

SEX OFFENDER MANAGEMENT BOARD (SOMB) MINUTES

Friday, November 16, 2018

SOMB Members

Allison Boyd
Amanda Gall
Angel Weant
Brie Franklin
Carl Blake
Jeff Jenks
Jeff Shay
Jesse Hansen
Jessica Meza
John Odenheimer
Kandy Moore
Kathryn Heffron
Korey Elger
Leonard Woodson
Marcelo Kopcow
Mark Waller
Missy Gursky
Norma Aguilar-Dave
Richard Bednarski
Rick May
Robin Singer
Sharon Holbrook
Steve Moreno
Taber Powers
Tom Leversee
Tony Rodriguez

SOMB Guests

Amira Minazzi
Becky Lowe
Beth Baldwin
Bonnie Scarlett
Catrina Weigel
Caysa Manning
Christine Rinke
Colton McNutt
Conrad Gonzales
Cooper Reveley
Dale Jenkins
Deb Baty
Diane Zile
G. Paye
Gary Reser
Hannah Dann
Jodie Goter
John Fischer
Laurie Kepros
Layla Sadighi
Linn Taylor
Lisa Mayer
Michelle Neergaard
Nicole Dahl
Nicole Leon
Pat Harris
Paul Ostring
Ryan Knuth
Sera Bennet
Susan Walker
Tami Floyd
Terri Pieros

Absent SOMB Members: Mark Waller and Norma Aguilar-Dave

Staff: Chris Lobanov-Rostovsky, Raechel Alderete, Marina Borysov, Michelle Geng, Kelly Hume, Paige Hansen, Yuanting Zhang, and Jill Trowbridge

SOMB Meeting Begins: 9:06 am

INTRODUCTIONS:

Introductions were made by all SOMB Members and SOMB Staff, and audience members in attendance.

Future Agenda Items

Laurie Kepros suggested a future discussion regarding the use of the term "Sex Offender" and how it negatively impacts clients from building healthy, safe, and prosocial lives. She referenced a journal article published by Dr. Gwen Willis on the ethics of labeling in forensics/correctional psychology.

Susan Walker referenced some articles addressing the use of polygraph in treatment which indicate that treatment is better without the use of polygraph. She asked Kelly Hume to research these articles.

ANNOUNCEMENTS:

Chris Lobanov-Rostovsky noted that the December SOMB meeting has been cancelled due to the proximity to Christmas. He also mentioned that there are a number of evaluative and review processes going on, and indicated that the Sunset review will be completed in 2020. Chris noted that the same DORA analyst, Brian Jameson, will be gathering information for this review beginning in January 2019.

Judge Kopcow indicated that Commissioner Moreno won his fifth Weld County Commissioner election.

Marina Borysov announced that the 2019 Sex Offender Management Board (SOMB) Conference will be held on July 9th through July 12th, which will be in collaboration with the Domestic Violence Offender Management Board (DVOMB). She mentioned that this will now be a 4-day conference, and noted that they are looking for more keynote speakers. Marina indicated that the Conference Training Committee is looking for more members, and asked all to let her know if they are interested in joining. She mentioned that the "Call for Papers" will be sent out after Thanksgiving, and asked attendees to let her know if they would like to present at the conference, and encouraged all to let their stakeholders know.

Laurie Kepros mentioned that a Federal court case has gone to the 10th Circuit Court for appeal. She noted that no decision has been made yet on the appeal.

APPROVAL OF SEPTEMBER MINUTES:

Motion to approve the September minutes: Richard Bednarski; Kandy Moore 2nd (Question #1)

18 Approve 0 Oppose 3 Abstain Motion Passes

APPROVAL OF AGENDA:

Approved by consensus

ADULT STANDARDS 5.700-5.400, 5.755-5.756, AND 5.770-5.776 (Decision Item) – Missy Gursky, Adult Standards Revisions Committee, and Michelle Geng, DCJ (Handout Provided)

Michelle Geng reviewed the summary document highlighting the feedback and suggested revisions. Following are the results of the SOMB discussion of these revisions:

Board Discussion:

Section 5.720 – Sex Offenders and Contact with Minor Children - Allison Boyd pointed out in the language on page 4 of the Adult Standards 5.700 document, that the word "allow" be changed to "prohibit" in the first sentence in the main paragraph. After continued discussion, it was decided to remove the entire first sentence.

Section 5.760 – Circumstances Under Which Criteria May Be Waived - There was robust discussion regarding the pros and cons of setting time limitations of no more than two incidences of contact. There was also discussion regarding the use of "should" versus "shall" in the first paragraph. The SOMB also discussed the need to be victim-centered and to do what is best for them.

Audience Discussion:

Terri Pieros asked for the definition of own-minor child. Missy Gursky responded that "own-minor child" is an own minor victim, non-victim minor child, or other minor children of the family.

Susan Walker advocated for risk, need, and responsivity by removing the time limitation.

Motion to amend by changing to shall and limit sessions to 2: Amanda Gall; Allison Boyd 2nd (Question #2)

11	Approve	9	Oppose	1	Abstain	Motion Passes
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Section 5.770 – Contact with Adult Victims - The SOMB agreed to revise the language in the first sentence due to redundancy which now reads: *"The CST shall discuss and implement the appropriate clarification procedures (see section 5.745) applicable and specific to the victim's needs."*

Section 5.782 B. – Disqualifications of an Approved Supervisor – The first sentence was amended due to feedback from Korey Elger. This now reads *"A conviction for child abuse or neglect, or for unlawful sexual behavior as defined by SOMB Statute or a founded sexual abuse assessment or dependency case that has been filed in civil court."*

Section 5.735 – Criteria for CST Approval of Supervised Contact with Secondary and Non-Victim Minor Children

- A footnote was added to the end of Section 5.734 after feedback from Korey Elger that clarifies the definition of "custodial parent". After input from Sharon Holbrook, the footnote was revised to read *"For the purposes of these Standards and Guidelines, primary residential custodian is the custodian whom the child resides with and who is exercising daily parenting responsibility for the child."* It was also decided to change "custodial parent" to "primary residential custodian" throughout the Standards.
- There was discussion regarding whether the phrase that the non-offending parent "be in support of the contact" should be included or removed from the third paragraph of this section. Allison Boyd made a motion to put back this removed language. Carl Blake noted that this language is contradictory to the bullets referenced in the first paragraph.

Motion to keep language in support of the contact in the 3rd paragraph: Allison Boyd; Amanda Gall 2nd (Question #3)

9	Approve	10	Oppose	2	Abstain	Motion Fails
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- Carl Blake noted that there is still concern about a client having contact with a child with whom they are not related. Missy Gursky agreed with Carl. Chris Lobanov-Rostovsky made the following revisions based on this discussion:
 - The first bullet point of Section 5.735 now reads: *"Not the offender's own child (if the primary residential custodian is in support of this contact)"*.
 - The third bullet point of Section 5.735 now reads: *"The offender's own child where the Court or Parole Board has not prohibited contact, but the offender foregoes such contact"*.
- Amanda Gall made a motion to accept these language revisions. Tom Leverage 2nd the motion. These revisions were approved by SOMB consensus.

Section 5.738 Application of Sections 5.700 – 5.736 to Clients Under Age 18 and Under Age 25 –

This is new language based on feedback received.

- Allison Boyd suggested removing the bold/underline under "Not" in the first paragraph, first sentence. She also asked for clarification that this is only for similar age pro-social peers. Judge Kopcow questioned the use of "similar age." Carl Blake suggested using an age limit. Kathy Heffron suggested deleting "similar age" pro-social peers. After these revisions and consensus approval, the first paragraph in this section now reads: *"The intent of Standards 5.735-5.736 is not to prohibit minor children under the purview of these Standards and Guidelines from having contact with pro-social peers. Therefore, sections 5.735 through 5.736 should not apply to children under age 18 who are prosecuted as adults pursuant to C.R.S. §§ 19-2-517 and 19-2-518, and are seeking contact with pro-social peers."*
- The title of this section was amended to read *"Application of Sections 5.700 – 5.736 to Minors Under Age 18 and Young Adults Under age 25"*.
- Amanda Gall questioned the use of minor children vs. minor clients. There was continued discussion regarding these circumstances. There was discussion and confusion whether to use "offender" or "client" in this section.

Motion to keep minor children in the first paragraph: Tom Leverage; Allison Boyd 2nd (Question #4)

19	Approve	1	Oppose	0	Abstain	Motion Passes
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Section 5.715 – Definitions

- **Parental Role** - Michelle Geng discussed the issue of including grandparents as a "parental role". She reviewed the definition of parental role on page two of the document. Michelle noted that grandparents do not automatically have a position of authority with routine primary caretaking responsibilities, and mentioned that is why grandparents are not included in the "parental role" definition.

Audience Discussion:

Jeff Lane questioned how the "parental role" definition does not include offenders who are in treatment when a grandchild is born during the offender's treatment. He noted that in these cases that the Standards are in conflict with the CST, and suggested possibly making an exception. Angel Weant responded that from Probation's point of view, if there is any ambiguity of parental role, then the client is to go back to court for the Judge to decide who is the legal custodian. Korey Elger agreed with Angel's response.

Gary Reser noted that the parental role definition is a good definition, but mentioned that the changes made in Section 5.735 regarding non-offenders own child is in conflict with the parental role definition. Missy Gursky responded to Gary that if the grandparent does not already have legal custodial rights, then they need to go back to court, and noted that if they do not have that, then they are in conflict with the Standards. She clarified that extended family member roles regarding unsupervised contact will be written up in this section to include grandparents.

BREAK: 11:01 – 11:15

Continuation of Section 5.715 - Definitions

- **Vulnerable Populations** – this was changed to "Vulnerable Adult Populations" and was changed and referenced in **Section 5.775**.

Voluntary Restricted Contact versus the use of "Agreed to Restricted Contact" language – Michelle Geng noted that the voluntary restricted contact language has been changed in Section 5.735 to "agreed to restricted contact." Carl Blake clarified why the term "voluntarily" needs to remain in the document. There was continued discussion as to alternate wording that would be better suited that implies voluntary or agreement to.

Motion to change language to the offender foregoes such contact in Section 5.720 E. and 5.735 (last bullet point): Amanda Gall; Tom Leversee 2nd (Question #5)

21 Approve 0 Oppose 0 Abstain Motion Passes

Section 5.736 – Ongoing Assessment of Supervised Contact with Secondary Victim and Non-Victim Minor Children

- Allison Boyd suggested adding language that gives the Community Supervision Teams (CSTs) direction as to what to do when contact has not been prohibited. After discussion, it was decided by SOMB consensus to insert Section 5.725 B1 (first and second paragraph) into Section 5.736 as the new third paragraph. This paragraph now reads:

"There may be instances when a Court/Parole Board has not prohibited or restricted contact between an offender and his own minor child. In such cases, the CST should continually assess such contact and determine if information indicates that such contact is contraindicated due to increased risk of the offender to the child. Concerns may also exist related to the effective treatment of the offender within the contact of a Court/Parole Board Order allowing contact. In such cases, a Court/Parole Board Order is needed to preclude such contact. Therefore, the treatment provider shall communicate such information to the supervising officer. If the CST is in agreement, then such information should be presented to the Court/Parole Board pursuant to local procedures."

Section 5.735 C – Criteria for CST Approval of Supervised Contact with Secondary and Non-Victim Minor Children

A footnote was added defining clinical indicators, and the reference to Section 5.600 was added. Carl Blake suggested adding "and disclosures" to the footnote. After SOMB discussion and consensus, the footnote now reads: *"Clinical indicators can be anything that provides information about a client's overall clinical presentation, which may include but is not limited to interviews, quality of treatment participation, polygraph examination results and disclosures, scores on dynamic risk assessments, psychological evaluation, behavioral observations, and collateral reports."*

Michelle Geng reviewed and responded to the feedback regarding why the ROSAC is not specifically included in the Standards as a tool. Michelle and Missy Gursky clarified that aspects of this tool are not evidence-based, noted that the Standards do not indicate the use of specific assessment tools, and mentioned that it is up to the clinician which tools to use.

Allison Boyd suggested the following changes to various areas of the entire **Section 5.700** of the Adult Standards as follows:

- Delete "new" from Section 5.725 B-1 (paragraph 1). This change was agreed to by SOMB consensus.
- **Section 5.738** – Allison suggested changing the title to *"Application of Sections 5.700 – 5.736 to Minors Under Age 18 and Young Adults Under Age 25"*; replacing client with "minors" in the second paragraph; changing client to "young adults" in the third paragraph; and replacing juvenile clients with "minors" in the Discussion Point. These changes were approved by SOMB consensus.
- **Section 5.760 – Circumstances under Which Criteria May Be Waived** –
 - Allison suggested changing necessary to "beneficial" in the first paragraph. This was approved by SOMB consensus.
 - Allison suggested changing the second sentence in the second paragraph to read: *"Such contact must be well planned and facilitated by the offender's therapist and include the victim or minor child's therapist, or victim representative."* She also suggested the last sentence in this paragraph to read: *"When no therapist for the own minor child is involved, the team shall seek the input from the victim representative"*. These changes were approved by SOMB consensus.

- Allison suggested removing the third paragraph regarding special medical emergency situations when the offender could have contact. She noted that this is already captured in the previous paragraph language. Missy Gursky noted that the Committee already discussed this and clarified the rationale for this language.

Section 5.760 discussion was continued later in the agenda (see following).

LUNCH: 12:05 – 12:33

Chris Lobanov-Rostovsky and Judge Kopcow announced Brie Franklin, and Korey Elger’s departure from the SOMB, and acknowledged them for their hard work and dedication to the SOMB.

Chris Lobanov-Rostovsky noted that a nominating committee will be formed to review the applications for Brie Franklin’s position on the SOMB. Missy Gursky, Allison Boyd, Amanda Gall, and Angel Weant volunteered to be on the Nominating Committee.

CONFLICT OF INTEREST DISCLOSURE STATEMENT (Presentation) – Marcelo Kopcow, Chair (Handout Provided)

Judge Kopcow mentioned that Commissioner Trent Bushner has been hired to review the SOMB decision-making process including the conflict of interest policy for the SOMB. In the meantime, he requested each SOMB member sign and return a Conflict of Interest Disclosure form based on the current conflict of interest bylaws of the SOMB to Chris Lobanov-Rostovsky.

Amanda Gall asked for an update on the order of the agenda items for this meeting. Judge Kopcow indicated that the agenda order has been changed due to the lengthy discussion of the Standards Section 5.700, and it was noted that the Child Contact Screening and the Risk Related Sexual Interests agenda items will be tabled until the January SOMB meeting.

Judge Kopcow indicated that John Odenheimer, the Vice-Chair of the SOMB, will be taking over the Chair duties at approximately 2:00 pm as the Judge will be leaving early due to an unforeseen circumstance.

SOMB STRATEGIC PLANNING (Presentation) – Marina Borysov, DCJ, Diane Zile, and Lori Demshar, JERA Partnerships (Handout Provided)

Marina Borysov thanked the SOMB members for their engagement and honesty at the Strategic Planning session in Estes Park in October. Diane Zile reviewed the results of this planning session which indicated five core strategies.

Marina Borysov facilitated through what the next steps will be. She indicated that there will be five working groups created to address and work on the five core strategies indicated from the Strategic Planning Session. These core groups have been assigned teams and team leaders as follows:

	<u>Team Leader</u>	<u>Team</u>
• Board Engagement	Norma Aguilar-Dave	Angel Weant, Marcelo Kopcow, Steve Moreno, Lisa Mayer, Robin Singer
• Mission Purpose Alignment	Kathy Heffron	Missy Gursky, Mark Waller, Rick May
• Process Consistency	Amanda Gall	Lenny Woodson, Carl Blake, Jeff Shay
• Communication & Information	Jesse Hansen	John Odenheimer, Kandy Moore, Rick Bednarski

Marina noted that the Team leaders will have a 2-hour training session to obtain the tools to develop action plans for their particular strategy. She also mentioned that time will be allocated at each SOMB meeting, when applicable, to continue to develop these strategies. Marina indicated that there will be updates and quarterly reporting of the overall process.

Diane Zile thanked the SOMB for their hard work, and expressed her appreciation of the work they do.

Board Discussion:

Missy Gursky thanked the SOMB members for being so frank and open at the strategic planning session.

Tom Lerversee mentioned his encouragement by the information gained through this process.

Audience Discussion:

Susan Walker asked for clarification of “the balance of board engagement is skewed” from the results presented by Diane Zile. Diane Zile responded that this is in regards to the level of involvement for senior members versus the new members, and the mentoring and encouragement of new members.

SOMB ANNUAL LEGISLATIVE REPORT (Presentation) – Kelly Hume, DCJ

Kelly reviewed the various sections of the annual legislative report asked all for their input. She highlighted the following sections:

1. **Literature review** – Kelly briefly reviewed the various sub-sections of the Literature Review which includes pornography and sexual offending, LGBTQ sexual offending, risk related sexual behavior, and the role that victims play in sex offender management.
2. **Policy section** – Kelly noted that she updated some of the information in this section, but indicated that it is very much the same as last year. She mentioned that Jessica Meza asked for a policy for juveniles who are sentenced in the adult court. Kelly indicated that due to extensive information and research on this subject that the Executive Committee decided to create a position paper on this topic first, and this will be included in next year’s report. Kelly indicated that the white paper on adult male sex traffickers, and the presentation on the complaints that are filed with the Application Review Committee (ARC) are also included in this year’s report.
3. **Accomplishments** – She reviewed the accomplishments which included 12 Committees, 2 oversight SOMB meetings, 1 open forum meeting, and 53 trainings with nearly 3000 attendees. She also noted that monthly “Lunch and Learn” discussions have implemented as a way to keep the field up-to-date on the most recent Standards changes. She went on to mention that the SOMB staff support a number of SVP Community Notification meetings, provided expertise related to Legislative modification of the Sex Offender Registry regarding incapacitate sex offenders, ARC reviewed several complaints, developed a white paper on adult male sex offenders, modified the contact with children in the Standards, created the new adult sex history packet (Michelle Geng), and a number of reports published by Kelly.
4. **Trainings** – Kelly highlighted the various trainings throughout the year.

Kelly noted that she will give a more detailed reporting of this at the January SOMB meeting, and mentioned that this report will be ultimately available on the website. She also indicated that the Lifetime Supervision Report is now available in print and online.

Board Discussion:

Carl Blake asked if the recent juvenile registration paper information was included in this report. Kelly mentioned that she did not have that information, and Carl indicated that he will send it to her for her research.

Continuation of Allison Boyd’s suggested changes to Section 5.700:

• **Section 5.760 – Circumstances under Which Criteria May Be Waived –**

- There was consensus of changing necessary to “beneficial” in the first paragraph of Section 5.760.
- Carl Blake expressed his understanding of the third paragraph of this section which discusses contact when unforeseen circumstances happen (i.e., medical emergency). He noted that this paragraph should not be removed as Allison Boyd had suggested. There was continued SOMB discussion regarding these circumstances, and how to do the right thing without violating the Standards or an offender’s terms and conditions. Carl Blake noted that the SOMB needs to come to an agreement philosophically as to what direction they want to go. Judge Kopcow suggested approving the document without this Section and to obtain public comment on this subject.
- Tom Leversee made a motion to leave this paragraph in and to send it out for public comment.
- Allison Boyd expressed concern that “unforeseen circumstances” is too broad.

Audience Discussion:

Susan Walker noted that sex offenders need to see their child or children under these circumstances.

Dale Jenkins mentioned the Advocates for Change letter requesting the Best Practices Committee to review Section 5.700 before going before the SOMB. She reminded the SOMB to take into consideration the SOMB Guiding Principle #15 which states that sex offense specific assessment, evaluation, treatment, behavioral monitoring, and supervision should be humane, non-discriminatory and bound by the rules and ethics of law.

Motion to approve Section 5.760 medical emergency paragraph 3: Tom Leversee; 2nd (Question #6)

19	Approve	2	Oppose	0	Abstain	Motion Passes
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INTERSTATE COMPACT REQUIREMENTS FOR PROVIDERS (Action Item) – Rebecca Frazier, DOC

Paige Hansen introduced Rebecca Frazier with Interstate Compact of the Department of Corrections.

Rebecca Frazier explained that the Interstate Compact is an agreement with other states when transferring offenders between states to best acclimate them in the new state. When moving to a new state, the offender would apply to have their supervision and/or treatment needs set up at their new location.

She discussed how Donta Paige, a convicted sex offender, moved to Colorado for treatment and subsequently raped and murdered a young lady before there were laws monitoring these situations. Rebecca clarified that the Interstate Compact Office controls the flow of clients coming in and out of Colorado, and noted this office ensures that incoming offenders follow the proper process, have the proper documentation, and have the proper treatment in place. She reviewed the process regarding these offender transfer situations, and indicated that there should be a questionnaire as part of the in-take packet that indicates the offender’s previous misdemeanors and/or felonies. Rebecca noted the need for offenders to be fingerprinted in the county where they receive treatment. She went on to mention that treatment agencies can be fined when not in compliance of the law, and indicated that it has taken a long time to make the treatment providers aware of this law.

Board Discussion:

Michelle Geng noted that there is not willful intent to not be in compliance with the Interstate Compact laws. She indicated that there is still a lack of knowledge regarding the interstate compact law and process, and noted that more training needs to be done in the field. Michelle mentioned that the SOMB will be training on this in the coming year, and will include the necessary forms in the Standards appendix.

Rick May asked if this is for Federal or juvenile cases. Rebecca responded that Federal and juvenile Interstate Compact cases are done a completely different way, and noted that this is only for state level cases.

Carl Blake suggested adding a question to the intake form that asks if the offender is subject to the Interstate Compact process and procedures (see appendix for more information).

Judge Kopcow asked if there is a one-pager explaining the interstate compact process. It was noted that there are eligibility guidelines on the SOMB website. Angel Weant noted there is a section for the Interstate Compact on the Judicial website.

Judge Kopcow left for the day. John Odenheimer chaired the remainder of the Meeting.

Continuation of Allison Boyd’s suggested changes to Section 5.760:

- **Section 5.760 – Circumstances under Which Criteria May Be Waived –**
 - Allison Boyd suggested changing victim or minor child to “own minor child” in the 2nd paragraph. The SOMB approved this change by consensus.

General Comments on the 5.700 Sections discussed at this meeting are as follows:

Audience Discussion:

Laurie Kepros (Handouts Provided) – Laurie reviewed the enabling legislation that directs the SOMB regarding the recommended modifications of the 2014 external evaluation, and noted that the SOMB Annual Legislative report should include any inconsistencies and the evidence-based reason for these.

Laurie went on to reiterate that the basic tenant of Section 5.700 continues to indicate that an offender does not have contact with own minor child regardless of the type of offense (i.e., victims are adults only). She noted that the external evaluation suggested reconsidering the grounds for non-contact, and to consider the risk involved. Laurie indicated the revised Standards fail to address the needs of minors, fail to cover real-world circumstances, cannot be applied to every situation, and are not meeting the recommendations of the external audit. Laurie went on to discuss that there are other ways to address contact on a case-by-case basis that better meet the needs of the client, the victim, the community, and public safety. She reiterated to trust the CSTs and their expertise in making the right decisions. Laurie suggested removing all the “shalls” and replace them with “should”, and to let the teams use their expertise to do the right thing regarding each case.

Board Discussion:

Tom Leversee responded to Laurie that this is an ongoing challenge for the SOMB, to individualize based on risk-need-responsivity (RNR), and expressed the need to trust the CSTs.

Kathy Heffron asked if there is an opportunity to change the “shalls” to “should” in Section 5.700. Carl Blake responded that not all shalls need to be changed. He noted that the Standards keep the treatment providers accountable, and suggested reviewing to see what areas really need to be changed, especially where the direction is overly prescriptive.

Allison Boyd responded to Laurie Kepros that a number of areas have been addressed, and that current research was used in those areas. She also reiterated that these Standards are a guidance for professionals operating in the field, and noted that the “shoulds” give clear expectations.

Angel Weant responded that it makes sense to have this philosophical shift with individualized treatment, and noted that the Standards are moving in that direction. She also mentioned that professionals in the field are going to be cautious, and rely on the Standards for direction.

Audience Discussion:

Dale Jenkins reiterated that the SOMB has Statutory requirements, and noted they will subject to a comprehensive audit that will hold them accountable to their mandates. She encouraged the SOMB to exercise their responsibilities and comply with HB 18-1198 (all boards) and the legislative mandates set forth.

Susan Walker mentioned that there is an impasse between the offender advocates and the victim advocates. She noted the need to spend more time and energy on those who have not yet been caught.

Carl Blake made a motion to approve the 5.700 document as amended. Jesse Hansen 2nd the motion.

Motion to approve Adult Standards as amended 5.700-5.40, 5.755-5.756, and 5.770-5.776: Carl Blake; Jesse Hansen 2nd (Question #7)

15 Approve 4 Oppose 0 Abstain Motion Passes

Carl Blake reiterated that this is just the first step in the process, and noted that changes will continue to be made.

Break: 2:33 – 2:47

Chris Lobanov-Rostovsky acknowledged Jessica Meza’s departure from the SOMB and thanked her for her work on the SOMB.

SOMB DATA COLLECTION IMPLEMENTATION UPDATE (Presentation) – Yuanting Zhang, DCJ (Handout Provided)

Yuanting Zhang reviewed the essence of HB 16-1345 regarding the data collection required from the evaluators, polygraph examiners and treatment providers. She reviewed the process, and indicated that an anonymous tracking system is being developed for the purpose of collecting this data. Yuanting noted that evaluators will enter data into this system at the completion of the evaluation, polygraph examiners will enter data after each polygraph event, and treatment providers will enter data when a client completes or leaves treatment. She also indicated that the SOMB will be responsible for training the treatment providers, evaluators, and polygraph examiners on this data collection system. The SOMB will also be responsible for reporting aggregate level data results to the Legislature.

Yuanting indicated that the purpose of the database is for quality improvement of the sex offender treatment process (Phase I), and to protect the community by reducing future sexual offenses (Phase II).

- Phase I – Will be point-in-time data (process evaluation).
- Phase II – Will track offenders across services from multiple systems to track re-offense data (outcome evaluation).

Yuanting mentioned the following key points:

- This new data collection system is being developed by the State of Colorado Office of Information Technology.
- This new system will integrate the current SOMB treatment provider application database.
- No personal identifying information or identifying specifics on offenders will be disclosed.
- The SOMB will follow all HIPPA regulations, based on input from the Attorney General’s office.
- Will rely on the SOMB to review the research questions and the goal of the database.

Board Discussion:

Carl Blake expressed concern with linking individual evaluators, and rating by provider successful completions. He noted that some providers work with different types of populations whose completion data might not be considered successful due to the clients being high risk. Carl clarified that the collection should be high level/aggregate data for treatment providers, that indicates how they are applying RNR, the outcomes, not to be specifically tied to an individual treatment provider. He asked for more information, and noted it has deviated from what the SOMB had previously approved.

Kelly Hume responded that the SOMB is not moving away from what was originally approved, and are not linking individual treatment provider information. She noted that they are monitoring all information for HIPPA compliance. Chris Lobanov-Rostovsky reiterated that individual provider information will not be in the data collection.

Audience Discussion:

Dale Jenkins reminded all that the data collection piece is driven by Statute. She reviewed the terms of the statute, and encouraged the SOMB to always consider this mandate.

UPDATE ON BEST PRACTICES COMMITTEE REVIEW OF THE TES VARIANCE (Presentation) – Tom Leverage, Best Practices Committee

Tom Leverage presented the background to the Treatment and Evaluation Services (TES) variance regarding a treatment program for clients while their case is under appeal. He indicated that TES has had two variances to continue this treatment program, and have applied for a third variance. Tom mentioned that the SOMB policy states that when applying for a third variance, this situation should be reviewed as to whether there needs to be a Standards change. He indicated that the Best Practices Committee has approved the need for a Standards change. He went on to ask the SOMB for input and guidance as to the design of this change in Standards, if indicated.

Chris Lobanov-Rostovsky noted that Best Practices is still under deliberation, and mentioned they will bring back recommendations at the January meeting.

Tom Leverage indicated that this has been an ongoing process, and mentioned that there have been quarterly updates regarding the monitoring and outcomes of this program.

TERMS AND CONDITIONS OF PROBATION FOLLOW-UP (Action Item) – Michelle Geng, Raechel Alderete, and Chris Lobanov-Rostovsky, DCJ

Angel Weant noted that the new terms and conditions are for the courts, who pick and choose which of these terms and/or conditions are applicable for each individual case. She suggested that the SOMB ask Ingrid Barrier (Colorado Department of Public Safety legal counsel) to come and give legal advice as to what the SOMB wants to do with these new terms and conditions.

Chris Lobanov-Rostovsky suggested that Kelly Hume and Yuanting Zhang research any information that could be found to inform evaluators to help them include risk factors in the evaluation to enable the courts to make better informed decisions. He also suggested collaboration with Judicial. Angel Weant noted that she is currently collaborating with Judge Kopcow to create a webinar to train and inform the field on these terms and conditions.

Missy Gursky mentioned her desire to protect evaluators, and suggested Jim Tanner and Greg Brown come and present to the SOMB in January in order to show the nexus that ties evaluators and Judicial. There was SOMB consensus to pursue this option.

Raechel Alderete noted that she and Michelle Geng have trained on this subject, and indicated that evaluators and treatment providers are requesting guidance with these new terms and conditions.

Missy Gursky noted that there is a disconnect which needs to be addressed immediately.

Raechel Alderete mentioned that Boulder County did invite the SOMB office to attend their presentation.

Angel Weant noted she will incorporate this in her training for Judicial. She offered to speak to any judicial districts to discuss and educate on these new terms and conditions.

CHILD CONTACT SCREENING (Public Comment Review and Standards Ratification) – Michelle Geng, DCJ (Handout Provided)

Postponed until January 2019 meeting.

RISK RELATED SEXUAL INTERESTS (Public Comment Review and Standards Ratification) – Raechel Alderete (Handout Provided)

Postponed until January 2019 meeting.

SOMB Meeting Adjourned: 3:25 pm

1.) Motion to approve September minutes (Multiple Choice)

Responses		
	Percent	Count
Yes	86%	18
No	0%	0
Abstain	14%	3
Totals	100%	21

2.) Motion to amend document (Multiple Choice)

Responses		
	Percent	Count
Yes	52%	11
No	43%	9
Abstain	5%	1
Totals	100%	21

3.) Motion to amend the document (Multiple Choice)

Responses		
	Percent	Count
Yes	43%	9
No	48%	10
Abstain	10%	2
Totals	100%	21

4.) Motion to (Multiple Choice)

Responses		
	Percent	Count
Yes	95%	19
No	5%	1
Abstain	0%	0
Totals	100%	20

5.) Motion to (Multiple Choice)

Responses		
	Percent	Count
Yes	100%	21
No	0%	0
Abstain	0%	0
Totals	100%	21

6.) Motion to keep the medical emergency language in the Standards (Multiple Choice)

Responses		
	Percent	Count
Yes	90%	19
No	10%	2
Abstain	0%	0
Totals	100%	21

7.) Motion to approve 5.7 as amended (Multiple Choice)

Responses		
	Percent	Count
Yes	79%	15
No	21%	4
Abstain	0%	0
Totals	100%	19

Session Name: New Session 11-16-2018 10-06 AM

Date Created: 11/16/2018 8:45:42 AM Active Participants: 22 of 24

Average Score: 0.00%

Questions: 7

Results Detail

Name	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Total Points	Score
Answer Key	-	-	-	-	-	-	-	0.00	-
Rodriguez, Tony	3	3	1	1	1	1	1	0.00	-
Bednarski, Rick	1	2	2	1	1	1	2	0.00	-
Blake, Carl	1	2	2	1	1	1	1	0.00	-
Boyd, Allison	1	1	1	1	1	2	1	0.00	-
Elger, Korey	1	2	1	1	1	1	1	0.00	-
Franklin, Brie	3	1	1	1	1	1	1	0.00	-
Gall, Amanda	1	1	1	2	1	2	2	0.00	-
Gusky, Missy	1	2	2	1	1	1	1	0.00	-
Hansen, Jesse	-	-	-	-	-	1	1	0.00	-
Holbrook, Sharon	1	1	1	1	1	1	1	0.00	-
Jenks, Jeff	1	1	1	-	1	-	1	0.00	-
Leversee, Tom	1	2	3	1	1	1	1	0.00	-
May, Rick	1	2	2	1	1	1	1	0.00	-
Heffron, Kathryn	1	2	2	1	1	1	2	0.00	-
Moore, Kandy	1	1	1	1	1	1	1	0.00	-
Moreno, Steve	1	1	1	1	1	1	-	0.00	-
Odenheimer, John	1	1	2	1	1	1	-	0.00	-
Powers, Taber	1	2	2	1	1	1	2	0.00	-
Shay, Jeff	1	1	2	1	1	1	-	0.00	-
Singer, Robin	3	1	3	1	1	1	1	0.00	-
Weant, Angel	1	1	2	1	1	1	1	0.00	-
Woodson III, Lenny	1	2	2	1	1	1	1	0.00	-
Participant List Averages	-	-	-	-	-	-	-	0.00	-