

UNITED STATES DISTRICT COURT  
DISTRICT OF COLORADO  
PROBATION OFFICE

LAVETRA A. CASTLES  
Chief U.S. Probation Officer

Byron G. Rogers U.S. Courthouse  
1929 Stout Street, Suite C-120  
Denver, CO 80294-0101  
Phone: (303) 844-5424

212 North Wahsatch Avenue, Suite 300  
Colorado Springs, CO 80903-3476  
Phone: (719) 471-3387



August 4, 2016

ELIZABETH MILLER  
Deputy Chief U.S. Probation Officer

400 Rood Avenue, Room 309  
Grand Junction, CO 81501-2520  
Phone: (970) 245-5396

103 Sheppard Drive, Suite 206  
Durango, CO 81303-3439  
Phone: (970) 385-9564

RESPOND TO: Denver

A Message From: Chief U.S. Probation Officer Lavetra A. Castles

To: All State Approved Sex Offender Treatment Providers

Re: Sex Offense Specific Treatment for Sex Offenders Supervised in Colorado Under Federal Court Jurisdiction

Our office supervises sex offenders convicted of federal sex offenses which may include: "hands-on" offenses, manufacturing and/or possession of child pornography, and failure to register as a sex offender, as a few examples. Some of the cases we supervise originated here in Colorado; however, we also may supervise offenders convicted in other federal jurisdictions. Due to this there can be a wide variety in the types of and the wording of supervision conditions.

We understand that the State of Colorado has a Sex Offender Management Board (COSOMB) that is responsible to establish standards and guidelines regarding the supervision and treatment of sex offenders that are under the jurisdiction of the state court and/or parole system. Please note that the guidelines and standards that cover requirements for state convicted offenders do not apply to those under federal jurisdiction. We recently met with Chris Lobanov-Rostovsky, Program Manager for the COSOMB, and Jeanne Smith, Director of the Division of Criminal Justice with the State of Colorado, regarding the interaction between the state's guidelines and those under federal supervision for a sex offense. They have confirmed with us that because federal offenders are supervised under the jurisdiction of the U.S. District Court they are not legally subject to the state's standards and guidelines.

When compared to state supervision of sex offenders, our policies regarding the supervision of and treatment for sex offenders are very similar. However, there are differences in how we operate compared to state probation or parole and we need to ensure your agencies are aware of these. The main distinction is the types of conditions ordered by our courts and what type of authority the sentencing court has legally delegated to the probation officer. Even with our differences we need to ensure sex offenders under our jurisdiction can obtain required treatment, not only to uphold the orders of the sentencing court, but more importantly to provide protection to our communities.

Although the state's standards and guidelines may not apply, the U.S. Probation Office strongly believes in the containment approach and we utilize this in supervision of all sex offender cases. Yet, there are times that judicial orders may be in conflict with what a treatment provider feels should be required in a particular case and we must follow the orders of the sentencing court. For instance, if the sentencing court has ordered that contact with minors is allowed, or there is a requirement that the offender not undergo polygraph testing, we must honor the Court's orders. The COSOMB has assured us that since our offenders are not under state

jurisdiction, treatment providers are not required to request variances in these cases in order to provide treatment. While we understand that this may present challenges for treatment agencies to adapt to differing requirements, we also firmly believe that if an offender is released and in our community, having them in sex offense specific treatment is much preferred over no treatment at all.

As you may also be aware, our office solicits for contract treatment services to provide sex offender treatment. However, we are not limited to only referring cases to contracted providers. The distinction is if we do not have a contract in place with a particular vendor, the client/offender would need to self-pay for all treatment services with that vendor. If an offender is in need of assistance in paying the cost of treatment, our contracting regulations only allow us to pay part or all of the treatment costs with a valid contract in place.

Should your agency provide sex offender treatment services for an offender under federal court jurisdiction, we ask for your understanding and willingness to work under perhaps differing rules than you may have for state offenders. The officers in the U.S. Probation Office are committed to providing high quality supervision services using the containment approach for sex offenders. If treatment referrals are made to your agency, our officers will work to provide you all the necessary background information and be an active participant in the treatment team to assist your efforts with the offender. We look forward to forging a strong relationship with your agency if you happen to provide sex offender treatment services for any of our offenders.

Sincerely,

Lavetra A. Castles  
Chief U.S. Probation Officer