

Sex Offender Management Board Presentation Pursuant to § 16-11.7-10, C.R.S.
January 31, 2020 – Joint Judiciary Committee
Testimony of Dale Jenkins - Advocates for Change (AFC)

Distinguished members of the Joint Judiciary Committee, my name is Dale Jenkins. I am speaking to you today in my role as a policy and research volunteer for Advocates for Change.

In 1992, the Legislature created the Sex Offender Treatment Board consisting of twelve (12) members. Since that time, the Board has grown to twenty-five (25) members requiring a staff of more than six (6) FTE's in the Division of Criminal Justice to accomplish its work. Unfortunately, for the taxpayers, in addition to being an example of bloated government, the Board, in its twenty-eight (28) years of existence, has created an elaborate for-profit system costing the State, and impacted individuals and their families, tens if not hundreds of millions dollars. A system consisting of policies and practices not always based in current evidence and research and tools that are neither empirically validated nor supported by the Colorado courts. It would be remiss to not mention that the for-profit system created by the SOMB has financially benefited some past and current Board members.

Over the years, the Legislature has been the primary impetus for Board improvement. If not for requirements put in place by the Legislature it is doubtful the SOMB would have sought an independent review of its adult standards and guidelines, initiated a data collection process or engaged in other methods and procedures reflective of an efficient, effective government agency. Despite the Legislature's efforts the Board continues to struggle to meet its obligations. As an illustration, the Committee needs to look no further than to several of the changes made in HB16-1345, the last Sunset bill to continue the Board, that have not been fully accomplished.

In fiscal year 2019 more than 5,000 adults and juveniles and three different state agencies were impacted by the Board's policies and purview. Importantly, the policies and purview include revisions to both the adult and juvenile standards and guidelines and the approval and oversight of SOMB providers. Considering the standards and guidelines and oversight of SOMB providers has far-reaching impacts it should be troubling to the Committee that the adult standards and guidelines have had only one independent evaluation and the juvenile standards and guidelines have never been

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independently evaluated. It should be further troubling to the Committee that over the past five years the SOMB Application Review Committee has averaged, annually, no more than three (3) provider Standards Compliance Reviews. In other words, although the SOMB has almost five hundred (500) approved providers only three providers are reviewed each year for compliance with the adult or juvenile standards and guidelines. Oversight of providers and provider practices is virtually non-existent.

Advocates for Change looks forward to robust participation in the SOMB's Sunset Review process by providing thoughtful, cost-effective recommendations for improvement and change. Recommendations that focus on the interests of the citizens and taxpayers of Colorado, those adults and juveniles who have committed sexual offenses, and importantly, the victims/survivors of sexual crimes and community safety.

Thank you.