INTRODUCTION

In 2011 the legislature declared that, “to protect the public and to work toward the elimination of sexual offenses, it is necessary to comprehensively evaluate, identify, treat, manage, and monitor adult sex offenders who are subject to the supervision of the criminal justice system and juveniles who have committed sexual offenses who are subject to the supervision of the juvenile justice system. Therefore, the general assembly declares that it is necessary to create a program that establishes evidence-based standards for the evaluation, identification, treatment, management, and monitoring of adult sex offenders and juveniles who have committed sexual offenses at each stage of the criminal or juvenile justice system to prevent offenders from reoffending and enhance the protection of victims and potential victims. The general assembly does not intend to imply that all offenders can or will positively respond to treatment.” §16-11.7-101. In 1992, the Colorado General Assembly passed legislation (Section §16-11.7-101 through Section §16-11.7-107, C. R. S.) that created a Sex Offender Treatment Board to develop standards and guidelines for the assessment, evaluation, treatment and behavioral monitoring of sex offenders. The General Assembly changed the name to the Sex Offender Management Board (SOMB) in 1998 to more accurately reflect the duties assigned to the SOMB. The Standards and Guidelines (hereafter Standards) were originally drafted by the SOMB over a period of two years and were first published in January 1996. The Standards were revised in 1998, 1999, 2004, 2008 and 2011 for two reasons: To address omissions in the original Standards, that were identified during implementation, and to keep the Standards current with the developing literature in the field of sex offender management.¹ The Standards apply to adult sexual offenders² under the jurisdiction of the criminal justice system.³

These Standards govern the practice of treatment providers, evaluators and polygraph examiners approved by the SOMB. Standards are mandatory and designated by “shall”, while guidelines are distinguished by the use of the term “should”. Although the SOMB does not have purview over other entities involved in the supervision of defendants convicted of a sexual offense (for example, probation, parole, and the judiciary), it offers these guidelines as a tool to assist in the management of offenders and to enhance collaboration⁴ among stakeholders and to provide guidance on best practices.

The SOMB is required to maintain the Standards for the evaluation and treatment of criminal defendants with a current or past sex offense conviction. §16-11.7-103(4)(a,b); see also §§16-11.7-102, – 104. The evaluation shall make recommendations for the management, monitoring, and treatment of the defendant based upon his or her individual risk and shall rely upon interventions which prioritize the physical and psychological safety of victims and potential victims and which are appropriate to the assessed needs of the particular defendant. §16-11.7-103(4)(a). The Standards apply to treatment provided both in the community and during imprisonment. §§16-11.7-103(4)(b), - 105. Treatment providers shall be as flexible as possible and shall include a continuum of options which may include, but are not limited to, group counseling. Id. To the extent possible, programs shall be accessible to all defendants, including those with mental illness and co-occurring disorders. Id. The SOMB is required to revise the Standards

² Pursuant to C.R.S. §16-11.7-102
³ Pursuant to statutory purview (§16-11.7-102) including guilty plea, nolo contendere, conviction by trial, deferred sentences, and stipulation/finding of sexual factual basis. Pre-trial and pre-plea matters are not under the purview of the Standards.
based upon comprehensive research and analysis of evidence-based practices and the effectiveness of its policies and procedures. §16-11.7-103(4)(e).

It is not the intention of the legislation, or the SOMB, that these Standards be applied to the treatment of juveniles who have sexually offended. Despite many similarities in the behavior and treatment of juveniles and adults, important differences exist in their developmental stages, the process of their offending behaviors, and the context for juveniles who must be addressed differently in their diagnosis and treatment. Please see the current publication of the Standards and Guidelines for the Evaluation, Assessment, Treatment and Supervision of Juveniles Who Have Committed Sexual Offenses.

In 1998, the Colorado General Assembly passed legislation directing the SOMB, in collaboration with the Department of Corrections, the Judicial Branch and the Parole Board, to also develop Standards for community entities that provide supervision and treatment specifically designed for sex offenders who have developmental or intellectual disabilities. At a minimum, the Legislature mandates that these Standards shall determine whether an entity would provide adequate support and supervision to minimize any threat that the sex offender may pose to the community (Section §18-1.3-1009 (1)(e), C.R.S.). The treatment and management of sex offenders with developmental or intellectual disabilities is a highly specialized field. The intent of the DD/ID Standards is to better address the specific needs presented by sex offenders with developmental or intellectual disabilities. They are based on best practices known today for managing and treating sex offenders with developmental or intellectual disabilities. To the extent possible, the SOMB has based these Standards on current research in the field. Materials from knowledgeable professional organizations have also been used to direct the Standards. The Standards that are designated with the letters “DD/ID” after the Standard number are not intended to stand alone, but must be used in conjunction with the other Standards and Guidelines for the Assessment, Evaluation, Treatment and Behavioral Monitoring of Adult Sex Offenders.

Sex offender treatment and management is a developing specialized field. The Colorado Legislature has directed, in the SOMB’s enabling statute, that: “The board shall revise the guidelines and standards for evaluation, identification, and treatment, as appropriate, based upon the results of the board’s research and analysis.” The SOMB is committed to remaining current on the emerging literature and research and periodically modifying the Standards on the basis of new findings. The previous revisions to the Standards were undertaken with that goal in mind. The current revisions of the Standards are continuing evidence of this commitment. In 2013 the Colorado Legislature additionally appropriated funding for an independent external evaluation of the Standards. The results of this evaluation were published in

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January 2014.\textsuperscript{10} The current revision of the \textit{Standards} has been partially based in response to the external evaluation and, in addition, on research and analysis conducted by the SOMB independent of the external evaluation. It is the commitment of the SOMB to incorporate best practices and evidence based practices for sex offender management in Colorado.