

OLR Backgrounder: Sex Offenders on Probation and Parole – Treatment and Housing Restrictions

By: Michelle Kirby, Senior Legislative Attorney
James Orlando, Chief Attorney
January 23, 2017 | 2017-R-0037

This backgrounder briefly describes the policies the state Court Support Services Division's (CSSD) Sex Offender Unit (probation officers), and Department of Correction's (DOC) Parole and Community Service's Special Management Unit (parole officers) follow to regulate housing and treatment of sex offenders released from prison into the community. Officers in both units have specific training in sex-offender management and evidence-based interventions; they have significantly smaller caseloads than those supervising other offenders. (This updates OLR Report [2012-R-0300](#).)

We also summarized a portion of the Office of Policy and Management's Criminal Justice Policy and Planning Division's February 2012 report that describes a collaboration model for sex offender supervision. The report ([Recidivism Among Sex Offenders in Connecticut](#)) received national recognition.

Sex Offenders

"Sex offender" is the term commonly used for anyone convicted of a sex crime. But individuals given this label exhibit a wide range of criminal behaviors that may or may not include violence or contact with other people. Their motivations also vary, as do the nature of their crimes and the extent of their criminal histories. As a result, some pose a higher risk of reoffending than others and consequently require more intensive supervision when released into the community on probation or parole.

Connecticut law recognizes four types of sex offenders – those convicted, or found not guilty due to mental disease or defect, of:

1. criminal offenses against minor victims,
2. non-violent sexual offenses,
3. sexually violent offenses, and
4. felonies committed for sexual purposes ([CGS §§ 54-250\(2\), \(5\), \(11\), and \(12\)](#)).

Those convicted of crimes in the first three categories must register as sex offenders; courts may require registration of those in the fourth. Registration is with the Department of Emergency Services and Public Protection; it maintains an on-line, searchable registry containing offenders' names, photographs, and addresses and descriptions of the sex crimes for which they have been required to register. Registrants must keep the department apprised of their whereabouts, school attendance, and workplaces, and notify it within five days of any changes ([CGS § 54-250](#)).

Probation and parole officers dictate other conditions with which sex offenders must comply while under community supervision, including completing treatment plans and living in pre-approved locations. Courts can also set conditions when sentencing an offender to probation.

Probation

Probation is a court-mandated and -supervised form of community supervision. An offender may be sentenced to a term of probation in place of a prison sentence or ordered to serve a split sentence, which involves a term of imprisonment followed by a period of probation. As of January 6, 2017, there were 2,150 persons under specialized sex offender supervision by probation officers, of which 1,504 are on the sex offender registry.

Evaluations and Community Treatment

According to a representative of the Judicial Branch, unless prohibited by a judge or unit supervisor, sex offenders are subjected to sex offender evaluations, usually conducted by a provider under contract with CSSD. Some offenders are referred to providers affiliated with the Connecticut Association for the Treatment of Sexual Offenders or Association for the Treatment of Sexual Abusers if the contractor is not able to complete their evaluations.

The evaluation consists of a comprehensive risk and needs assessment intended to identify the risk factors that may cause the subject to reoffend. The circumstances identified as potential triggers are incorporated in the offender's clinical treatment plan.

Compliance with such treatment plans is a condition of the great majority of offenders' probation releases. Probation officers frequently check with offenders' mental health providers to make sure that supervisees are participating in required treatment.

Violators are subject to stricter probation conditions; extended probation periods; prosecution; and probation revocation, which results in incarceration for some or all of their remaining sentences ([CGS § 53a-32](#)).

Residency Restrictions

According to the Judicial Branch, probation officers must investigate and pre-approve sex offenders' residences and proposed relocations. CSSD policy defines a "residence" as a place where a person is living or staying, including a temporary residence or lodging, home, or place where he or she habitually lives, such as a homeless, emergency, or other shelter; or recreational or other vehicle. These locations are deemed "residences" no matter how long a probationer lives there.

Investigations must take into account:

1. the location's potential access to the offender's target population;
2. his or her prior sexual assault convictions;
3. other people living in the residence;
4. the location's accessibility to family members, friends, or other supportive services;
5. whether the residence or location is of a type the offender's treatment plan has assessed as being a potential trigger for reoffending; and
6. whether a permanent or stable residence is available that might reduce the likelihood of the offender becoming transient.

Non-compliance with residency requirements subjects offenders to the same penalties described above.

Parole

Parole is a discretionary release program available to most prisoners serving sentences greater than two years. Depending on the crime, parole-eligible offenders must serve at least 50% or, in the case of violent offenses, 85% of their sentences. Prospective parolee cases are considered by three-member panels of the Board of Pardons and Paroles.

The Special Management Unit's primary approach to sex offender management is one of "containment," which focuses on community and victim safety. Multidisciplinary teams, composed of experts who play some role in preventing sex offenders from reoffending, collaborate to set limits on offenders' behavior in the community. One feature of this strategy requires parole officers to closely monitor each offender's compliance with supervision and treatment conditions and avoidance of risk factors related to reoffending.

According to Frank Mirto from the Special Management Unit, as of January 20, 2017, 390 sex offenders were living in the community on parole or special parole. (Special parole is part of the sentence a judge can impose on a convicted offender. It consists of an extra period of supervision that begins when the offender is released from prison after having served his or her maximum sentence. Ordinarily, special parole periods range between one and 10 years, but judges can lengthen them for offenders convicted of sex crimes.)

Evaluations and Community Treatment

According to Officer Mirto, the unit uses a comprehensive, multidisciplinary approach to supervision and treatment. Its specialized techniques and interventions include using validated sex offender risk assessments, individualized case management plans, and cognitive-behavioral sex offender treatment that is specific to the person's offense.

The latter is a clinical approach that addresses dysfunctional emotions, maladaptive behavior, and cognitive processes and controls through a number of goal-oriented, systematic procedures. It is designed to alleviate patients' symptoms and vulnerability and, in combination with parole supervision, has been shown to reduce sexual and general recidivism rates. Treatment groups are located around the state, including in district parole offices in Bridgeport, Hartford, New Haven, and Waterbury.

Residency Restrictions

Officer Mirto reports officers from the Special Management Unit help sex offenders obtain stable, appropriate housing before they are released into the community. Some are permitted to live with supportive family or friends, and none have been released to homeless shelters in the past nine years. Officers or alternative housing case managers visit probationers in their residences monthly.

Nevertheless, he indicates that housing instability is a major problem for sex offenders on parole and has been shown to be a risk factor for sexual recidivism.

Connecticut's Collaborative Model

OPM's sex offender report indicates that the state is recognized as a national leader in developing and implementing a systemic, collaborative approach for treating and managing sex offenders in the community. Its approach links Sex Offender Unit probation and Special Management Unit parole officers with The Connection, Inc. (a non-profit provider of sex offender treatment and programs) and victim advocates from the Connecticut Alliance to End Sexual Violence. While the supervising officer has the sole authority to make decisions regarding housing placement and other release terms, each team member provides information that contributes to the decision-making process.

Primary team members are:

1. supervising officers, who conduct regular office and field visits, conduct social support meetings, approve an offender's employment and residence, monitor compliance, and impose alternative sanctions when needed;
2. evaluators or therapists, who provide risk assessments that treatment providers use to decide on the clinical approach that will best address each offender's re-offense risk factors;
3. polygraph examiners, trained in post-conviction sex offender testing, who examine most offenders at least every six months for either (a) sexual offense histories, (b) denial of convicted sexual crimes, or (c) compliance with supervision standards; and
4. victim advocates, who provide victims and their families information like service referrals when offenders are being released on probation or parole.

MK/JO:cym