

COLORADO DOMESTIC VIOLENCE OFFENDER MANAGEMENT BOARD

MEETING MINUTES

October 9, 2020

Attendance:

Domestic Violence Board Members Present:

Brandy Walega, Bradley Burbach, Erin Gazelka, Jackie List, Jeanette Barich, Jenifer Morgen, Karen Morgenthaler, Kristiana Huitrón, Laura Bravo, Michelle Hunter, Nancy Olson, Nil Buckley, Raechel Alderete, Sandra Campanella, Stephanie Fritts, Tally Zuckerman

Domestic Violence Board Members Absent:

Jennifer Parker, Nicole Collins

Staff Present:

Adrienne Corday, Baylee Hodack, Carolina Thomasson, Chris Lobanov-Rostovsky, Elliot Moen, Jesse Hansen, Marina Borysov, Yuanting Zhang

Guests:

Amanda Albo, Bridget Dyson, Christiana Brown, Jennifer Howard, Jennifer Shay, Joshua Goldberg, Kenneth Boyd, Marlene Schafer, Matt Reide, Sasha Cafaro, Silvia Newcomb, Tarikah Dixon, Wendy Bieseemeier, Danielle Fagan, Jalice Vigil

Introductions

The meeting convened online at 9:34AM. Jesse indicated to Nancy Olson (Chair) that a quorum was present. Nancy called the meeting to order.

Nancy asked if there was consensus to approve the October agenda.

There was consensus to approve the October agenda.

Next, the Board reviewed the September minutes. Nancy asked if there was a motion.

Erin Gazelka moved to approve the September minutes as amended. Stephanie Fritts seconded the motion.

There was no further discussion on the September minutes. Nancy asked Elliot to prepare the vote. Elliot reminded public members that only Board members should vote.

The amended motion passed with eleven votes to approve, zero votes to object, and one votes to abstain.

	Responses	
	Percent	Count
Yes	91.67%	11
No	0.00%	0
Abstain	8.33%	1
Totals	100%	12



Announcements:

- Staff Announcements:
 - Jesse Hansen Announced:
 - The launch of the new Domestic Violence Offender Management Board (DVOMB) website.
 - The launch of the new DVOMB Provider Data Management System and two applications have been submitted through the new system.
 - Information about a special notice about scammers targeting DVOMB Approved Providers. Please be vigilant to who is contacting you and what information you give.
 - There is a new Specialized Training Application that seeks to catalog professional trainers on a variety of subjects. Selected trainings will be posted to the website, and once the training registration is full, the training will be scheduled.
 - October is Domestic Violence Awareness Month (DVAM).
 - The draft Restorative Justice White Paper will be emailed to Board members for review prior to the November meeting.
 - Carolina Thomasson announced:
 - There is a recurring Technical Assistance Webinar for Treatment Providers on the second Wednesday of each month. There is also a recurring Technical Assistance Webinar for Domestic Violence Clinical Supervisors on the third Wednesday of each month. She invited these professionals to join her.
 - Reminder that the COVID-19 Variance approvals have extended through January 1st, 2021.
 - Marina Borysov announced the following updates regarding training events:
 - DVOMB Trainings:
 - Online Trainings:
 - DVI02 – October 16th
 - DVI03 – December 4th
 - DVI00 Online Training
 - Lunch and Learns
 - October 12th - Section 1.0 Revisions: Implementation and Impact to Parole and Community Corrections
 - October 29th – COVID 19 Updates and Survey Results

Board Announcements

Nancy Olson announced her second term on the DVOMB is expiring in February 2020. She informed the Board of her experience as the Chair, the responsibilities of the Chair, and encouraged others to think about future nominations for her replacement.

Public Announcements

There were no public announcements.

Future Agenda Items

There were no future agenda items.

Domestic Violence Awareness Month: Bridget Dyson's Story of Survival:

To honor DVAM, Bridget Dyson shared her story of survival and experiences with the criminal justice system.

Break

No business conducted.

Executive Committee Charter: (Handout)

Jesse presented the draft Executive Committee Charter to the Board. He reminded the Board about the purpose of the Charter and solicited feedback. There were no comments or questions.

Brandy Walega moved to approve the Executive Committee Charter. Jenifer Morgen seconded the motion.

Nancy asked Elliot to prepare the vote. Elliot reminded public members that only Board members should vote.

The amended motion passed unanimously with fifteen votes to approve, zero votes to object, and zero votes to abstain.

Responses		
	Percent	Count
Yes	100.00%	15
No	0.00%	0
Abstain	0.0%	0
Totals	100%	15

Treatment Victim Advocate Identifying in Offenders Documentation: (Handout)

Carolina introduced the topic and provided background information. Brandy Walega spoke to the Board regarding a concern with records in ReliaTrax includes the identifying information (e.g. names or contact information) of Treatment Victim Advocates (TVA) in offender records. Carolina indicated that this practice was not limited to ReliaTrax. She also informed the Board that there is nothing written in the DVOMB *Standards* that indicate that the TVA's identifying information is to be kept confidential by the Approved Provider.

Discussion:

The Board discussed the following:

- Jenifer Morgen sought clarification if this was in regards to TVA information generally. Carolina responded and indicated that this was specifically with regard to offender records.
- A Board member asked if the identifying information of the TVA could be replaced with a generic title of *Treatment Victim Advocate*?
- Another Board member indicated DVOMB Approved Providers are covered under Health Insurance Portability and Accountability Act (HIPAA); however, TVA's are not. It was asked if there was a best practice for addressing this situation?
- It was noted that certain records are required to be documented by mental health professionals and these records can be subject to a subpoena.
- As a possible solution, a Board member suggested TVAs could be assigned a number that was linked to their name in order to maintain confidentiality.

- It was asked if the Release of Information (ROI) required by offender treatment could identify the position of the TVA without disclosing the identity of the TVA? There was uncertainty about whether this would be permissible.

The Board identified the following next steps:

- Seek clarification about the ROI and the HIPAA requirements from the Colorado Department of Regulatory Agencies and the Office of Behavioral Health;
- Seek guidance and advice from Ingrid Barrier who is the Attorney General Representative for the Colorado Department of Public Safety (CDPS).

DVOMB Telehealth Survey Results: (Handout)

Yuanting Zhang gave a presentation regarding the survey results from data collected on the use of Teletherapy during COVID-19 pandemic.

Restorative Justice 101: (Handout)

Danielle Fagan and Mathew Riede of the Colorado Restorative Justice Council presented on Restorative Justice (RJ) Practices.

Questions:

- Does the RJ process take into account the unique dynamics of intimate partner violence, specifically the high rates of recidivism and the impact to victims? If so, what are the safeguards?

Matt responded that the court cannot order any cases with an underlying factual basis of domestic violence to RJ. Probation terms and conditions prohibit this as well. He noted that there are other states using RJ practices with cases of intimate partner violence. He also noted there is interest around this work and that the RJ Council has convened an exploratory workgroup.

- Are you aware of any states that use RJ practices with domestic violence offenders and victims?

Matt indicated that the workgroup is still gathering information, but Oregon, Texas, and Pennsylvania are currently using RJ practices with domestic violence cases.

- Sandra Campenella expressed concerns about the use of RJ practices and chronic offender manipulation when victims express their vulnerabilities. Sandra also noted that she supports RJ practices but remains cautious with its application to domestic violence cases.

- Kristiana Huitrón asked for more specifics about how this process would be structured and shared that she was concerned that victims may be inadvertently coerced into participating in an RJ process.

Matt agreed that this was a great question, but that the work of the RJ Council was too formative to know what those safeguards are to protect victims. He noted that this would require experts to contribute to any further work around potential changes.

- Jesse indicated that the Board would be open to having future presentations by members of the RJ Council about any prospective changes being proposed based on the results of the exploratory workgroup.

Adjourn

The meeting adjourned at 1:22PM.

Respectfully submitted by,
 Adrienne Corday

Individual Voting Results

Active Participants	Total Participants		
15	15		
Last Name	First Name	Motion 1	Motion 2
Walega	Brandy	1	1
Burback	Bradley	NP	1
Gazelka	Erin	1	1
List	Jackie	1	1
Barich	Jeanette	1	1
Morgen	Jenifer	NP	1
Parker	Jennifer	NP	NP
Morgenthaler	Karen	1	1
Huitrón	Kristiana	NP	1
Laura	Bravo	1	1
Hunter	Michelle	1	1
Olson	Nancy	1	1
Collins	Nicole	NP	NP
Buckley	Nil	3	1
Alderate	Raechel	1	1
Campanella	Sandra	NP	NP
Fritts	Stephanie	1	1
Zuckerman	Tally	1	1

Voting Legend
 1 = Yes
 2 = No
 3 = Abstain
 NP = Not Present At the Time of Vote

Motion 1: Erin Gazelka moved to approve the September minutes as amended. Stephanie Fritts seconded the motion.
 Motion 2: Brandy Walega moved to approve the Executive Committee Charter. Jenifer Morgen seconded the motion.