID-19 criteria. **Figure 3** details the discrete and cumulative number of initial releases to parole and re-paroles of Lifetime Supervision Sex Offenders by fiscal year.

Figure 3. Lifetime Supervision Sex Offender Releases by Year

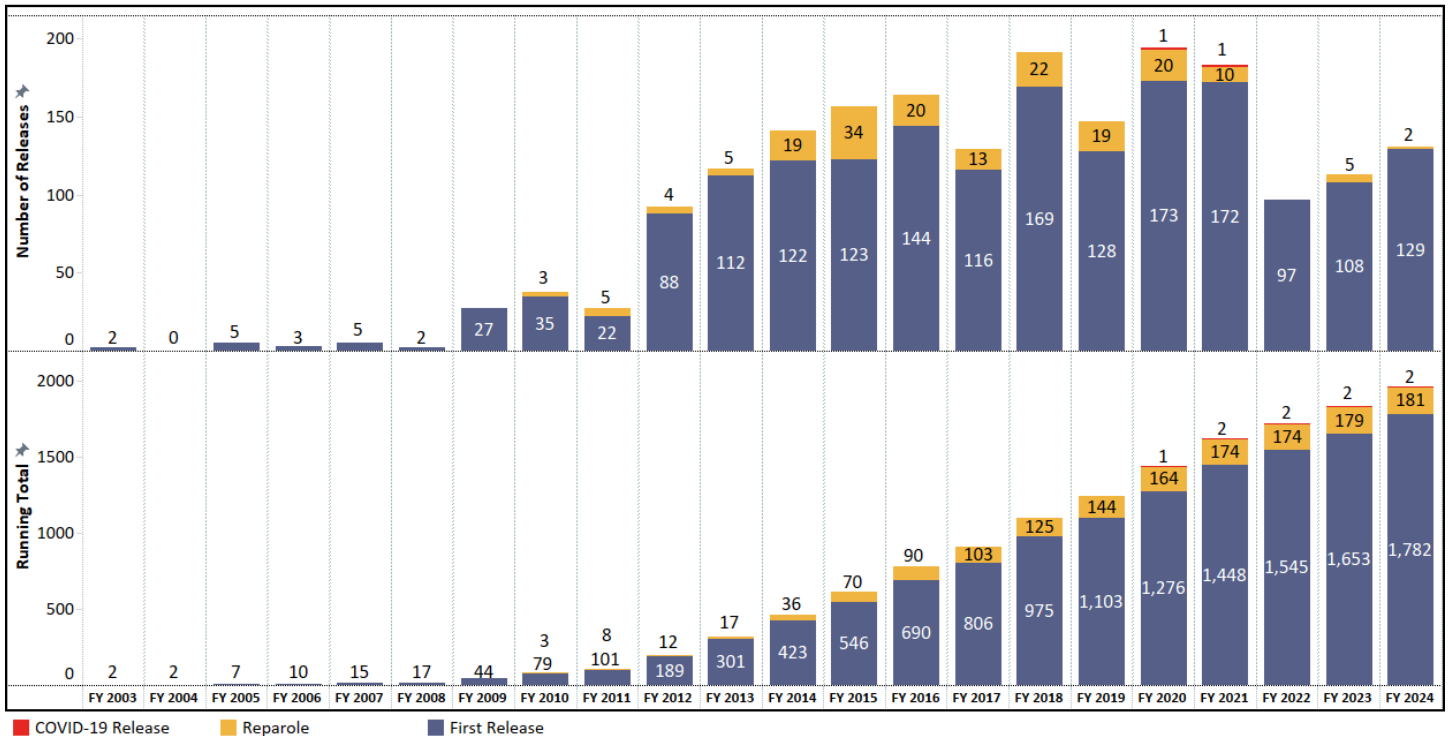
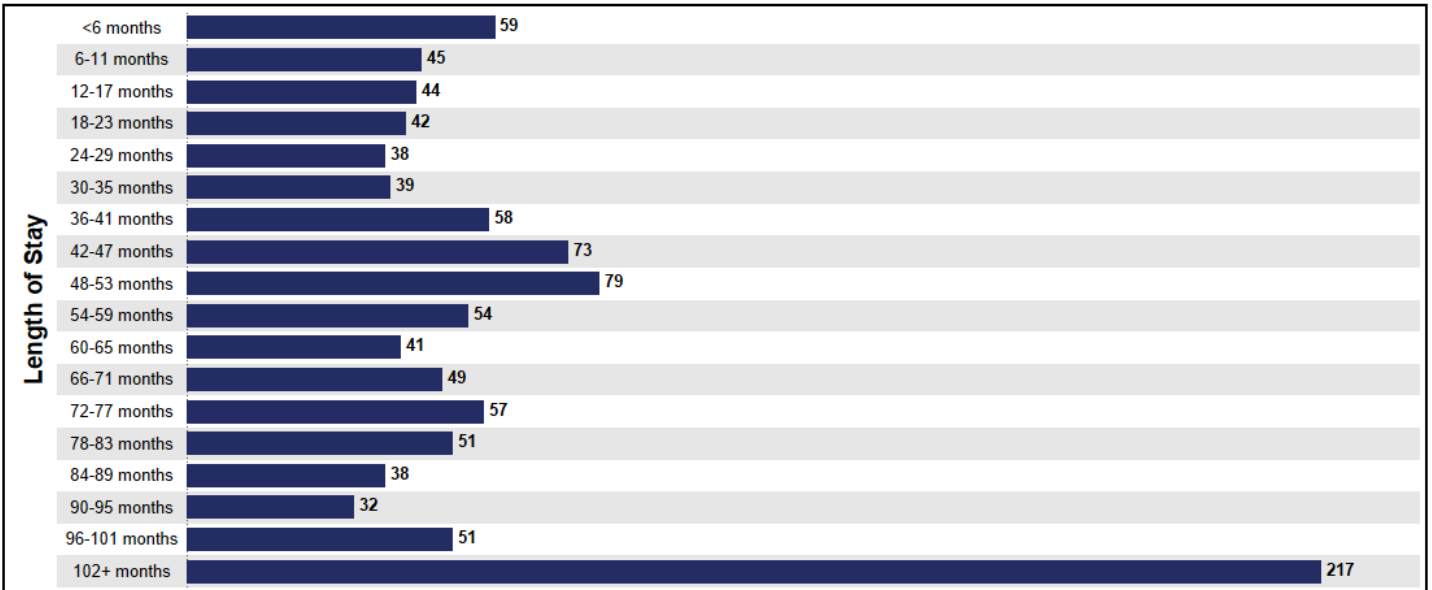


Figure 4 displays the length of stay of Lifetime Supervision Sex Offenders on parole as of June 30, 2024. This figure only tracks active parolees during the fiscal year who were Lifetime Supervision Sex Offenders or whose sentence was discharged. The longest a Lifetime Supervision Sex Offender has been under parole supervision is 17.0 years and the average is 5.5 years. Of the 1,067 parolees under lifetime supervision, 299 (28.0%) were released to parole supervision in another state and 170 (15.9%) were under intensive supervision parole.

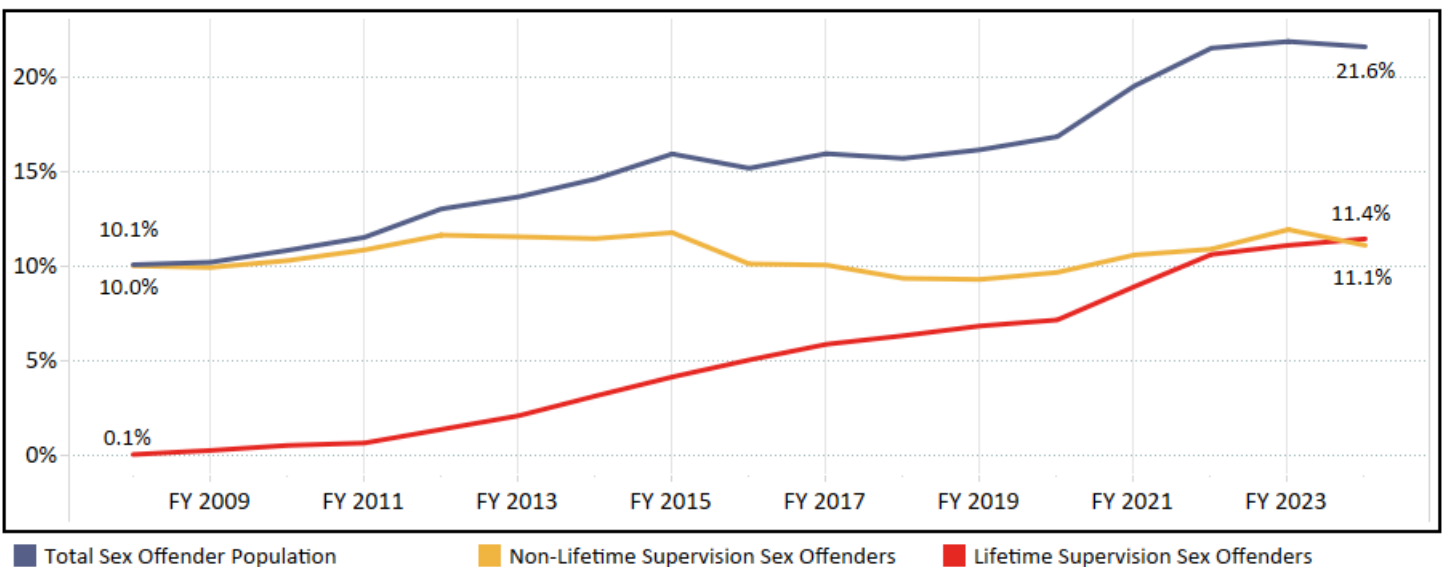
Figure 4. Current Lifetime Supervision Sex Offenders Parole Length of Stay



Note. This is length of stay for LSX offenders on parole as of 6/30/2024 or those who discharged their sentence during FY 2024. Offenders who were paroled, but discharged prior to FY 2024 are not included in this figure.

Figure 5 displays the total percentage of parolees who are sex offenders (21.6%); 11.4% are LSX and 11.1% are non-LSX.

Figure 5. Percentage of Sex Offenders and Lifetime Supervision Sex Offenders Out of Total Parolees



Parole Release Hearings

The Parole Board completed 653 applications for release hearings for 608 Lifetime Supervision Sex Offenders during FY 2024; some inmates were not meeting the criteria at the time of their hearing, and some had multiple hearings over the course of the year. The Parole Board granted discretionary release for 98 of the 640 Lifetime Supervision Sex Offenders, although not all of these were paroled by the end of the fiscal year.

Parole Revocation Hearings and Number of Parole Revocations

The Parole Board completed 81 revocation hearings for 56 Lifetime Supervision Sex Offenders in FY 2024, for whom 40 hearings resulted in revocation of parole, 2 hearings resulted in continuations on parole, 1 inmate self-revoked their parole, and 14 hearings were not yet finalized at the end of the fiscal year.

Of the 1,782 releases to parole since the Lifetime Supervision Act went into effect, 646 have resulted in revocation (some inmates have been released and revoked multiple times). Of the 646 revocations, 85 returns were for new felony convictions. During FY 2024, one inmate returned on new felony convictions.

Parole Discharge Hearings and Number Discharged from Parole

According to CRS 18-1.3-1006, the period of parole for any sex offender convicted of a class 4 felony shall be an indeterminate term of at least 10 years and a maximum of the remainder of the sex offender's natural life. The period of parole for any sex offender convicted of a class 2 or 3 felony shall be an indeterminate term of at least 20 years and a maximum of the remainder of the sex offender's natural life. Early discharge has been reviewed and approved for 117 inmates as of June 30, 2024.

SUMMARY OF EVALUATION INSTRUMENTS

Release to parole or community corrections is subject to the discretion of the Parole Board. The CDOC informs the Parole Board if inmates have participated in treatment and have met the criteria for successful progress in prison treatment as defined in the *Sex Offender Management Board Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders; Lifetime Supervision Criteria; Standards for Community Entities That Provide Supervision and Treatment for Adult Sex Offenders Who Have Developmental Disabilities*. Completion of the SOTMP program **does not** guarantee a release to the community.

SEX OFFENDER TREATMENT AND MONITORING PROGRAM (SOTMP)

All providers in CDOC must comply with the standards and provider qualifications of the Colorado Sex Offender Management Board (SOMB).

Sex Offender Treatment Tracks

Following the release of a comprehensive evaluation of the SOTMP, the programming and curriculum was revised and updated based on the evaluation recommendations beginning in April 2013. To implement positive change to programming and treatment, key positions were filled including:

- A Psychologist to complete assessments;
- Staff to complete risk assessments and staff to deliver treatment;
- A clinical trainer to train, mentor, and coach treatment providers, and develop training curricula.

In addition to the above mentioned changes, the SOTMP went through another revision of the program in fiscal year 2024 to incorporate evidence based practices and provide more efficient processes due to the consistent admission of clients requiring SOTMP. Significant changes include:

- Addition of a low risk (well below average) track of treatment
- Updated AR 700-19
- Updated the LSX criteria to better align with the individual risk of this population
- Discharges from SOTMP
- Curriculum update for all tracks of treatment to stay aligned with the current research
- Maximized resources by housing our two largest programs together to improve efficiency

The SOTMP provides comprehensive assessment, evaluation, treatment, and monitoring services to sex offenders who are motivated to eliminate sexual abuse behaviors. SOTMP is responsible for assessing the inmate's progress when recommending specific SOTMP levels of treatment based on individual risk and needs. SOTMP offers:

Risk assessment to determine the level of treatment intensity recommended:

- All eligible inmates with identified sex offense-specific treatment needs are assessed with the Static-99R actuarial assessment. This assessment assesses static factors in an inmate's history and provides a baseline risk category, which is used to determine the initial recommended treatment track. All inmates are placed into treatment groups according to risk and individual needs. During the treatment process, additional dynamic assessments are administered. Clients who are identified remain in the low risk category after ongoing assessment will be placed in Track I. Those who are assessed to be in the moderate risk category and who have more significant treatment needs will participate in Track II. Those with who are assessed to be in the high risk category and who have the most significant treatment needs will participate in Track III. All those who have participated in

treatment who meet criteria will progress to the maintenance phase. The amount of time required in the maintenance phase will be determined based on their assessed risk level and individual treatment needs. After the maintenance phase if the individual has not been released to parole the client will be discharged. There are no validated risk assessments for use in the female population; therefore, CDOC does not assess females with these types of assessment tools.

Track I Low Risk

The Track I program was developed during FY 2024 to better align RNR principles to a population that does not require as much or as intense treatment as those who are at higher risk of sexual recidivism. The successful completion of Track I is based on meeting the Lifetime Supervision Criteria as developed by the Sex Offender Management Board (SOMB) in conjunction with the CDOC SOTMP, the Judicial Branch, and the Parole Board. This level of treatment includes cognitive behavioral therapeutic goals based on the evidence-based risk, needs, responsivity model (RNR) focusing on the research supported risk areas of sex offenders. This program is offered at Fremont Correctional Facility, Denver Reception and Diagnostic Center and Colorado Territorial Correctional Facility. The goals and curriculum of Track I were developed to address the needs of clients in the low risk category. Track I is a cognitive behavioral therapeutic group for very low to below average risk for sexual recidivism and treatment needs that addresses criminogenic factors associated with sexual offending behaviors. All offenders in this level of treatment will have the opportunity to meet all five of the Sex Offender Management Board (SOMB) Lifetime Supervision Treatment Progress criteria that indicate positive progression in treatment.

Track I Criteria:

- 1) The offender identifies factors that contribute to their sexually abusive behavior;
- 2) The offender applies and incorporates the material learned in treatment into their lifestyle;
- 3) The offender demonstrates a willingness to utilize the treatment program to make changes to prevent further sex offense behavior through participation in the treatment group and behavior in the institution;
- 4) Further evaluation of the offender's treatment needs and dynamic risk level;
- 5) The offender identifies their high-risk factors and methods for intervention in the management of high-risk factors. They will have an opportunity to meet the lifetime supervision treatment progress criteria;
- 6) The offender demonstrates management of identified risk factors.

Track II Moderate Risk

Track II is a cognitive behavioral therapeutic group for average risk for sexual recidivism and treatment needs that addresses criminogenic factors associated with sexual offending behaviors. All offenders in this level of treatment will have the opportunity to meet all six of the SOMB criteria that indicate positive progression in treatment.

The successful completion of Track II is based on meeting the Lifetime Supervision Criteria as developed by the Sex Offender Management Board (SOMB) in conjunction with the CDOC SOTMP, the Judicial Branch, and the Parole Board. This level of treatment includes cognitive behavioral therapeutic goals based on the evidence-based risk, needs, responsivity model (RNR) focusing on the research supported risk areas of sex offenders. This program is offered at Fremont Correctional Facility, Denver Reception and Diagnostic Center and Colorado Territorial Correctional Facility. The goals and curriculum of Track II were developed to address the needs of clients in the moderate risk category. Track II is a cognitive behavioral therapeutic group for clients who are average risk for sexual recidivism and treatment needs that addresses criminogenic factors associated with sexual offending behaviors. All offenders in this level of treatment will have the opportunity to meet all six of the Sex Offender Management Board (SOMB) Lifetime Supervision Treatment Progress criteria that indicate positive progression in treatment.

The goals include, but are not limited to, the following:

- 1) The offender identifies factors that contribute to their sexually abusive behavior;
- 2) The offender applies and incorporates the material learned in treatment into their lifestyle;
- 3) The offender demonstrates a willingness to utilize the treatment program to make changes to prevent further sex offense behavior through participation in the treatment group and behavior in the institution;
- 4) Further evaluation of the offender's treatment needs and dynamic risk level;
- 5) The offender identifies their offense cycle and methods for intervention in the cycle. They will have an opportunity to meet the lifetime supervision treatment progress criteria;
- 6) The offender demonstrates management of identified risk factors.

Track III High Risk

Offenders who have been assessed as above average to well above average risk for sexual recidivism and have more intensive treatment needs will be recommended for participation in Track III when clinically indicated. Track III provides cognitive behavioral treatment that addresses criminogenic factors correlated with sexual recidivism and focuses on changing distorted thinking patterns, behaviors, and assists offenders in developing effective relapse prevention plans (i.e. risk management plans).

The successful completion of Track III is based on meeting the Lifetime Supervision Criteria as developed by the Sex Offender Management Board (SOMB) in conjunction with the CDOC SOTMP, the Judicial Branch, and the Parole Board. This level of treatment includes cognitive behavioral therapeutic goals based on the evidence-based risk, needs, responsivity model (RNR) focusing on the research supported risk areas of sex offenders. This program is offered at Fremont Correctional Facility, Denver Reception and Diagnostic Center and Colorado Territorial Correctional Facility. The goals and curriculum of Track III were developed to address the needs of clients in the high risk category. Track III is a cognitive behavioral therapeutic group for clients who are high risk for sexual recidivism and treatment needs that addresses criminogenic factors associated with sexual offending behaviors. All offenders in this level of treatment will have the opportunity to meet all eight of the Sex Offender Management Board (SOMB) Lifetime Supervision Treatment Progress criteria that indicate positive progression in treatment.

The goals include, but are not limited to:

- 1) The offender receives further evaluation and collaborates with the treatment team to develop treatment plan goals that mitigate individual risk factors;
- 2) The offender applies and incorporates the material learned in treatment into their lifestyle;
- 3) The offender identifies distorted thinking patterns and develops healthy alternatives;
- 4) The offender demonstrates a commitment to behave as a pro-social, responsible member of the community;
- 5) The offender realizes the importance of developing a balanced lifestyle and monitoring their thoughts and behaviors for the rest of their life;
- 6) The offender identifies their specific high-risk factors and methods for intervention in the cycle;

- 7) The offender realizes the importance of sharing their offense cycle and methods of intervention;
- 8) The offender practices and incorporates a model for solving problems;

Maintenance Level

- Maintenance level is offered for all risk tracks and at each facility. After the completion of SOTMP, clients in all risk categories will progress to the Maintenance level. The duration of time in the maintenance phase is dependent on risk, participation, and assessment of progress. The Maintenance level is a less intensive level of treatment. Clients participating in the Maintenance program can return to a more intensive level of treatment, if clinically indicated. Once a client has successfully demonstrated management of identified risk areas, they are discharged from SOTMP and moved into more of a general population setting. The SOTMP provides “check-in” sessions with a SOMB approved therapist every quarter to those who have been discharged. This allows for clients to ask questions, receive updates, and/or problem solve difficult situations.

Specialized Services

SOTMP also offers, to the extent which resources permit, specialized services to the following sex offenders: females; youth; Spanish-speaking; and clients with medical restrictions, hearing impairments, developmental needs, and chronic mental illness. Treatment formats for Lifetime Supervision of Sex Offenders are no longer any different than formats for all offenders.

The 1998 passage of the Colorado Lifetime Supervision Act requires that inmates must serve the term of their minimum sentence in prison and participate and progress in treatment to be considered a candidate for parole. In FY 2016, the SOTMP collaborated with representatives from parole and the Parole Board to replace the previous specialized format for Lifetime Supervision of Sex Offenders. The revised format allows all sex offenders (both determinate and indeterminate) to participate in treatment commensurate with their relative level of risk. The treatment phases have been designed with the following assumptions:

- Although treatment tracks and curriculum are designed to encourage cooperation with and treatment progress, they do not ensure it.
- Clients will continue in treatment and supervision if placed in community corrections or on parole.
- Clients need to be willing to work on problems and demonstrate motivation to change.
- The Parole Board will be informed when clients meet the Lifetime Supervision criteria for successful progress in-prison treatment.

The SOTMP informs the Parole Board when clients meet the Lifetime Supervision treatment progress criteria that correspond to their risk level. The Community Corrections Board is notified when clients meet the criteria for release to community corrections based on the Senate Bill 20-085 that corresponds to the clients risk level.

The CDOC made changes to Administrative Regulation AR 700-19 Sex Offender Treatment and Monitoring Program (SOTMP) in 2015 to have the SOTMP prioritize offenders for treatment based on their parole eligibility date (PED), in addition to sentence type. Treatment participants are assessed to determine their level of risk for committing another sexual offense and participate in the level treatment based on their individual needs. Clients who fall within the lower-risk categories for sexual recidivism are recommended to participate in Track I. Clients who fall within the moderate risk category for sexual reoffense are recommended for participation in Track II. Clients who fall within the high-risk categories for sexual re-offense are recommended for participation in the Track III. Prioritization now occurs in the following manner:

A. 1st Priority

Clients with active judicial determinations of sex offenses (convicted of a sex offense, finding of sexual factual basis) who are within 4 years of their PED. Active sentences include judicial determinations that were active during any period of their current DOC sentence:

1. Clients who have not had an opportunity to participate in treatment will have priority over a client who has had an opportunity and did not take advantage of that by refusing to participate in a group, dropping out of a group, being terminated from a group, or not successfully completing the group. Clients who participated in a track of treatment and demonstrated motivation and effort, but needed additional time to understand the concepts, will not fall in the previous treatment attempt category.
2. Clients will be prioritized for group placement by their PED. Those with earlier PED dates will be placed in groups before others with later PED dates.
3. Once all clients who have not had prior opportunities to participate in SOTMP and are within 4 years of their PED have been placed in group, clients with the fewest prior opportunities will be placed in group by order of their referral date.

B. 2nd Priority

- 1) Once all clients who have not had prior opportunities to participate in SOTMP and are within 4 years of their PED have been placed in group, clients with the fewest prior opportunities will be placed in group by order of their referral list placement date.

To meet the growing treatment needs of Lifetime Supervision Sex Offenders with CDOC's limited treatment resources, the following changes were implemented to increase treatment opportunities for clients:

- Active and ongoing communication with the Parole Board, the Colorado Association of Community Corrections Boards, and the Colorado Community Corrections Coalition regarding community transition for Lifetime Supervision sex offenders.
- Implemented a group for male clients with significant medical impairments at Denver Reception and Diagnostic Center.
- Revised the treatment curriculum to implement an open group format.

- Implemented a Track I for clients who are below average and very low risk.
- Discharged clients after a period of managing their risk factors effectively.

Cost of Sex Offender Treatment

The FY 2024 CDOC budget included \$3,850,163 for assessment, treatment, testing (including polygraphs), program evaluation, and registration coordination for incarcerated sex offenders in state facilities. Approximately \$242,500 was allocated for polygraph testing. For inmates on parole, \$3,422,814.13 was spent for approved sex offender treatment provider services for FY 2024.

Referral to Sex Offender Treatment

A statewide referral process was created for CDOC behavioral health treatment in prison. One of the goals of the referral system was to establish a global referral list for all clients who meet the requirements for sex offender treatment. For Track I and Track II lifetime supervision, sentenced offenders are prioritized for treatment. For Track III, lifetime and determinate sentenced offenders are prioritized for treatment. Clients must be within 4 years of their parole eligibility date (PED) to be placed on the global referral list. Clients who are classified as a low treatment priority are not placed on the global referral list. The following describes offenders who may be identified as a low-resource priority:

- The offender may have an administrative, judicial, or institutional determination of a sex offense, but are a low-resource priority for SOTMP services at the current time.
- Offenders with unadjudicated sex abuse allegations may also be low-resource priority for classification review. These offenders may have their priority reassessed at any time during incarceration, community, or parole.

The statewide global referral list ensures clients are moved to a facility offering SOTMP when they are prioritized to start treatment. During FY 2024, 205 Lifetime Supervision Sex Offenders had been referred for treatment, and 432 were still on the global referral list as of June 30, 2024.

Eligibility Criteria for Treatment

Clients must meet basic eligibility criteria to be placed in treatment. The requirements for admission into sex offender treatment are:

- Must have 4 years or less to parole eligibility date (PED) to be placed on the global referral list.
- Must be willing to discuss problems related to sexually abusive behavior and work on them in treatment.
- Must demonstrate a willingness to participate in group treatment at the level recommended by the program.

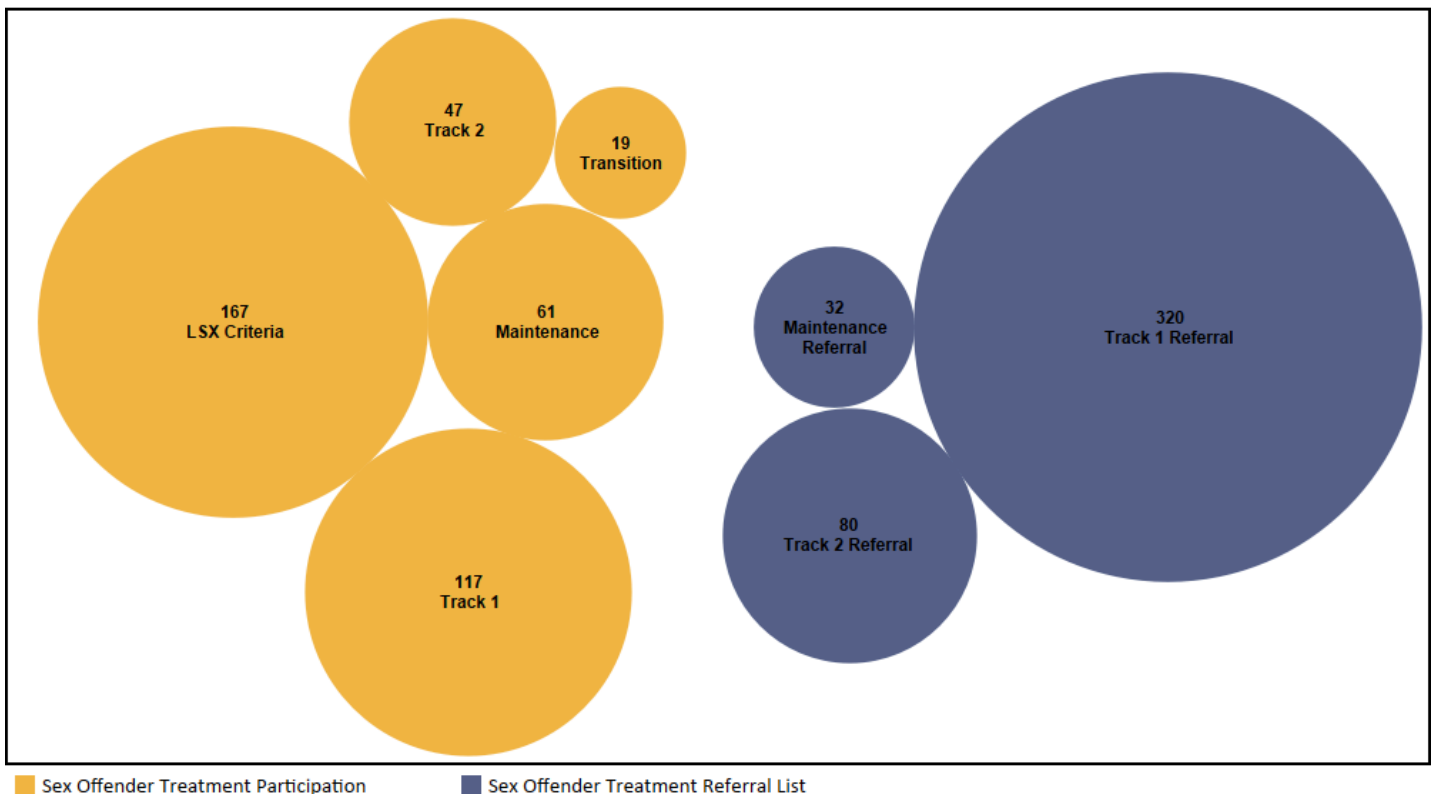
- Must sign and comply with the conditions of all SOTMP treatment contracts.

Clients are interviewed and screened before participation in treatment using these criteria. Even if the client does not initially meet participation requirements, the requirements and the specific reasons for the requirements are explained, and the client is encouraged to reapply when they meet the criteria in the future. Typically, clients can meet the criteria and become amenable to treatment over time.

Clients are reinterviewed and screened upon request for reconsideration and may change from not meeting criteria to meeting criteria at any time. Inmates may initially refuse to participate in treatment, may not progress in treatment, may cease complying with treatment requirements, or may drop out of treatment. These clients are encouraged to reapply for treatment as soon as they are willing to comply with the requirements.

As of June 30, 2024, of the 1,696 Lifetime Supervision Sex Offenders incarcerated in a state or private facility, 1,168 did not meet the eligibility criteria to be placed on the global referral list (see description above). **Figure 6** depicts the treatment and referral status of Lifetime Supervision Sex Offenders on June 30, 2024: 176 Lifetime Supervision Sex Offenders were in treatment and participating in various stages of treatment. An inmate can participate in multiple stages of treatment at the same time, so those 176 inmates accounted for 411 participations. In addition, there were 132 inmates on the global referral list waiting for treatment.

Figure 6. Treatment Status of Lifetime Supervision Sex Offenders as of June 30, 2024



Participation in Treatment

On June 30, 2024, 176 Lifetime Supervision Sex Offenders were participating in treatment. **Table 1** details the number of Lifetime Supervision Sex Offenders who participated in sex offender treatment during each month of FY 2024. The length of participation for Lifetime Supervision Sex Offenders in treatment was calculated using program participation admission and termination dates, or June 30, 2024 if the client was currently in a sex offender treatment program. For Lifetime Supervision Sex Offenders who participated in treatment at any point during FY 2024, the average length of stay in treatment was 329.5 Track II groups, 377.6 days in Track III groups, 320.2 days in Criteria groups, 242.0 days in Maintenance groups, and 172.1 days in the ARMS groups.

Table 1. Treatment Participation of Lifetime Supervision Offenders During Each Month of FY 2024

	July 2023	August 2023	September 2023	October 2023	November 2023	December 2023	January 2024	February 2024	March 2024	April 2024	May 2024	June 2024
Track I	81	90	80	84	81	79	95	94	93	90	89	81
Track II	31	30	30	28	27	22	22	19	17	18	17	19
Maintenance	61	64	57	58	60	59	59	61	58	57	55	53
Criteria	111	115	108	111	104	100	113	109	102	103	103	101
Transition	7	7	8	8	7	9	9	10	8	15	15	16
Total	291	306	283	289	279	269	298	293	278	283	279	270

Note: Table 1 data includes offenders who participated for any amount of time during the month. Some offenders may have participated in more than one level of the program within a month. All participation was counted each time it occurred.

Terminations from Track I, Track II, Track III and Maintenance

Standardized program termination types are used for all program and work assignments throughout the department and describe positive and negative termination reasons. Terminations may also be administrative in nature, including situations such as medical emergencies or movement from the facility for security reasons. Terminations from Track I, Track II and Track II have been grouped into the following categories for this report:

- **Administrative Termination:** The client is terminated due to medical and/or psychological reasons, or other administrative reasons.
- **Dropped Out/Self Terminated:** The client decides to discontinue treatment or stops attending groups and informs the treatment staff they are no longer interested in participating in treatment.
- **Expelled from Program:** The client is terminated from treatment for a contract violation. In the majority of cases, the client is terminated after being placed on probation and given opportunities to improve their participation. If the client is terminated, completion of assignments is required before readmission to treatment is allowed. This category includes client behaviors which threaten the safety and security of other treatment participants. Termination from treatment without a period of probation may result based on the seriousness of the behaviors.
- **Satisfactory Completion:** The client completes a time-limited group, meeting the client's treatment goals.
- **Transfer / Paroled / Discharge:** The client transfers to another facility, is released to parole, or the sentence is discharged.
- **Unsatisfactory Completion:** If the client needs more time to understand the material or achieve the client's treatment goals, the client unsatisfactorily completes and may be recommended to repeat the group.

In April 2007, the CDOC instituted a due process system for sex offender treatment terminations due to treatment noncompliance or lack of progress. Under this system, the therapist recommends clients for termination based on their behavior. The facility's sex offender treatment team reviews the therapist's recommendation. The SOTMP administrator reviews the request for suspension, and if the administrator supports the request, the client is suspended. If the team supports the termination recommendation, the client is suspended and served with a notice of right to termination review. The client can request a termination review where a three-member panel evaluates all information presented by the client and their therapist. A disposition is issued regarding the termination. **Table 2** provides details on SOTMP terminations in FY 2024. In FY 2024, 54.4% of Track II participants who terminated had a satisfactory completion, 26.2% of Track III participants who terminated had a satisfactory completion, 46.5% of LSX Criteria participants had a satisfactory completion, and 88.3% of ARMS participants had a satisfactory completion.

Table 2. Lifetime Supervision SOTMP Terminations by Program, FY 2024

		Count of Inmates	Percent of Inmates
Track 1	Satisfactory Completion	37	54.4%
	Released	10	14.7%
	Terminated	6	8.8%
	Transferred to another Facility	8	11.8%
	Transferred within Program	7	10.3%
	Total	68	100.0%
Track 2	Satisfactory Completion	11	26.2%
	Terminated	2	4.8%
	Transferred to another Facility	28	66.7%
	Transferred within Program	1	2.4%
	Total	42	100.0%
Maintenance	Satisfactory Completion	5	5.0%
	Released	57	56.4%
	Transferred to another Facility	36	35.6%
	Transferred within Program	3	3.0%
	Total	101	100.0%
LSX Criteria	Satisfactory Completion	53	46.5%
	Released	10	8.8%
	Terminated	7	6.1%
	Transferred to another Facility	34	29.8%
	Transferred within Program	10	8.8%
	Total	114	100.0%
Transition	Satisfactory Completion	5	83.3%
	Released	1	16.7%
	Total	6	100.0%
Grand Total		331	100.0%

*Note: Due to rounding not all percentages will add to exactly 100%

Met Criteria for Community Corrections

Per Senate Bill 20-085 progression in treatment is required to be referred to community corrections for a client sentenced under the Lifetime Supervision Act. Criteria are outlined based on the risk level of the client.

Sex offender treatment in the prison setting is preliminary to continued treatment and supervision in the community post release from prison. Since treatment is a vital component in reducing recidivism for those who have committed sex offenses and per the **Senate Bill 20-085 (A) *The offender has successfully progressed in treatment required by section 16-11.7-105, as determined by the department of corrections after consideration of the criteria developed pursuant to section 18-1.3-1009 (1) (b), and would not pose an undue threat to the community if transferred to a community corrections program under appropriate treatment and monitoring requirements.*** In accordance to Risk, Need, Responsivity, these criteria were carefully developed for offenders to receive a recommendation for a Community Corrections referral.

Lifetime Supervision Sex Offenders actively participating in treatment are discussed individually in a clinical staffing meeting to determine if they meet the Lifetime Supervision treatment progress criteria for successful progress in-prison treatment or the SB -20-085 criteria for progression in treatment. Sex offender program therapists work closely with community corrections providers who accept sex off-enders into transitional programs and the respective community parole officers.

During FY 2024, 101 sex offenders were released to the community, of which all were in the LSX category, met the statutory and departmental criteria for successful progress in prison treatment (see description above for risk categories and requirements) or the SB 20-085 criteria. There were 97 Lifetime Supervision Sex Offenders recommended to the Parole Board by the department's SOTMP during FY 2024 who were released to parole and four that were released to community corrections.

PROBATION POPULATION IMPACT

The Sex Offender Intensive Supervision Program (SOISP) is designed to provide the highest level of supervision to adult sex offenders who are placed on probation, pursuant to §18-1.3-1007(2). Although initially created in statute in 1998 to address the risk posed by lifetime supervision cases, the legislature made a significant change to the statute in 2001. Pursuant to HB01-1229, all felony sex offenders convicted on or after July 1, 2001, are statutorily mandated to be supervised by the SOISP program. There were originally 46 FTE appropriated for the SOISP program. Caseload sizes were capped at 25 probationers, for a program capacity of 1,150.

The goal of SOISP is to minimize risk to the public to the greatest extent possible, by holding probationers accountable for pro-criminal and sexually assaultive behavior. The program promotes decreasing risk factors and increasing protective factors along with encouraging pro-social skill building and assisting probationers to repair the harm caused by their actions, when possible. SOISP includes a combination of high-level surveillance and monitoring; research-based and best practice supervision strategies; physiological monitoring; and collaboration with Community Supervision Teams. Some sex offenders cannot or will not respond to treatment, and there is no implication that all sex offenders can be successful in treatment. Depending on the strengths and risk level of the probationer, elements of community supervision may include restricted activities, daily contact with the probationer, curfew checks, home visitation, employment visitation and monitoring, drug and alcohol screening, and/or sex offense specific treatment. SOISP consists of three phases, each with specific criteria that must be met prior to a reduction in the level of supervision. Phase progression occurs when a probationer's risk to the community declines and protective factors increase. The goal of supervision for any probationer is a reduction in risk factors. The use of phases provides a structured process designed to provide clear expectations for the supervising officer to assess the probationer's progress. The phase requirements are intended to be applied with an individualized approach, since not all conditions will apply to every probationer, but should serve as benchmarks for supervising the probationer. Those probationers that satisfactorily meet the requirements of the program may be successfully terminated from probation or transferred to non-SOISP, sex offender regular probation supervision for the remainder of their sentence.

Between July 1, 2023 and June 30, 2024, 318 adults were charged in district court with one of the 13 mandatory lifetime eligible sex offenses identified in statute and were sentenced to probation. Of these, 59 offenders (19%) received an indeterminate sentence to probation of at least 10 or 20 years to a maximum of the offender's natural life and sentenced to SOISP. As a condition of probation, 4 were sentenced to work release and 16 were sentenced to jail. Additionally, 4 individuals were ordered to serve a Department of Corrections sentence prior to being supervised by probation.

Using the Judicial Department's case management information system, staff at the Division of Probation Services selected all sex offender cases eligible for mandatory indeterminate sentences, as well as all applicable sex offender cases which terminated probation supervision, during Fiscal Year (FY) 2024. The following statutory charges were reviewed and included in this analysis:

I. Offenders who **must** be sentenced to an indeterminate term:

§18-3-402, C.R.S.	Sexual Assault; or Sexual Assault in the First Degree, as it existed prior to July 1, 2000
§18-3-403, C.R.S.	Sexual Assault in the Second Degree, as it existed prior to July 1, 2000
§18-3-404(2), C.R.S.	Felony Unlawful Sexual Contact; or Felony Sexual Assault in the Third Degree, as it existed prior to July 1, 2000
§18-3-405, C.R.S.	Sexual Assault on a Child
§18-3-405.3, C.R.S.	Sexual Assault on a Child by One in a Position of Trust
§18-3-405.5(1), C.R.S.	Aggravated Sexual Assault on a Client by a Psychotherapist
§18-3-305, C.R.S.	Enticement of a Child
§18-6-301, C.R.S.	Incest
§18-6-302, C.R.S.	Aggravated Incest
§18-7-406, C.R.S.	Patronizing a Prostituted Child
§18-3-306(3), C.R.S.	Class 4 Felony Internet Luring of a Child
§18-3-405.4, C.R.S.	Internet Sexual Exploitation of a Child
§18-3-405.7, C.R.S.	Class 3 Felony Unlawful Sexual Contact by a Peace Officer

In 2002, coding was installed in Judicial's case management system that distinguishes between lifetime and non-lifetime cases. The coding to differentiate lifetime from non-lifetime is based on sentencing codes entered by the court. This report also includes an additional 165 cases terminated from non-lifetime probation supervision for lifetime eligible offenses during FY2024.

The following table reflects a comparison of sentences to probation for lifetime eligible offenses for FY2020 through 2024:

Table 3: Placement of New Cases Eligible for Indeterminate Lifetime Term Sentences to Probation

Type of Supervision	Number of Cases (Percent) FY2020	Number of Cases (Percent) FY2021	Number of Cases (Percent) FY2022	Number of Cases (Percent) FY2023	Number of Cases (Percent) FY2024
Lifetime Probation with SOISP	65 (11%)	43 (9%)	81 (13%)	49 (15%)	59 (19%)
SOISP (non-lifetime probation for felony sex offenses with SOISP)	281 (48%)	238 (48%)	280 (44%)	120 (38%)	131 (41%)
*Regular Probation (Cases Ineligible for Lifetime or SOISP and/or sex offense reduced to misdemeanors)	235 (41%)	217 (44%)	270 (43%)	148 (47%)	128 (40%)
TOTAL CASES	581	498	631	317	318

*Offenders whose offense date is prior to November 1, 1998 are ineligible for indeterminate sentences and not eligible for SOISP as created in 16-13-807 C.R.S.

Of the 59 cases sentenced to SOISP for lifetime, 1 (2%) case had a proven claim of domestic violence associated with the sentence. The non-lifetime SOISP group included 8 (6%) of the 131 cases where a domestic violence factual basis was proven. The previous fiscal year (2023), 9 cases overall had a similar claim for both lifetime and non-lifetime.

As of June 30, 2024, there were 1,769 probationers under active Sex Offender Intensive Supervision (SOISP). Of these, approximately 866 (49%) probationers are under lifetime supervision.

PROBATION DISCHARGE HEARINGS AND DISCHARGES

For FY2024, 29 offenders under a lifetime supervision sentence completed SOISP and were transferred to regular probation and are currently active under supervision.

PROBATION REVOCATION HEARINGS AND REVOCATIONS

- During FY2024, 38 sex offenders had their lifetime supervision sentences terminated. The following represents the termination status for these probationers:
- 1 - Probation revoked; new felony
- 1 - Probation revoked; new misdemeanor
- 13 - Probation revoked; technical violations
- 3 - Deported
- 3 - Died
- 0 - Closed with a neutral outcome
- 0 – No other closure type applies
- 1 - Absconded; warrants issued and remain outstanding
- 16 - Terminated successfully

The individual revoked for the commission of a new felony was the result of Sexual Assault on a Child by One in a Position of Trust (F4). The individual revoked for a new misdemeanor was the result of a Violation of a Protection Order (M1).

COST OF SERVICES

In July 1998, the SOISP program was created with a General Fund appropriation for 46 FTE probation officers and funding to provide treatment services. In FY2001, all expenses associated with SOISP were transferred from General Fund to the Offender Services Cash Fund. Section 18-21-103, C.R.S. requires that sex offenders pay a surcharge, with collected revenue deposited in the Sex Offender Surcharge Fund. A portion of the funds are appropriated to Judicial and partially meet expenses associated with completion of the offense specific evaluations required by statute.

Table 4: Treatment and Evaluation Costs by Fund

YEAR	PURPOSE	CF - SEX OFFENDER SURCHARGE	CF - OFFENDER SERVICES FUND	TOTAL
FY2014	SO Treatment	\$0	\$1,042,242	\$2,345,847
	Evaluation	\$302,029	\$1,001,576	
FY2015	SO Treatment	\$0	\$1,098,952	\$2,370,804
	Evaluation	\$302,029	\$969,823	
FY2016	SO Treatment	\$0	\$1,016,892	\$2,313,612
	Evaluation	\$302,029	\$994,691	
FY2017	SO Treatment	\$0	\$906,930	\$2,182,360
	Evaluation	\$302,029	\$973,401	
FY2018	SO Treatment	\$0	\$944,130	\$2,369,183
	Evaluation	\$302,029	\$1,123,024	
FY2019	SO Treatment	\$0	\$961,814	\$2,430,301
	Evaluation	\$81,413	\$1,387,073	
FY2020	SO Treatment	\$0	\$1,093,191	\$2,401,772
	Evaluation	\$123,140	\$1,185,441	
FY2021	SO Treatment	\$0	\$1,103,149	\$2,313,666
	Evaluation	\$302,029	\$908,487	
FY2022	SO Treatment	\$0	\$1,405,659	\$2,922,498
	Evaluation	\$301,629	\$1,215,210	
FY2023	SO Treatment	\$0	\$1,753,195	\$3,412,241
	Evaluation	\$302,029	\$1,357,017	
FY2024	SO Treatment	\$0	\$2,015,382	\$3,550,291
	Evaluation	\$302,029	\$1,232,900	

The cost expended for adult polygraphs for FY2024 was \$626,912.50, which is approximately a \$80,139.40 increase from FY2024 spending. Probation funds have been required to pay for evaluations and assessments to avoid any delays in case processing for the courts and to ensure that probationers who are unable to pay all of the costs associated with court ordered evaluation and treatment are not returned to court for revocation based on non-payment. Revocations can result in sentences to DOC, a significantly higher cost option for the state. The expenditure of \$3.5 million for adult sex offender related evaluation and treatment costs represents approximately 14% of the total offender and treatment service dollars (approximately \$25.5 million) spent in FY2024 for treatment and service support for all probationers. The adult sex offender population represents approximately 4.9% of the adult probation population. The Judicial Department continues to seek options for the containment of these costs.

SUMMARY OF EVALUATION INSTRUMENTS

The Sex Offender Management Board (SOMB) has been involved in the development of two distinct evaluation processes for individuals with sex offense convictions. The first is the sex offense-specific evaluation process outlined in the [Standards and Guidelines for the Assessment, Evaluation, Treatment, and Behavioral Monitoring of Adult Sex Offenders](#), referred to in this document as the *Adult Standards and Guidelines*. The second is the [Sexual Predator Risk Assessment Screening Instrument](#), developed in collaboration with the Office of Research and Statistics in the Division of Criminal Justice, Department of Public Safety. Each type of evaluation is described below.

Sex Offense-Specific Evaluation

The sex offense-specific evaluation is completed as part of the Probation Pre-Sentence Investigation Report (PSIR). The PSIR is prepared after conviction and before sentencing. The purpose of the PSIR is to provide the court with information to help identify an individual's risks and needs to assist with making sentencing decisions. Most offenders sentenced under the Lifetime Supervision Act receive a sex offense-specific evaluation as part of their PSIR. However, a PSIR is not required for offenders with mandatory prison sentences, and in these cases, the PSIR may be waived.

According to Section 2.000 of the *Adult Standards and Guidelines*, the purpose of a sex offense-specific evaluation is to assess the need for treatment, determine what type of treatment is needed, and identify the risk level and any additional needs the individual may have. The evaluation shall:

- Describe and conceptualize the development, nature, and extent of the sexually abusive behavior;
 - Determine the criminogenic and other needs that should be addressed in offense-specific treatment and additional interventions;
 - Accurately assess risk factors associated with the short and long-term risk for sexual recidivism;
 - Identify specific responsivity factors and strengths that are likely to influence treatment and outcomes;
 - Identify protective factors and how they influence risk; and
 - Obtain baseline assessment information to allow progress and changes to be monitored over time.
- In addition, the evaluation should address risk factors associated with non-sexual recidivism and any potential connection with sexual behavior, where applicable.

Evaluations recommending sex offense-specific treatment should suggest research-informed treatment, management, and monitoring interventions that are appropriate for the individual's risk level, needs, and responsivity and that minimize the individual's likelihood to re-offend sexually. Consequently, evaluators will prioritize the physical and psychological safety of victims and potential victims in making appropriate recommendations for an individual's assessed risk and needs.

Additional information on sex offense-specific evaluations can be found in Section 2.000 of the *Adult Standards and Guidelines* and Appendix V, which outlines the Lifetime Supervision Criteria for determining an individual's progress and successful completion under Lifetime Supervision.

Sexual Predator Risk Assessment Screening Instrument

In response to federal legislation, the Colorado General Assembly passed legislation regarding the identification and registration of Sexually Violent Predators (Section 16-11.7-103 (4) (c.5), C.R.S.). A person who is found to be a Sexually Violent Predator by the courts or Parole Board is required to register quarterly with law enforcement rather than annually (Section 16-22-108 (1) (d), C.R.S.), be posted on the internet by the Colorado Bureau of Investigation (Section 16-22-111 (1) (a), C.R.S.) and, as of May 30, 2006, may be subject to community notification (Section 16-13-903, C.R.S.). Effective May 30, 2006, all offenders convicted of attempt, conspiracy, or solicitation to commit one of the five specific crime types are referred for a Sexual Predator Risk Assessment (Section 18-3-414.5, C.R.S.).

Instrument

Currently, when an offender commits one of the five specific crime types or associated inchoate offenses, the Sexually Violent Predator Risk Assessment Screening Instrument (SVPASI) is administered by either Probation Services or the Department of Corrections and an SOMB Approved Evaluator. If the offender meets the criteria outlined in the instrument, the offender is deemed to *qualify* as a Sexually Violent Predator (SVP). The authority to *designate* an offender as an SVP rests with the sentencing judge and the Parole Board.

Pursuant to Section 16-11.7-103 (4) (c.5), C.R.S., the SOMB, in collaboration with the Office of Research and Statistics in the Division of Criminal Justice (DCJ), developed *criteria* and an empirical risk assessment *scale* for use in the identification of SVPs. The criteria were developed between July 1, 1998, and December 1, 1998, by representatives from the SOMB, the Parole Board, the Division of Adult Parole, the private treatment community, and victim services agencies. The actuarial scale was developed by the Office of Research and Statistics DCJ in consultation with the SOMB over a three-year period. The Office of Research and Statistics DCJ has made subsequent revisions and updates to the [SVPASI instrument](#) and [SVPASI handbook](#).

Most recently, in FY 2017, the SOMB, a working committee, and the Office of Research and Statistics DCJ developed a new actuarial Sex Offender Risk Scale (SORS) to be incorporated into the SVPASI. Data available from the Judicial Branch ICON/Eclipse management information system was incorporated into the SORS, anticipating that a risk instrument with the appropriate computer programming could be self-populated electronically and no longer require staff resources to compute the risk score. An evaluation study completed in 2018 found the SORS accurately predicted new sexual and violent offense criminal filings over an eight-year period.

AVAILABILITY AND LOCATION OF SEX OFFENDER SERVICE PROVIDERS

As of June 30, 2024, there were 234 SOMB-approved adult treatment providers and 24 adult polygraph examiners in Colorado (see Table 5 & Figure 7), located in all 22 judicial districts in the state (**see Figures 8-10 & Table 6**).¹

¹ The data are a snapshot of the number of SOMB approved adult providers registered on June 30, 2024. The data do not include SOMB approved juvenile-only providers. Approved providers have either full operating or associate level status within each service category. Approved providers may

Table 5 summarizes the number of providers approved by operating level status and service, with additional specialty listings also shown. Of note:

- The number of approved full-operating adult treatment providers was 148, while the number of associate-level adult treatment providers was 86. This reflects a decrease of 3 providers (1.3%) from FY2023. The number of adult treatment providers holding specialty developmental disability/intellectual disability (DD/ID) listing decreased by 2 providers (3.6%) from FY2023.
- The number of approved full-operating adult evaluators was 71, while the number of associate-level adult evaluators was 43. This reflects an increase of 8 evaluators (7.5%) from FY2023. The number of adult evaluators holding specialty developmental disability/intellectual disability (DD/ID) listing increased by 1 (5.3%) from FY2023.
- The number of approved adult full-operating and associate-level polygraph examiners was 24, consistent with FY2023 and FY2022. The number holding specialty developmental disability/intellectual disability (DD/ID) listing was the same as in FY2023.
- Over half of all approved providers offered services in multiple counties, with the average being 4 different counties.

Table 5. SOMB Approved Adult Provider Totals, June 30, 2024

<i>Provider Status</i>	<i>Treatment Provider</i>	<i>Treatment Provider DD/ID</i>	<i>Clinical Supervisor Treatment</i>	<i>Evaluator</i>	<i>Evaluator DD/ID</i>	<i>Clinical Supervisor Evaluator</i>	<i>Polygraph Examiner</i>	<i>Polygraph Examiner DD/ID</i>
<i>Full Operating</i>	148	31	83	71	11	42	21	10
<i>Associate</i>	86	22	-	43	9	-	3	2
<i>Total</i>	234	53	83	114	20	42	24	12

In FY2024, the SOMB approved 66 new applications for providers of a new listed service and conducted 86 renewal applications for continued approved practice at an existing listing status.² Another 95 applications were approved for either an upgraded listing status (i.e., Associate Level to Full Operating, or Full Operating to Clinical Supervisor) or an additional listing status (e.g., the addition of a Developmentally Disabled/Intellectually Disabled specialty listing). In total, 269 applications were received by the SOMB in FY2024, pertaining to 178 individual providers.³

also hold listing status as a clinical supervisor or as suitable to work with clients with DD/ID. Most approved adult evaluators also operate as approved adult treatment providers so there is a substantial overlap of providers between the treatment and evaluator categories.

² The application data includes applications for adult and juvenile treatment, evaluator, and polygraph provider listings, while the provider data above is specific to adult-approved providers only.

³ As providers can have multiple service listings (e.g., evaluation, treatment, and clinical supervision), the same individual can submit multiple unique applications for each listing status held or sought by the provider.

Figure 7. Number of SOMB Approved Adult Service Providers by Fiscal Year. For data table see Appendix A.

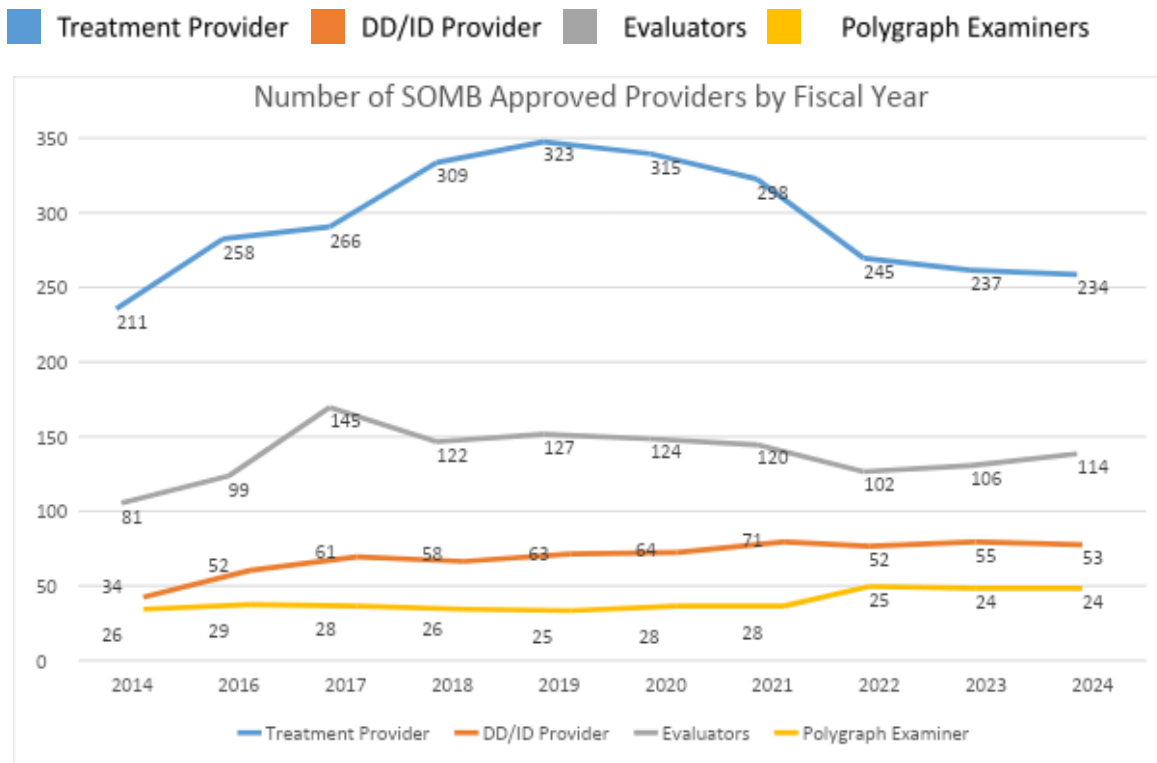


Figure 8. Number and Location of SOMB Adult Treatment Providers by County, June 30, 2024. For data table see Appendix A.

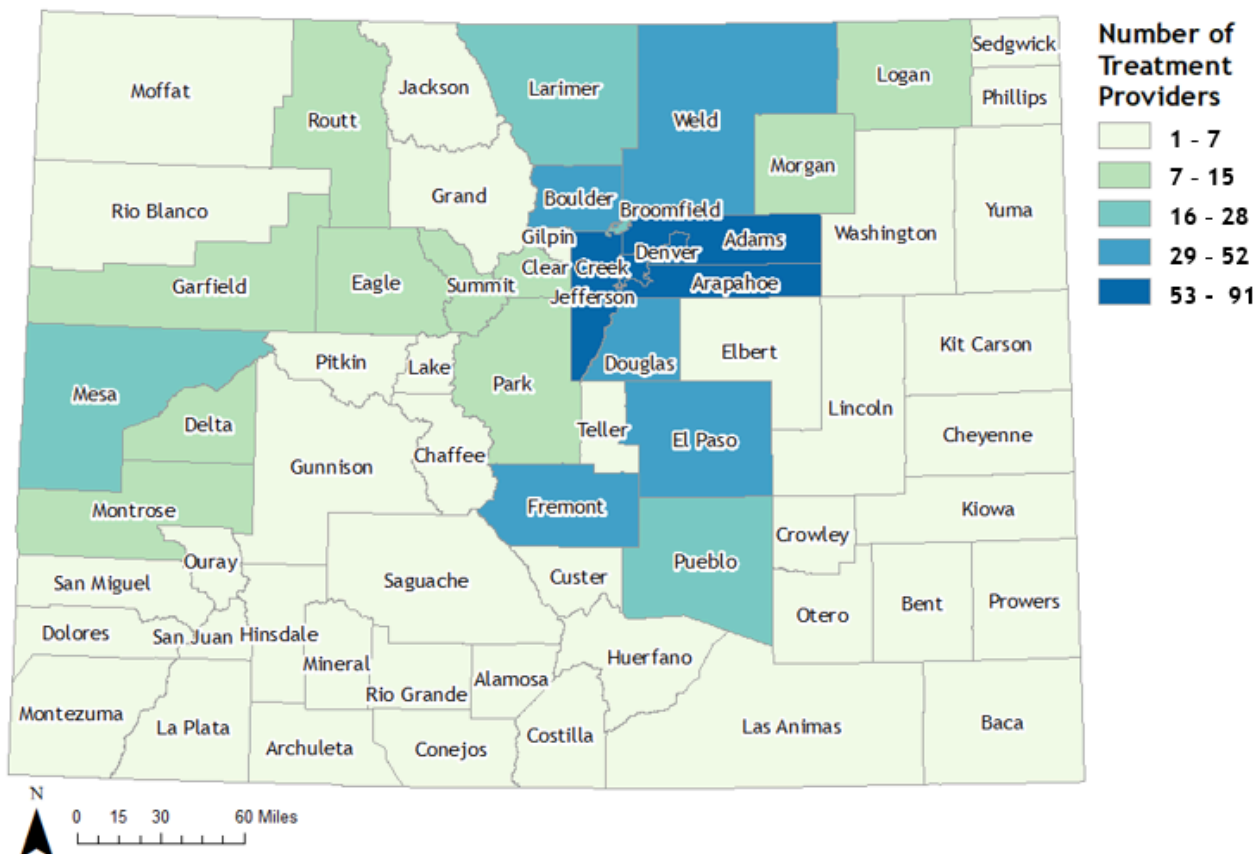


Figure 9. Number and Location of SOMB Adult Evaluators by County, June 30, 2024. For data table see Appendix A.

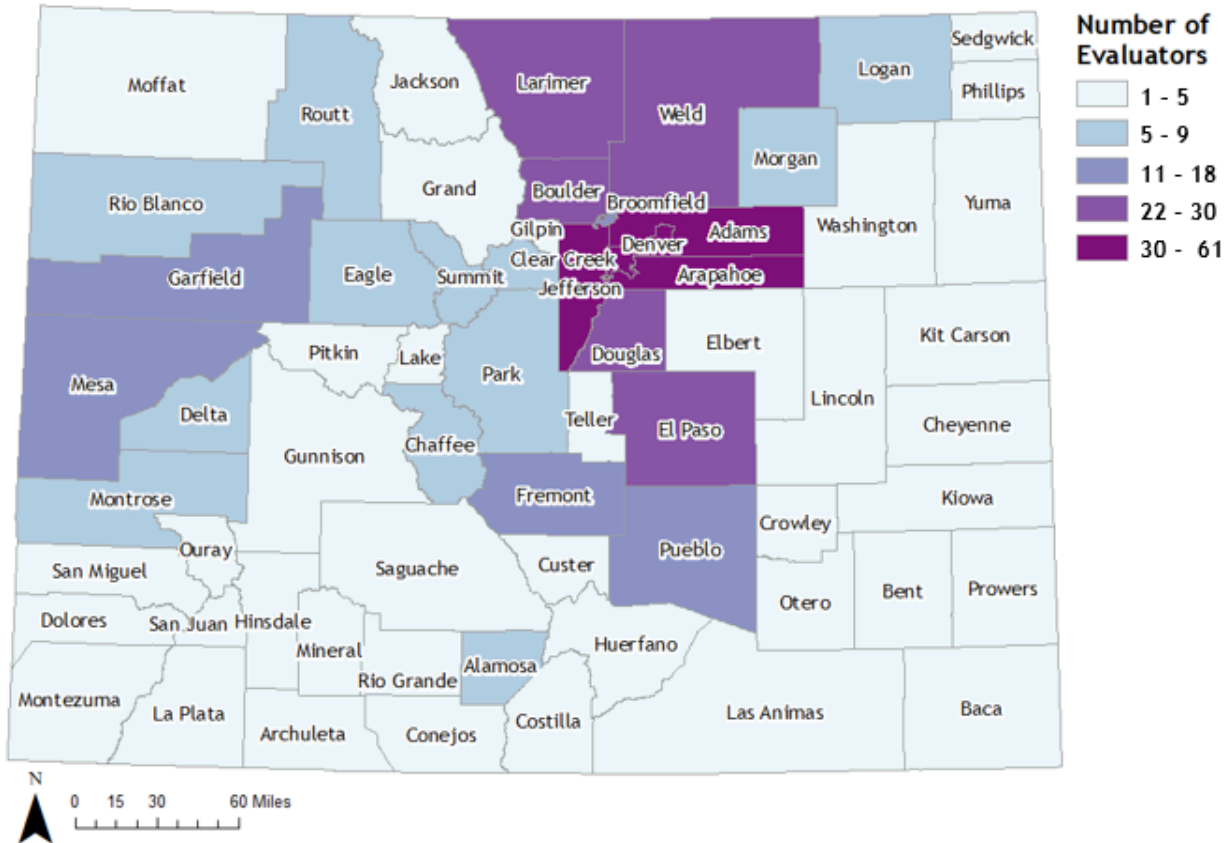
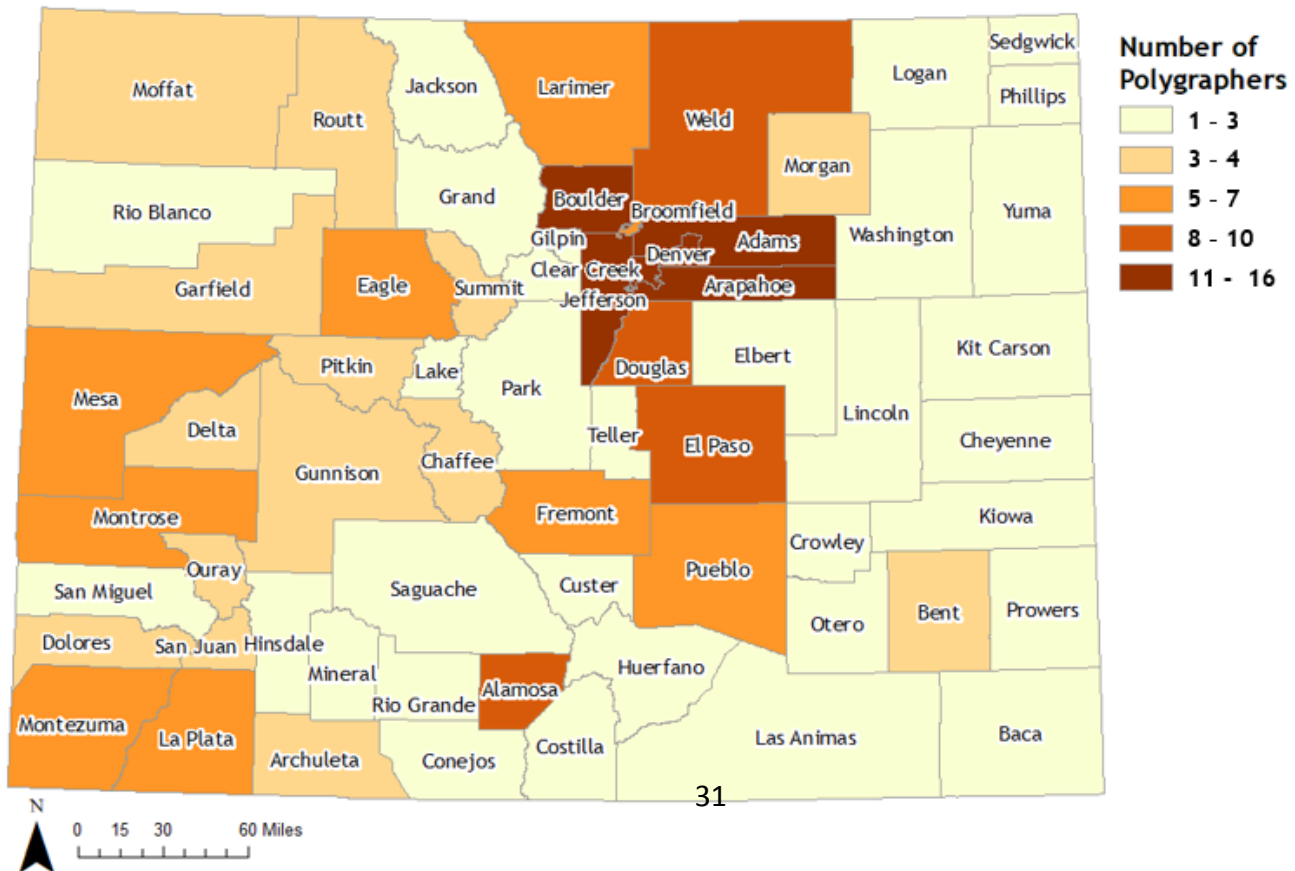


Figure 10. Number and Location of SOMB Adult Polygraph Examiners by County, June 30, 2024. For data table see Appendix A.



COST OF SERVICES

The average costs of services in **Table 7** (next page) were determined by surveying SOMB listed providers in August 2024. Many providers offer services on a sliding scale, dependent on the individual client’s income, in keeping with the SOMB emphasis on ensuring the accessibility of treatment services. In community-based programs, most individuals with a sex offense conviction are responsible to pay for the costs of treatment and behavioral monitoring. The Standards require, at a minimum, weekly group treatment and polygraph examinations every six months; however, there is a provision for modifying these frequencies based on client risk and needs such that higher risk clients can have more frequent monitoring and the lowest risk clients can have less frequent monitoring. Most programs require some additional services during the course of treatment.

Figure 11 illustrates the average costs of approved provider services by fiscal year. Average costs for group treatment, individual treatment, and polygraph examinations have remained relatively stable. The costs for a sex offense-specific evaluation have also remained relatively stable over the last ten fiscal years. However, the range between the lowest and highest costs reported varies widely, possibly reflecting rural-urban differences and affecting the lower overall mean cost.

Figure 11. Average Costs of Approved Adult Provider Services by Fiscal Year. For data table see Appendix C.

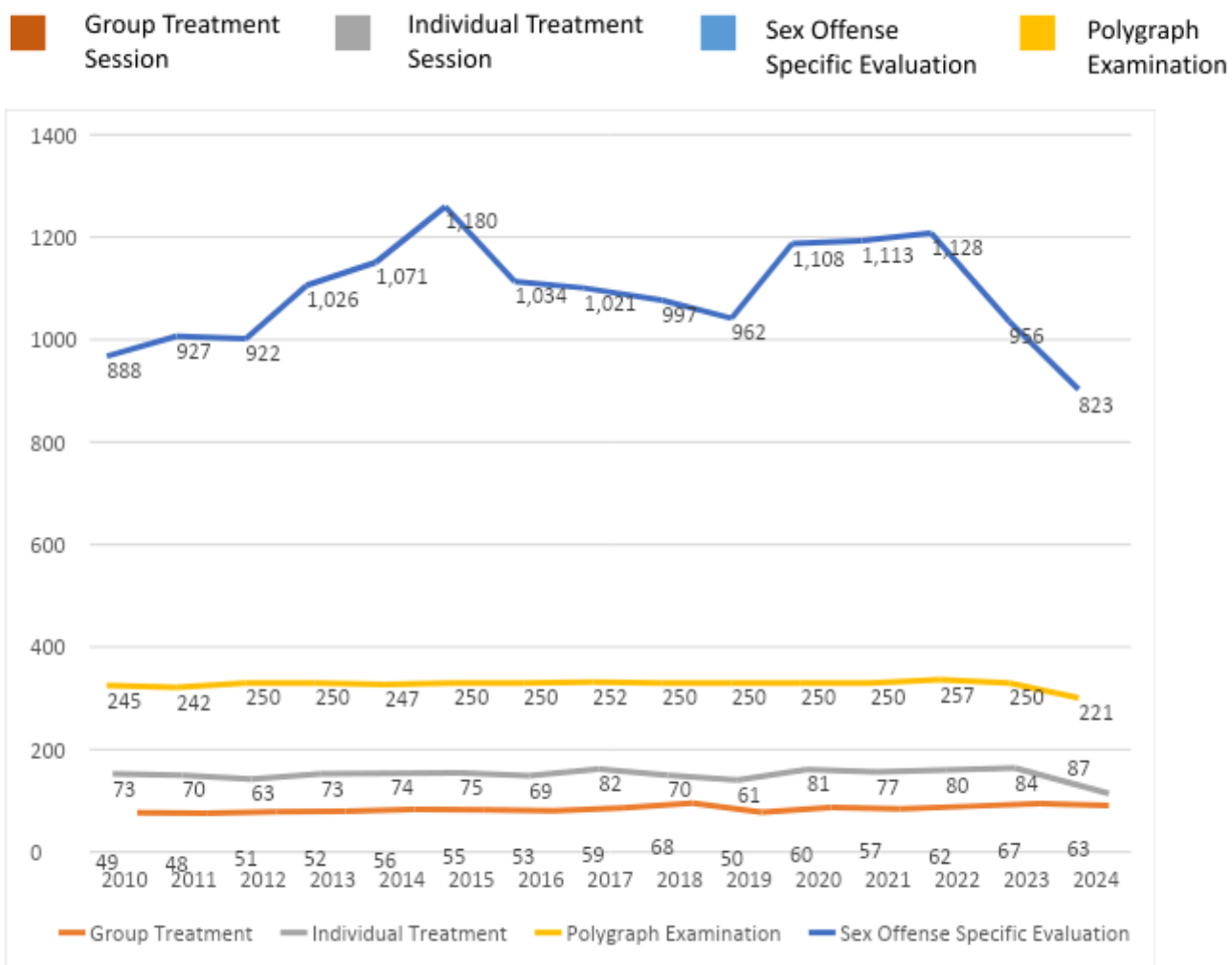


Table 6. Average Cost of Adult Services by Judicial District FY 2024

Judicial District	Mental Health Sex Offense Specific Group Treatment Session	Mental Health Sex Offense Specific Individual or Other Adjunct (i.e., family or couples counseling) Treatment Session	Sex Offense Specific Evaluation, including PPG and/or VRT	Polygraph Examination
1st	\$65.30	\$94.86	\$710.29	\$260.00
2nd	\$66.18	\$99.27	\$710.29	\$256.67
3rd	NA	NA	NA	\$250.00*
4th	\$57.00	\$75.48	\$933.57	\$255.00
5th	\$62.38	\$95.15	\$881.82	\$191.67
6th	\$62.50	\$100.00	\$1,225.00	\$55.00*
7th	\$56.80	\$92.80	\$950.00	\$185.00
8th	\$75.00	\$105.80	\$1,725.00	\$253.33
9th	\$53.00	\$95.11	\$950.00	\$55.00*
10th	\$55.00	\$68.33	\$800.00*	\$255.00
11th	\$72.00*	\$72.00*	NA	\$256.67
12th	\$75.00*	\$108.75*	\$1,250.00*	\$152.50
13th	\$100.00*	\$86.25*	NA	\$250.00*
14th	\$58.00	\$99.00	\$990.00	\$152.50
15th	\$100.00*	\$86.25*	NA	\$250.00*
16th	\$50.00*	\$91.25*	\$1,200.00*	\$250.00*
17th	\$66.18	\$99.27	\$710.29	\$256.67
18th	\$63.58	\$92.51	\$710.29	\$256.67
19th	\$63.25	\$89.82	\$900.00	\$255.00
20th	\$59.50	\$88.80	\$660.71	\$256.67
21st	\$49.40	\$90.08	\$950.00	\$152.50
22nd	\$62.50	\$100.00	\$1,225.00	\$55.00*
Overall Average	\$62.69	\$87.45	\$823.12	\$220.85
Range	\$25.00-\$100.00	\$45.00-\$300.00	\$0.00-\$2500.00	\$34.00-\$260.00

*Denotes only one responding provider/agency from that Judicial District. NA denotes “Not Available” due to no responding provider/agency from that Judicial District. Figures were obtained in August 2024.

Sex Offender Surcharge Fund

The SOMB recommended that \$453,044 from the Sex Offender Surcharge Fund be allocated to the Judicial Department in FY2025. These funds are used for sex offense-specific evaluations and assessments for pre-sentence investigation reports for indigent individuals with a sex offense conviction and assistance with polygraph examination costs post-conviction. These funds are made available to all indigent individuals with a sex offense conviction through local probation departments. The SOMB recommended that \$846,681 from the Sex Offender Surcharge Fund be allocated to the Judicial Department for FY2026 for the same purposes.

PROVIDER SURVEY

The SOMB administers an annual survey to agencies with approved service providers to measure the average costs of services across judicial districts and canvass any impact of service of those on lifetime supervision sentences. Thirty-eight agencies responded to the survey representing 110 approved providers, approximately 43% of all approved adult providers.⁴ The following statistics are based only on the responses from providers who deliver services to adults who commit sexual offenses.

Nineteen percent of the agencies who responded had 20 or more offenders serving an indeterminate sentence at their treatment program or private practice. Sixteen percent of the agencies reported having no offenders serving an indeterminate sentence in their treatment program. Of participating agencies who served offenders on indeterminate sentences, 80% reported the average length of stay in treatment was between one to six years, 7% reported it was between seven to nine years, and 10% reported it was ten years or more. These findings were similar to those reported in FY2023.

Only 10% of responding agencies that served offenders sentenced under the Lifetime Supervision Act indicated it impacted their program's ability to provide services. Issues reported were: having to maintain meaningful clinical contact despite the individual having graduated from the program and completed years of offense-specific treatment; concerns about providing ongoing appropriate treatment and not "over-treating" clients; and reaching the maximum benefit of treatment. Additional issues identified for clients serving indeterminate sentences were: community supervision team disagreement about the treatment needs and appropriate treatment plans for low-risk individuals; determining continuity of care for indeterminate clients who transition from prison to the community; client demoralization negatively impacting motivation and progress in treatment; and clients completing treatment but not gaining parole.

REGULATION AND REVIEW OF SERVICES PROVIDED BY SEX OFFENDER TREATMENT PROVIDERS

Application Process

The application process consists of a background investigation involving personal interviews of references and referring criminal justice personnel. When the ARC deems an applicant approved, the applicant is placed on the SOMB Provider List. When a provider is listed on the Provider List, it means the provider (1) has met the education and experience qualifications established in the Standards and (2) has provided sufficient information for the committee to decide that the services provided appear to be in accord with the Standards. In addition, each provider agrees in writing to provide services in compliance with the Standards. Of note, placement on the SOMB Provider List is neither licensure nor certification of the provider. The Provider List

⁴ The breakdown of providers was 91 treatment providers (39%), 46 evaluators (40%), and 21 polygraph examiners (87.5%).

does not imply that all providers offer the same services, nor does it create an entitlement for referrals from criminal justice system agencies.

The current re-application process includes an expedited background check and a short reapplication form. Providers are also required to submit work products that the ARC reviews. Standards Compliance Reviews (SCR) are used to assess provider's compliance. SCRs involve SOMB staff and the ARC conducting a thorough review of Standards compliance on the part of the approved provider through file review and consultation with the provider. The purpose of SCRs is to increase compliance oversight of providers by giving SOMB staff and ARC members a more in-depth and accurate picture of their service delivery. Beginning January 1, 2024, the SOMB is required by statute to conduct compliance reviews on 10% of providers within every two years.

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Competency-Based Model

The SOMB uses a Competency-Based Model (CBM) to help the clinical supervisor evaluate applicants on competencies specific to the field of sex offense-specific treatment and evaluation. The CBM was developed by SOMB's Best Practices Committee and implemented in February 2016. The CBM utilizes qualitative and quantitative measures to assess the proficiency level of existing approved providers and candidates for provider approval. One of the several specific content areas deemed crucial to becoming an effective treatment provider or evaluator is *Knowledge and Integration of SOMB Standards and Clinical Intervention and Goal Setting* skills.

Adult Standards Revision Committee

In July 2014, the SOMB reconvened the Adult Standards Revision Committee to recommend to the Board updates to the Adult Standards and Guidelines to ensure alignment with current and emerging research. Since September 2021, the SOMB has continued to make revisions based on evidence-based practices and has emphasized ensuring Equity, Diversity, and Inclusion are reflected within the Standards. In FY2024, for example, the sex history packet was comprehensively revised to be suitable for administration with LGBTQ+ clients. Also, standards updates were made to reflect revisions to statutory language and requirements, as well as best practice improvements for discharge summaries and treatment plans.

Sex Offender Service Providers Requirements for Listing Status

In addition to meeting all the other applicable Standards and Guidelines, the *general* requirements for service providers are detailed in Table 7. For a comprehensive list of requirements, please refer to section 4.000 of the [Adult Standards and Guidelines](#).

Table 7. Current Approval Requirements of Treatment Providers, Evaluator, and Polygraph Examiners

Service Level and Service Type	Current Competency Based Approval Requirements
Full Operating Level Treatment Provider:	Treatment Providers seeking placement at the Full Operating Level must demonstrate the necessary competencies as determined by the ARC. Additionally, providers must receive the minimum professional training hours required, and co-facilitation hours may be required. Providers at this level may practice without supervision and can apply for clinical supervisor status. Providers at this level must demonstrate competency every three years to renew their status at this level.
Associate Level Treatment Provider:	Treatment Providers seeking initial or renewal of placement at the Associate Level status must demonstrate competency at the Associate Level as verified by a clinical supervisor. Additionally, providers must receive the minimum professional training hours (e.g., initial Standards orientation, booster training, etc.), and co-facilitation hours may be required. Providers at this level must demonstrate competency every three years to renew their status at this level. At the initial three-year renewal or in the event of a change in status, providers must also provide work product in their re-application.
Full Operating Level Evaluator:	Evaluators seeking placement at the Full Operating Level must demonstrate the necessary competencies determined by the ARC. Additionally, providers must receive the minimum professional training hours, and co-facilitation may be required. Providers at this level may practice without supervision and can apply for clinical supervisor status. To renew their status, providers at this level must demonstrate competency every three years.
Associate Level Evaluator:	Evaluators seeking initial or renewing placement at the Associate Level must also apply for placement as an Associate Level Treatment Provider. Additionally, providers must demonstrate competency at the Associate Level as verified by a clinical supervisor and receive minimum professional training hours (e.g., initial Standards orientation, booster training, etc.). Providers at this level must demonstrate competency every three years to renew their status at this level.
Clinical Supervisor Listing Status:	Full Operating providers may apply for approval as an SOMB clinical supervisor once they have met the required qualifications and completed the following: (1) receive supervision from an approved SOMB clinical supervisor for assessment of their supervisory competence; (2) be assessed as competent in SOMB clinical supervisor Competency #1; and (3) provide supervision, when deemed appropriate, under the oversight of their SOMB clinical supervisor.
Full Operating Level Polygraph Examiner:	Polygraph Examiners at the Full Operating Level have conducted at least 200 post-conviction sex offender polygraph tests and have received 100 hours of specialized sex offender polygraph examiner training.
Associate Level Polygraph Examiner:	Examiners at the Associate Level work under the guidance of a qualified Polygraph Examiner listed at the Full Operating Level while completing 50 post-conviction sex offender polygraph tests as required for the Full Operating Level.
DD/ID Listing Status:	Full Operating and Associate providers may apply for SOMB approval to work with offenders with developmental/intellectual disabilities. For approval, providers shall demonstrate experience, knowledge, and competence specific to working with this population (e.g., provide evidence of relevant coursework, training, or work experience).

SUMMARY

This report is intended to provide the Colorado General Assembly with information on the twenty-third year of implementation of the Lifetime Supervision Act in Colorado. The Colorado Department of Corrections, the Colorado Judicial Department, and the Colorado Department of Public Safety work collaboratively in implementing comprehensive programs for managing sex offender risk in Colorado.

During FY 2024, 123 Lifetime Supervision Sex Offenders were admitted to prison and 131 were removed from Lifetime Supervision status. As of June 30, 2024, 2,763 inmates were under CDOC supervision for sexual offense convictions sentenced under the Lifetime Supervision provisions. The Sex Offender Treatment and Monitoring Program (SOTMP) for CDOC inmates was designed to utilize the most extensive resources with those inmates who have demonstrated a desire and motivation to change. Because the Lifetime Supervision legislation is not intended to increase the minimum sentence for sex offenders, the Colorado Department of Corrections has designed treatment formats which provide inmates the opportunity to progress in treatment and be considered a candidate for parole within the period of their minimum sentence. In FY 2024, 129 Lifetime Supervision Sex Offenders were released to parole. During FY 2024, 176 Lifetime Supervision Sex Offenders participated in treatment and 101 Lifetime Supervision Sex Offenders met the statutory and departmental criteria for successful progress in prison treatment.

The Parole Board completed 653 applications for release hearings for 608 Lifetime Supervision Sex Offenders during FY 2024; some inmates were not meeting the criteria at the time of their hearing, and some had multiple hearings over the course of the year. The Parole Board granted discretionary release for 98 of the 640 Lifetime Supervision Sex Offenders, although not all of these were paroled by the end of the fiscal year.

The Parole Board completed 81 revocation hearings for 56 Lifetime Supervision Sex Offenders in FY 2024, for whom 40 hearings resulted in revocation of parole, 2 hearings resulted in continuations on parole, 1 inmate self-revoked their parole, and 14 hearings were not yet finalized at the end of the fiscal year.

As of June 30, 2024, there were approximately 1,769 individuals under SOISP probation supervision. Of these, approximately 866 (49%) probationers were under lifetime supervision. A comparison of data for FY 2023 to FY 2024 reflects a 17% (10 cases) increase in the number of individuals eligible and sentenced to indeterminate lifetime sentences and under SOISP supervision. New eligible cases for indeterminate lifetime term sentences to probation include 59 probationers under lifetime probation with SOISP, 131 probationers under non-lifetime probation with SOISP, and 128 probationers under regular probation. In FY 2024, 38 sex offenders had their lifetime supervision sentences terminated (one revoked – new felony, one revoked – new misdemeanor, 13 revocations – technical violations, three terminated – deportation, three terminated – death, one revoked – absconded, 16 terminated – successful terminations), and 29 inmates under lifetime supervision completed SOISP and were subsequently transferred to regular probation.

The expenses associated with sex offender offense-specific evaluations are increasing annually. Probation funds have been required to pay for these evaluations and assessments to avoid any delays in case processing

for the courts and to ensure that inmates who are unable to pay all of the costs associated with court-ordered evaluation and treatment are not returned to court for revocation based on non-payment. Revocations generally result in sentences to the CDOC which is a significantly higher cost option for the state. The Judicial Department is seeking alternative options to manage and curb these rising costs.

The number of approved treatment providers decreased this fiscal year by 1.3%. The number of approved full operating evaluators increased by 7.5%. The number of approved polygraph examiners has remained relatively stable over time, and was the same in FY2023. The availability of services across the state has been improving incrementally as more providers are seeking approval to operate within some of the underserved rural counties. Notwithstanding the average cost for sex offense-specific evaluations, average costs for services have also remained fairly stable.

In summary, the number of sex offenders subject to Lifetime Supervision in prison and in the community is rising, resulting in increased caseloads for those agencies responsible for the management of sex offenders. Additionally, sex offenders will continue to be identified in the future, including those who are subject to lifetime supervision. In an effort to achieve community safety, accurate static and dynamic risk assessments must be an element of sex offense-specific evaluations to ensure the proper placement of sex offenders in an appropriate level of supervision, thereby using available resources wisely. Accordingly, the Colorado Department of Corrections, the Colorado Judicial Department, and the Colorado Department of Public Safety will continue to evaluate the impact of the Lifetime Supervision Act on sex offenders both in prison and in the community.

Appendix A. SOMB Data Tables

A1. Figure 7 Data Table for Number of SOMB Approved Adult Service Providers by Fiscal Year.

FY	Treatment Providers	Treatment Providers with DD/ID Approval	Evaluators	Polygraph Examiners
2014	211	34	81	26
2016	258	52	99	29
2017	266	61	145	28
2018	309	58	122	26
2019	323	63	127	25
2020	315	64	124	28
2021	298	71	120	28
2022	245	52	102	25
2023	237	55	106	24
2024	234	53	114	24

A2. Figures 8-10 Data Table for Number and Location of SOMB Approved Adult Providers by County, June 30, 2024

COUNTY NAME	ADULT TREATMENT PROVIDER	ADULT EVALUATOR	ADULT POLYGRAPH EXAMINER
Adams	74	48	13
Alamosa	6	5	9
Arapahoe	68	46	14
Archuleta	4	4	3
Baca	2	2	2
Bent	2	2	3
Boulder	36	28	12
Broomfield	23	15	6
Chaffee	6	5	4
Cheyenne	4	3	2
Clear Creek	9	7	2
Conejos	4	3	1
Costilla	4	3	1
Crowley	4	3	2
Custer	2	2	1
Delta	11	5	4
Denver	91	61	14
Dolores	2	2	4
Douglas	48	30	10

COUNTY NAME	ADULT TREATMENT PROVIDER	ADULT EVALUATOR	ADULT POLYGRAPH EXAMINER
Eagle	13	9	5
El Paso	52	24	9
Elbert	5	3	2
Fremont	38	11	6
Garfield	15	12	4
Gilpin	4	3	2
Grand	5	4	2
Gunnison	4	1	3
Hinsdale	1	1	2
Huerfano	3	3	1
Jackson	1	1	1
Jefferson	68	42	16
Kiowa	2	1	1
Kit Carson	2	1	2
La Plata	4	3	5
Lake	4	3	1
Larimer	27	22	7
Las Animas	2	2	1
Lincoln	1	1	2
Logan	7	7	2
Mesa	21	12	5
Mineral	2	1	1
Moffat	4	3	3
Montezuma	5	4	5
Montrose	10	5	5
Morgan	7	7	3
Otero	3	3	2
Ouray	1	1	4
Park	7	5	2
Phillips	2	2	1
Pitkin	3	3	3
Prowers	2	2	1
Pueblo	28	18	6
Rio Blanco	5	5	2
Rio Grande	4	3	1

COUNTY NAME	ADULT TREATMENT PROVIDER	ADULT EVALUATOR	ADULT POLYGRAPH EXAMINER
Routt	7	7	4
Saguache	4	3	1
San Juan	3	3	3
San Miguel	1	1	2
Sedgwick	3	3	2
Summit	8	6	4
Teller	5	4	2
Washington	3	3	2
Weld	38	30	8
Yuma	5	4	2

A3. Figure 11 Data Table for Average Costs of Approved Adult Provider Services by Fiscal Year.

FY	Group Treatment Session	Individual Treatment Session	Offense Specific Evaluation	Polygraph Examination
2010	49	73	245	888
2011	48	70	242	927
2012	51	63	250	922
2013	52	73	250	1,026
2014	56	74	247	1,071
2015	55	75	250	1,180
2016	53	69	250	1,034
2017	59	82	252	1,021
2018	68	70	250	997
2019	50	61	250	962
2020	60	81	250	1,108
2021	57	77	250	1,113
2022	62	80	257	1,128
2023	67	84	250	956
2024	63	87	221	823