

Summary of Survey Responses: If you could make changes to SSOSA, what would those changes be?

TOPIC	DEFENSE	PROSECUTORS	TREATMENT PROVIDERS
<p><b>Eligibility</b></p> <p>Porn Cases</p>	<ul style="list-style-type: none"> <li>• Greater eligibility</li> <li>• The criteria would be more widely defined/applied</li> <li>• Would like it to allow for eligibility for possession crimes, where it makes sense and could actually prevent some abuse, and even for voyeurism. These are crimes that generally haven't escalated to the point they might without treatment</li> <li>• Allow it for cases where the victim is unknown/unavailable to the defendant (as in child porn cases) and where defendant had no physical or real time contact with the victim in any way (i.e. depictions cases).</li> </ul>	<ul style="list-style-type: none"> <li>• This would allow individuals convicted of possession of depictions to access the program.</li> <li>• Allow SSOSA for individuals who have never had a hands on offense but who have no "victim" such as individuals who are charged with Possession and/or Viewing of Depictions</li> <li>• Allow Possessors of Depictions to be eligible for SSOSA. Require a sexual history polygraph as part of the evaluation</li> <li>• I would like to see</li> </ul>	<ul style="list-style-type: none"> <li>• Allow cases involving child sex abuse images (child porn) as they are currently excluded and most often lower risk</li> <li>• Child pornography, voyeurism, exposure cases in Superior Court should be eligible</li> <li>• SSOSA be based more on overall risk rather than relationship per se to victim</li> <li>• The statute standard that the victim should be known to the offender is being interpreted in too restrictive a manner.</li> </ul>

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<p style="text-align: center; opacity: 0.5; font-size: 2em; transform: rotate(-30deg);">Unknown Victim</p>	<ul style="list-style-type: none"> <li>• Allow cases involving child sex abuse images (child porn) as they are currently excluded and most often lower risk</li> <li>• Clarify that possession of depictions of minors engaged in sexually explicit conduct (child porn) is a qualifying offense regardless of whether the perpetrator knows the victim. Most child porn cases involve internet searches (i.e. perpetrator did not personally know or sexually assault victim) where timely intervention/treatment will dramatically reduce the risk the perpetrator will sexually assault future victims.</li> <li>• Make it available for possession of child pornography charges and charges where the</li> </ul>	<p>SSOSA opened up to offenders that didn't necessarily have a pre-existing relationship with the victim.</p> <ul style="list-style-type: none"> <li>• The established relationship needs to be better defined - not a neighbor but someone the child clearly spent large amounts of time with</li> </ul>	<ul style="list-style-type: none"> <li>• Greater application to low risk, non-violent offenses that do not involve a family member</li> <li>• Make some non-familial</li> </ul>

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<p>Non-Family</p> <p>Other</p>	<p>defendant was arrested in a sting set up by the police.</p> <ul style="list-style-type: none"> <li>• Make it available to child pornography cases</li> <li>• Expand eligibility to allow SSOSA in cases where victim is unknown to defendant</li> <li>• Make it easier for non-family</li> <li>• Make it available even if the victim and defendant had no prior relationship</li> </ul>	<ul style="list-style-type: none"> <li>• If a certain group of offenders always reoffend no matter treatment, make it ineligible for them.</li> <li>• *Change eligibility so anyone looking at over 90 months would not be eligible</li> </ul>	<p>offenses SSOSA eligible again so that the prosecutor's office doesn't have to either send them to prison by not offering a plea deal, or their other option is to offer a plea bargain with such drastically reduced charges that it doesn't truly hold the offender accountable to the degree that is reasonable.</p> <ul style="list-style-type: none"> <li>• Extend it to other first-time offenders, such as young adults (early 20s max) sexually involved with older teens (in a dating relationship), some Internet cases.</li> <li>• *make it available to wider population of offenders</li> </ul>

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<p style="text-align: center; opacity: 0.5; font-size: 2em; transform: rotate(-30deg);">Victim Voice</p>	<ul style="list-style-type: none"> <li>• The victim's opposition should not be the dispositive factor</li> <li>• Change the statute that says the court shall give great weight to the victim desires</li> <li>• Eliminate the statutory weight to be given victim</li> <li>• The victims views should not be a factor in determining whether a SOSSA is granted</li> <li>• Take away the extreme</li> </ul>	<ul style="list-style-type: none"> <li>• Restrict eligibility further</li> <li>• Stronger voice from victim</li> </ul>	

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<p style="text-align: center; opacity: 0.5; font-size: 2em; transform: rotate(-30deg);">Victim Voice</p>	<p>weight the victim's family can have in the SSOSA decision making process</p> <ul style="list-style-type: none"> <li>• Victim does not have the power to deny SSOSA</li> <li>• Not have so much "weight" given to the victim or their family's opinion</li> <li>• Eliminate the requirement that the court give "great weight to the victim's opinion whether the offender should receive a treatment disposition."</li> <li>• Victims and their families, understandably, often use "emotional reasoning"</li> <li>• Take away the PA and victims ability to block SOSSA</li> <li>• Remove the prohibition of alford pleas as to any</li> </ul>		

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	<p>of the charges/ counts... that a person is guilty of some or most of the charges does not mean they are guilty of all</p> <ul style="list-style-type: none"> <li>• No need to plead guilty / admit allegations and still be eligible</li> <li>• Make amenability the only criteria</li> </ul>		
<p><b>Process</b></p> <p>Judicial Discretion</p>	<ul style="list-style-type: none"> <li>• Return more discretion to the Judge</li> <li>• I wish the judges alone would be able to make</li> </ul>	<ul style="list-style-type: none"> <li>• Change the statute so that a judge must revoke after a second violation relating to precursor behavior and</li> </ul>	<ul style="list-style-type: none"> <li>• Offer more of them</li> <li>• More consistency across jurisdictions would be nice, but I have no idea how to accomplish this</li> <li>• I think there should be peer reviews of SSOSA evaluations by other CSOTPs</li> </ul>

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	<p>the decisions about granting a SSOSA</p> <ul style="list-style-type: none"> <li>Grant the Court the authority to order a change in Community Corrections Officer (reason: there are some CCO's who appear to 'hate' SSOSA's)</li> <li>Eliminate the mandatory PSI by DOC or at least curtail the expression of opinion or recommendation by report writers as to whether defendant is appropriate for SSOSA.</li> </ul> <p>5. Require or expand the involvement of mental-health treatment professionals in SSOSA treatment programs (as opposed to limiting treatment solely to that provided by licensed sex-offender treatment providers).*</p>	<p>must revoke after a third violation of any type.</p> <ul style="list-style-type: none"> <li>Eliminate it</li> </ul>	

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<p style="text-align: center; font-size: 2em; transform: rotate(-45deg); opacity: 0.5;">Prosecutorial Discretion</p>	<ul style="list-style-type: none"> <li>• Remove PA discretion in charging so as to preclude SSOSA</li> <li>• Take away the PA and victims ability to block SOSSA</li> <li>• Broaden the number of charges that would permit consideration of SSOSA -- the prosecutor has too much discretion to determine the number of counts in each county, when the actual conduct may be the same, but it will disqualify the client in some counties yet permit it in others.</li> <li>• Quicker evaluations, no polygraphs</li> <li>• Statement of Defendants evaluation cannot be used at trial if a SOSSA is not recommended.</li> </ul>		



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	<ul style="list-style-type: none"> <li>Allow either the whole, or at least portions, of the evaluation to be sealed to prevent disclosure of personal information involving not only defendant, but his family.</li> </ul>		
<p><b>Treatment</b></p>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>I would also like the</li> </ul>	<ul style="list-style-type: none"> <li>CCO's to get to know the treatment provider better and understand their styles</li> <li>Update evaluation and treatment criteria to reflect current state of the art/practice</li> <li>Allow offenders to seek therapy at the same office where the evaluation was completed (even if not by the evaluator).</li> <li>I really like the requirement that evaluators not provide treatment to the same individual they evaluated; I think this</li> </ul>

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<p style="text-align: center; font-size: 2em; opacity: 0.5; transform: rotate(-45deg);">Eval &amp; Treatment</p>	<ul style="list-style-type: none"> <li>• Better treatment</li>   <li>• That only "Fully Certified" providers could evaluate or provide services to the offender</li>   <li>• Require or expand the involvement of mental-health treatment professionals in SSOSA treatment programs (as opposed to limiting treatment solely to that provided by licensed sex-offender treatment providers).</li>   <li>• More treatment options for non-English speakers</li> </ul>	<p>evaluators to set out specific conditions of treatment and the length of necessary treatment at a minimum.</p> <ul style="list-style-type: none"> <li>• Increase uniformity and accountability of treatment providers/evaluators</li> </ul>	<p>cuts down on potentially biased results</p>

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<p><b>Funding/Cost</b></p> <p>Treatment Cost</p>	<ul style="list-style-type: none"> <li>• The ability to pay - the offender won't be considered eligible without the resources to pay for the program over the next several years</li> <li>• Lower cost treatment</li> <li>• Cheaper alternative treatment</li> <li>• Assistance with treatment funding</li> <li>• Recognize that costs that is saves the state to have these people in community based treatment and use some of that money to fund the certified treatment providers, possibly through community custody (ie DOSA).</li> <li>• Funding for housing, treatment and polygraph testing</li> <li>• Presumption of allowing</li> </ul>		<ul style="list-style-type: none"> <li>• Find funding sources for low-income offenders</li> </ul>

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<p>Treatment Cost</p>	<p>SSOSA for some first time offenses (family member, where victim agrees), funding assistance for at least the evaluation portion</p> <ul style="list-style-type: none"> <li>• Funding</li> <li>• Stop using inability to pay after a treatment provider has accepted a client as a basis for revocation</li> <li>• DOC funded would eliminate the fact that SSOSA discriminates against the poor</li> <li>• Would allow SSOSA for offender with prior offense if no prior SSOSA and prior offense washed out</li> <li>• Indigent clients are granted SOSSA</li> <li>• State funding</li> </ul>		

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	<ul style="list-style-type: none"> <li>• Provide funds for RX</li> <li>• Make funds available for indigent defendant to take advantage of SOSSA. It's got to be cheaper than incarceration after incarceration.</li> <li>• Fund the costs of evaluation and treatment for indigent defendants.</li> <li>• Fund the court's supervision of treatment progress appropriately so as not to discourage SSOSA for judicial caseload reasons.</li> <li>• Based upon ability to pay: suspend the imposition of Legal Financial Obligations until treatment is significantly underway (or even finished)</li> <li>• Later realization that with the "breadwinner" in</li> </ul>		

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	<p>prison there is no source of financial support except perhaps Public Assistance.</p> <ul style="list-style-type: none"> <li>Practice of keeping offenders in jail for long periods often results in job loss that negates the ability of the offender to support their family, pay for victim treatment, and pay for their own treatment.</li> </ul>		
<b>Crime/Sentence</b>	<ul style="list-style-type: none"> <li>Make SSOSA the presumptive sentence for all intra-familial sex offenses</li> <li>Remove PA discretion in</li> </ul>		<ul style="list-style-type: none"> <li>SSOSA is by definition a manageable, low risk case. Lifetime supervision is not appropriate and adds nothing to community safety.</li> <li>That more individuals were given this sentencing alternative! The number of SSOSA referrals to my office in the past year has dropped considerably.</li> </ul> <p>Consistent applications</p>

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<p style="text-align: center; color: white; font-size: 2em; opacity: 0.5;">Length Supervision Sentence Non-Compliance</p>	<p>charging so as to preclude SSOSA</p> <ul style="list-style-type: none"> <li>• DOC officer does not have total control over violations</li> <li>• Courts should place great weight on the treatment provider's assessment of the appropriateness of SSOSA</li> <li>• I would remove the sentencing consideration. If we believe sex offenders can be treated, then amenability to treatment should be the consideration. Why should a particular class of offenders have a treatment option and not</li> </ul>	<ul style="list-style-type: none"> <li>• I would also like the evaluators to set out specific conditions of treatment and the length of necessary treatment at a minimum.</li> <li>• Only allowed if the defendant is amenable to treatment</li> <li>• Clearer guidelines for judges regarding what constitutes non-compliance with treatment and/or affirmative conditions that warrants termination.</li> <li>• Make it easier to revoke a SSOSA.</li> <li>• SSOSA sentences</li> </ul>	<p>for conditions to fit the offense</p> <ul style="list-style-type: none"> <li>• More consistent DOC supervision</li> <li>• That judges/courts leave the length of SSOSA treatment up to the CSOTP to determine since the CSOTP is the only individual qualified to make that determination.</li> </ul>

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<p style="text-align: center; opacity: 0.5; font-size: 48px; transform: rotate(-45deg);">Supervision</p>	<p>others?</p> <ul style="list-style-type: none"> <li>• The granting of good time and the possibility to terminate community custody at some point, assuming successful completion of treatment.</li> <li>• That the person be able to get off supervision when the maximum sentence is life, the supervision is for life</li> <li>• Make the period of community custody (for yes, even Class A's) a 'determinative' period: say, no more than 3 years once treatment has been successfully completed</li> <li>• I would like to see a SSOSA that involved a period of up to two years in prison to complete treatment, followed by a</li> </ul>	<p>should require a prison term similar to prison DOSA sentences.</p> <ul style="list-style-type: none"> <li>• Have judges impose more time on the front end as a warning of what could come if they screw up</li> </ul>	<ul style="list-style-type: none"> <li>• Less serious offenders with a suspended sentence often perform better than offenders who have been to prison</li> </ul>



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	<p>release to the community.</p> <ul style="list-style-type: none"><li>• The judgment and sentence include the phrase participate in treatment until the treatment program is completed.</li><li>• Restore the max range cap to 13 yrs</li><li>• Remove the 11-year standard sentencing range limitation, as that gives prosecutors veto power</li><li>• Eliminate the requirement for sentences to involve less than 11 years of confinement.</li><li>• Allowing the client to be involved with the Work Release/EHM program during their incarceration period so they can</li></ul>		

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	<p>maintain their job to help pay for the program.</p> <ul style="list-style-type: none"> <li>Increasing the use of work release</li> <li>I would like to see individuals who are granted SSOSA spend less than a year in jail as for most that ruins their ability to maintain employment they have or makes it more difficult to obtain employment or housing.</li> </ul>		
<p><b>Education</b></p> <p><i>Train the Other Guy</i></p>		<ul style="list-style-type: none"> <li>Clearer guidelines for judges regarding what constitutes non-compliance with treatment and/or</li> </ul>	<ul style="list-style-type: none"> <li>Change the perception that it is a "get out of jail free card." it is far from free. It is a fairly tough challenge</li> </ul>

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	<ul style="list-style-type: none"> <li>• For Prosecutors and Judges to recognize the purpose of SOSSA , that not every sex offense should have the defendant committed to prison</li> </ul>	<p>affirmative conditions that warrants termination.</p> <ul style="list-style-type: none"> <li>• Require education for defense attorneys about SSOSA</li> </ul>	
<p><b>Miscellaneous</b></p>	<ul style="list-style-type: none"> <li>• Do an outcome study to demonstrate the value of the program to the public treasury and public safety.</li> </ul>	<ul style="list-style-type: none"> <li>• The process works fine. I am just not certain that SSOSA works. But I am not on that end of the process.</li> <li>• Be statistically driven</li> <li>• The current SSOSA statute allows for negotiation between the parties and addresses a</li> </ul>	<ul style="list-style-type: none"> <li>• I think SSOSA saves the State considerable funds and would like to see this type of approach more often as treatment is nearly always more successful than incarceration.</li> <li>• Guaranteed communication in all cases</li> </ul>

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	<ul style="list-style-type: none"><li data-bbox="661 893 1060 1396">• I would like to see a SSOSA that involved a period of up to two years in prison to complete treatment, followed by a release to the community. SSOSA is sometimes too stringent for younger offenders or those with cognitive challenges, and this would give us an option to get them stabilized and used to structure</li></ul>	<p data-bbox="1134 267 1480 1031">larger issue of assuring accountability without the victim having to go through the trauma of testifying or having feelings that they caused the offender to be sent to prison. If a SSOSA defendant is successful in treatment, it is a win win situation for the community and the offender. If the offender is unsuccessful, they are revoked and the community is still protected. I believe the statute as written is working as it was intended.</p>	

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	<p>before going to community based treatment.</p> <ul style="list-style-type: none"> <li>• SOSSA is a good program because the participants have to work, live in the community, pay for services, and pay for any services their victims need. It is good that they have to earn the money and pay for services instead of 'doing time' and then walking away.</li> <li>• I believe it works the way it is</li> </ul>	<ul style="list-style-type: none"> <li>• Some consistency would be nice: Most sex offenses now carry indeterminate sentences (life), but the legislature has now the court to release sex offenders from lifetime reporting requirements. The indeterminate</li> </ul>	

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	<ul style="list-style-type: none"><li>Loosen the travel restrictions (currently: in-county travel only without a permit; hard to hold down a job unless the restriction is broadened to at least the contiguous counties)</li></ul>	<p>sentence forces many more cases (kids) to trial.</p> <ul style="list-style-type: none"><li>An enduring and nicely organized registration requirement for serious offenders has now had it "legs cut out from under it" with "registration relief".</li></ul>	