

SEX OFFENDER MANAGEMENT BOARD (SOMB) MINUTES

Friday, January 20, 2023

**THIS MEETING WAS HELD IN PERSON AND VIA AUDIO/VIDEO
CONFERENCING**

SOMB Members

Amanda Retting
Carl Blake
Casey Ballinger
Gary Kramer
Glenn Knipscheer
Gregg Kildow
Hannah Pilla
Ivonne Sierra
Jason Lamprecht
Jeff Shay
Jesse Hansen
Jessica Dotter
Katie Abeyta
Kent Vance
Kimberly Kline
Lisa Mayer
Michelle Simmons
Nicole Feltz
Norma Aguilar-Dave
Sarah Croog
Sharon Holbrook
Taber Powers
Theresa Weiss
Tony Carochi

Guests

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| Abi Olson | Judie Kunze |
| Adrienne Campos | Julia Johnson |
| Alison Talley | Kara Napolitano |
| Alyssa Glaser | Kristin Kubacki |
| Amanda Albo | Karl Holden |
| Amira Minazzi | Kristina Wilburn |
| Ashley Jellison | Kyle Jones |
| Beryimar Perozo | Laurie Kepros |
| Beth George | Manda Oskel |
| Brian Garrett | Margaret Ochoa |
| David Martinez | Marsha Brewer |
| Ena Dedic | Michelle Hunter |
| Gabriel Garcia | Pat Harris |
| Gary Reser | Rick Ostring |
| Genie Connaghan | Roger Kincade |
| Gregory Goodrich | Sarah Marlow |
| Holly Harris | Sera Bennett |
| Jamie Stelzer | Stephen Scippio |
| Jason Talley | Tami Floyd |
| Jessica Meza | Tanya Ahamed |
| Jessie Glasscock | Trish Wood |
| Joel Malecka | Wellesley Bush |
| Jordyn Schneider | |

Absent SOMB Members: None

Staff Present: Chris Lobanov-Rostovsky, Erin Austin, Rachael Collie, Raechel Alderete, Reggin Palmitesso-Martinez, Taylor Redding, Jill Trowbridge, Jess McBrayer, and Yuanting Zhang

SOMB Meeting Begins: 9:07 am

This meeting was recorded.

INTRODUCTIONS/ATTENDANCE:

Kimberly Kline (SOMB Chair) introduced herself, and welcomed the SOMB members in attendance along with the members of the public.

Raechel Alderete (ODVSOM Staff) introduced herself.

Taylor Redding (ODVSOM Staff) introduced herself, reviewed the various aspects of the WebEx components of the meeting, and indicated how the meeting will be conducted.

Raechel Alderete (ODVSOM Staff) introduce Amanda Retting as the new Department of Corrections (DOC) representative on the Board replacing Christina Ortiz-Marquez. Amanda Retting introduced herself and gave a brief background of her prior experience.

The SOMB in-person members introduced themselves.

Raechel Alderete (ODVSOM Staff) introduced the Board members attending online.

The in-person guests introduced themselves.

Raechel Alderete (ODVSOM Staff) introduced Reggin Palmitesso-Martinez as the new ODVSOM Application and Compliance Coordinator.

The ODVSOM Staff introduced themselves.

Erin Austin (ODVSOM Staff) introduced the online guests.

FUTURE AGENDA ITEMS:

Board:

None

Audience:

None

ANNOUNCEMENTS:

Staff:

Taylor Redding (ODVSOM Staff) announced the following training information and opportunities:

- 2/9/23 - Lunch & Learn training – Implementation of the Provider Data Management System (PDMS) and New Applications. She noted this is for providers only and interns being supervised by providers.
- 3/7/23 - Offense Supported Attitudes Among the Sex Offending Population training is being held by Dr. Hannah Pilla in Castle Rock.
- The Call for Papers for the ODVSOM Conference has been sent out, and noted that responses to the Call for Papers are due by 2/17/23.
- She noted there will be a Pre-Conference day on 7/11/23 at the ODVSOM Conference that will include 5 or 6 speakers who will present more advanced training. She indicated more information will follow.

Erin Austin (ODVSOM Staff):

- She discussed the housing grant from Remerg for individuals convicted of a sexual offense who are homeless, and those who continued to be incarcerated due to a lack of housing.

Raechel Alderete (ODVSOM Staff):

- Indicated that the Housing Paper is complete and now out for public distribution.
- Noted that the 2023 Annual Legislative Report is complete and will be posted on the SOMB website next week. Raechel Alderete mentioned that copies of this will be emailed to all SOMB members.
- Raechel Alderete noted that the field has been asking when Boundaries treatment and Sex Offense Specific treatment should be utilized with a client. She indicated that a bulletin has been created to help answer the field questions and to remind providers and stakeholders to follow the Standards and to adhere to the risk-need-responsivity principles.

- The SOMB will be presenting the 2023 Annual Legislative report before the Legislative Joint Judiciary on January 25th at 1:30 pm.
- Raechel Alderete acknowledged the following SOMB members who are leaving or have left the SOMB due to various reasons:
 1. Christina Ortiz-Marquez
 2. Glenn Knipscheer
 3. Jeff Shay
 4. Tony Carochi

Jesse Hansen (SOMB Member) explained the new voting application from Point Solutions for those attending on-line. He noted that the online SOMB members should download the APP and noted the session ID will be 870460 for this meeting. A test vote was taken to ensure that the new on-line voting system is working properly. The test was successful.

Board Announcements:

None

Audience Announcements:

Laurie Kepros (Audience Member) acknowledged the Lunar New Year (Year of the Rabbit) for those who participate.

APPROVAL OF OCTOBER AND NOVEMBER MINUTES: (Attachment #1)

*Carl Blake (SOMB Member) made a motion to approve the October Minutes as presented.
 Jeff Shay (SOMB Member) 2nd the motion.*

Board Discussion:

None

Motion to approve the October Minutes as presented: Carl Blake; Jeff Shay 2nd (Question #2)

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| 20 | Approve | 0 | Oppose | 2 | Abstain | Motion Passes |
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*Taber Powers (SOMB Member) made a motion to approve the November Minutes as presented.
 Carl Blake (SOMB Member) 2nd the motion.*

Board Discussion:

None

Motion to approve the November Minutes as presented: Taber Powers; Carl Blake 2nd (Question #3)

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| 18 | Approve | 0 | Oppose | 4 | Abstain | Motion Passes |
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APPROVE AGENDA

The agenda was approved by consensus.

ADULT AND JUVENILE STANDARDS REVISIONS – SECTION 4 (Decision Item): (Attachment #2) Erin Austin, DCJ

Erin Austin (SOMB Staff) reviewed the following revisions made to Section 4.000 of the Adult and Juvenile Standards.

Erin Austin (SOMB Staff) noted that the Department of Regulatory Agencies (DORA) included the Certified Addictions Technician, the Certified Addictions Specialist, Licensed Addictions Counselor and the Provisional or Candidate Licensed Professional Counselor under their Certified Addictions Counselor license.

Section 4.100-A, 4.200-B – Associate Level Treatment Providers and Evaluators: Erin Austin (SOMB Staff) indicated that due to these DORA changes, the Standards Sections 4.100 and 4.200 have been revised to include these classifications. She mentioned that these additional classifications are only eligible at the Associate Level listing (under supervision) with the SOMB until further credentialing, licensure, or certification has been attained. Erin Austin noted that after the required supervision time (10 years and in good standing with the SOMB) they can move up to full operating level with the SOMB.

Section 4.300-B, 4.310-a, 4.600-A, 4.610-A – Full Operating Level Treatment Providers and Evaluators: Erin Austin (SOMB Staff) indicated the Certified Addictions Specialist, Licensed Addictions Counselor, and the Licensed Professional Counselor (Provisional or Candidate) have been included in this section due to the changes DORA made to their licensing structure.

Section 4.700 – Clinical Supervisor: Erin Austin (SOMB Staff) indicated that the following proposed criteria be included in this section:

- Clinical Supervisors will now need 80 hours of specific specialized training within 5 years to move to Full Operating level, and added the recommendation to wait 6 months practicing at the Full Operating level before practicing as a Clinical Supervisor.

Section 4.750 – Continued Placement of Clinical Supervisors on the Provider List: Erin Austin indicated that this is a new Standard which reads:

- Clinical Supervisors shall continue to attend training as required by their respective licensing board(s) of the Department of Regulatory Agencies.

Erin Austin (SOMB Staff) indicated that these proposed revisions went out for public comment. She noted that after received public comment, these revisions went back to the Juvenile and Adult Standards Revisions Committees and to the Best Practices Committee. She mentioned that the SOMB staff is looking for a motion to approve these changes from the Board.

Erin Austin (SOMB Staff) recommended an implementation period of 30-60 days, and asked Carl Blake (SOMB Member) for his recommendation as to the implementation since DORA has already implemented these changes. Carl Blake recommended a 30-day implementation period.

Board Discussion:

Jesse Hansen (SOMB Member) noted that Certified Addictions Technicians (CATs) are not allowed to perform therapy according to DORA regulations, and asked if that is going to be problematic for those at the associate level. Carl Blake (SOMB Member) responded that further clarification from DORA might be required, and indicated that the SOMB requirements require a higher educational requirement than DORA for those individuals. He indicated that a CAT can potentially have a conflict with DORA, and noted the need for clarification from DORA regarding whether a CAT can provide treatment under the SOMB requirements. Jesse Hansen mentioned that he would like to see a pathway with DORA so these folks can provide treatment in these situations.

Carl Blake (SOMB Member) suggested removing Licensed Addictions Counselor from the second pathway in the Full Operating Provider Section as this license is already required for the first pathway.

Kim Kline (SOMB Chair) noted that the Licensed Social Worker (LSW) license was left out of the revisions, and indicated that LSW's are licensed through DORA by an exam. Erin Austin noted this was an oversight, and indicated that it will be added to the first pathway of the Full Operating Level Treatment Providers and Evaluators section. Erin Austin (SOMB Staff) noted that Licensed Professional Counselor Candidates (LPCCs) will have to wait until they are fully licensed. Taber Powers (SOMB Member) suggested looking at what privileges are given for each individual license to determine when they can move to Full Operating level. Katie Abeyta (SOMB Vice-Chair) mentioned that LSWs cannot practice independently without supervision.

Raechel Alderete (SOMB Staff) clarified that the language was changed to include the additional counseling categories which is consistent with the new DORA language. She noted that no changes were made in the Standards regarding those moving to Full Operating level.

Carl Blake (SOMB Member) suggested changing Clinical Social Worker to Licensed Social Worker in the 2nd section to move up to Full Operating Level, and adding Licensed Clinical Social Work in the 1st section.

Carl Blake (SOMB Member) made a motion to approve the Adult and Juvenile Standards revisions with the removal of Licensed Addictions Counselor from the 10-year pathway, and changing any reference to Clinical Social Worker to Licensed Social Worker.

Taber Powers (SOMB Member) 2nd the motion.

Audience Discussion:

None

Motion to approve Adult and Juvenile Standards revisions Section 4.000 as amended with a 30-day implementation period: Carl Blake; Taber Powers 2nd (Question #4)

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| 22 | Approve | 0 | Oppose | 1 | Abstain | Motion Passes |
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JUVENILE STANDARDS REVISIONS – SECTIONS 3.130 (7) AND 3.410 (Action Item): (Attachment #3) Dr. Carl Blake, Juvenile Standards Revisions Committee Chair and Raechel Alderete, SOMB Program Coordinator

Raechel Alderete (SOMB Staff) introduced Sections 3.130 (7) and 3.140 –

Section 3.130 (7) – Raechel Alderete reviewed the following language based on public comment received: *“Accountability is a key factor in treatment and it is important to note a client cannot fully progress and successfully complete treatment until the individual and ecological factors identified in their treatment plan have been addressed. It is expected that a juvenile will be able to take accountability and acknowledge their abusive behavior. In the rare event a juvenile is unable to directly verbalize their abusive behavior the provider shall document the circumstances of the case and the rationale for why the juvenile should be allowed to progress and/or successfully complete treatment in the absence of a direct verbalization of the abusive behavior. Regardless of the type of discharge, if specific aspects of sex offense specific treatment were not addressed due to a pending appeal that should be noted in the discharge summary.”*

Carl Blake (SOMB Member) clarified that this language addresses when Juveniles comply with all treatment, accept responsibility, comply with treatment plans, and are looking at and discussing what changes they need to make, but are struggling with “verbalizing” behavior. He went on to indicate that a therapist should not force a juvenile to confess to a statement if there is not a genuine connection. Carl Blake mentioned that this language will give the providers a level of treatment flexibility when treating juveniles who are engaged in working through their treatment, but are unable to utter the words. He noted that this language was vetted through the Juvenile Standards Revisions Committee, Victim Advocacy Committee and the Best Practices Committee.

Section 3.140 C. – Raechel Alderete noted that the following discussion point was added under Item C.: *“Discussion point: When discharging a client based on maximum benefit gained, the treatment provider should provide an explanation of what areas/goals have been achieved in treatment and what areas/goals are still being addressed but the juvenile has made as much progress as they are capable of making. It should be noted that benefits gained from therapy may increase overtime outside of the context of therapy, especially in juveniles who are continuing to develop and mature. A discharge based on maximum benefit gained does not suggest that a juvenile may not benefit from therapy in the future, that there are no additional treatment needs, or that the juvenile has completed all treatment goals. A discharge for this reason is an indication that the juvenile has made sufficient progress on treatment goals related to sexually abusive behavior, has addressed their risk of sexually offending, does not present with an active or acute risk of sexual harm, and is unlikely to make additional progress with continued treatment at this time.”*

Carl Blake (SOMB Member) clarified that the discussion point is to give the providers the flexibility for juveniles who have been engaged in treatment but have progressed as much as they can and have addressed the goals they are capable of making. This discussion point is meant to explain what the term “maximum benefit” refers to.

Board Discussion:

Gary Kramer (SOMB Member) questioned if these changes in language are for juveniles who are struggling with their cases especially when advised to not verbally express accountability. He noted the need for clarification as to how the treatment provider deals with those cases (possibly by an unsuccessful discharge.) Judge Kramer indicated that there is a difference from those who are struggling to say the words from those who are being advised to not express accountability. Carl Blake (SOMB Member) responded that when under an appeal, it will be noted that those cases would not require the verbal accountability, and indicated that a proposed revision with another discharge type can be used in those scenarios. He also mentioned the difference between a juvenile who has successfully completed his treatment but does not talk about the adjudicated behaviors, and a juvenile whose case is under appeal in which he would not be allowed to discuss that behavior.

Taber Powers (SOMB Member) asked what the role of the Multi-Disciplinary Team (MDT) is when waiving the verbal acknowledgement of their offense. Carl Blake (SOMB Member) responded that there are other sections that cover the roles of the MDT. He indicated that

these cases are navigated through the treatment provider to make clinical decisions as this is part of the actual treatment and not the expertise of the MDT.

Sarah Croog (SOMB Member) agreed with the concept of this Standard, but asked for clarification that the language is not as clear as it should be. Carl Blake (SOMB Member) responded that the treatment plan, goals and accountability are being addressed through the clinical indicators.

Jessica Dotter (SOMB Member) asked what are the clinical indicators that indicate a youth is progressing through treatment and acknowledge the behavior while not verbally expressing accountability. Carl Blake (SOMB Member) responded that forcing someone to verbally express their behavior is not always the answer in treating a client. He mentioned that it can be a difficult task for a clinician to figure out, and noted that they will have to document true behavioral change from those who are in denial. Carl Blake noted that the expectation is that the youth is accountable for their behavior and should acknowledge and verbalize their offense. He indicated that this language is for the rare cases where the treatment providers are struggling with what is best for both the client and the victim.

Jessica Dotter (SOMB Member) suggested clarifying the language to note that this is a "rare" event and that the client has shown accountability for their behavior but is unable to verbalize their offense.

Judge Kramer (SOMB Member) asked if the vote is only on the language in red. Raechel Alderete (SOMB Staff) responded that yes, and noted that the other language will be brought before the SOMB at a later date. Judge Kramer stated case law (Case #379P30-09-RUCH) regarding self-incrimination for adults, and asked if that applies to juveniles also. Carl Blake (SOMB Member) responded that the Standard is not suggesting that a juvenile not participate in sex offense specific treatment, but noted that there may be aspects of treatment that are altered for those under appeal.

After continued discussion, Carl Blake (SOMB Member) suggested the following language be inserted:

"In the rare event a juvenile is unable to directly verbalize their abusive behavior, however, other clinical indicators demonstrate the level of accountability, the provider shall document the circumstances of the case and the rationale as to why the juvenile should continue to progress and/or successfully complete treatment in the absence of a direct verbalization of the abuse."

Carl Blake (SOMB Member) mentioned during the public comment period, that these revisions should go back to the Victim Advocacy Committee, the Juvenile Standards Revisions Committees, and the Best Practices Committee for review.

Raechel Alderete (SOMB Staff) noted after the public comment period, that all the public comments will be brought back to the SOMB for further review and discussion before a vote is taken on this topic.

Kim Kline (SOMB Chair) noted that as a clinician, treatment providers are trained to tease out those individuals who are truly changing their behavior and not just going through the motions.

Section 3.140

Carl Blake (SOMB Member) outlined the need for this language. He noted that this is seen in discharge reports when a juvenile has engaged in treatment, cannot progress any further in treatment, and is considered low risk.

3.140 – added discussion point under Item C.: *"Discussion point: When discharging a client based on maximum benefit gained, the treatment provider should provide an explanation of what areas/goals have been achieved in treatment and what areas/goals are still being addressed but the juvenile has made as much progress as they are capable of making. It should be noted that benefits gained from therapy may increase overtime outside of the context of therapy, especially in juveniles who are continuing to develop and mature. A discharge based on maximum benefit gained does not suggest that a juvenile may not benefit from therapy in the future, that there are no additional treatment needs, or that the juvenile has completed all treatment goals. A discharge for this reason is an indication that the juvenile has made sufficient progress on treatment goals related to sexually abusive behavior, has addressed their risk of sexually offending, does not present with an active or acute risk of sexual harm, and is unlikely to make additional progress with continued treatment at this time."*

Carl Blake (SOMB Member) clarified that this language is for those cases where progress is completed as far as it can go.

Jesse Hansen (SOMB Member) suggested moving the last sentence of this discussion point as the 2nd sentence.

Jesse Hansen (SOMB Member) asked if this language needs to specify sex offense specific treatment. Carl Blake (SOMB Member) responded that this was intentional to make it broad so that it would include all forms of therapy. Jesse Hansen asked if adding "may include sex offense specific treatment or adjunct treatment" would add any value to this discussion point. Carl Blake agreed to add this language to the discussion point in the following sentence:

"A discharge based on maximum benefit gained does not suggest that a juvenile may not benefit from therapy, "including sex offense specific therapy or adjunct treatment" in the future...."

Gregg Kildow (SOMB Member) made a motion to approve the changes to Section 3.130 and 3.140 as amended and to send out for public comment.

Jesse Hansen (SOMB Member) 2nd the motion

Motion to approve the Juvenile Standards Sections 3.130(7) and 3.140 revisions as amended and to send out for public comment: Gregg Kildow; Jesse Hansen 2nd (Question #5)

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| 21 | Approve | 0 | Oppose | 2 | Abstain | Motion Passes |
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Tony Carochi voted Yes verbally

BREAK: 10:56 – 11:12

SEX OFFENDER SURCHARGE ALLOCATION (Decision Item): (Attachment #4) - Chris Lobanov-Rostovsky, ODVSOM Program Manager

Chris Lobanov-Rostovsky (ODVSOM Staff) introduced and discussed the modification of the Sex Offender Surcharge allocation which did not include the POTS funds previously. He clarified the definition of POTS and stated that this is for new staff and employee benefits. Chris Lobanov-Rostovsky asked for support of approving this amended Sex Offender Surcharge allocation for Fiscal Year 2023.

Board Discussion:

None

Jeff Shay (SOMB Member) made a motion to approve the Sex Offender Surcharge Allocation as presented.

Lisa Mayer (SOMB Member) 2nd the motion.

Motion to approve the Sex Offender Surcharge Allocation as presented: Jeff Shay; Lisa Mayer 2nd (Question #6)

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| 19 | Approve | 0 | Oppose | 4 | Abstain | Motion Passes |
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POLYGRAPH OUTCOME DISCLOSURE POLYGRAPH BRIEF (Action Item): (Attachment #5) - Chris Lobanov-Rostovsky, ODVSOM Program Manager

Chris Lobanov-Rostovsky (ODVSOM Staff) discussed the Provider Data Management System and the data and comments that are being received through that system. He thanked the providers for their diligence in using this system, and that the ODVSOM is gaining some great data for both the Board and the work of the providers. Chris Lobanov-Rostovsky noted that polygraph data and information was a good starting point to analyze and create a brief. He noted that this brief was reviewed by a polygraph focus group, and noted this presentation is the introduction for the Board to review. Chris Lobanov-Rostovsky indicated that the brief presents the data objectively as follows:

- Purpose
- Sample – Between January 2019 and February 2022 there were 9,538 polygraph cases
- Results – Number of clinically relevant disclosures
- Relationship between Admissions & Exam Types
- Admissions by Exam Type
- Admissions & Deceptive Responses
- Admissions for Initial vs. Repeat Exams
- Types of Admissions – Clinically Relevant Disclosures
- Qualitative Data - Narrative Descriptive Data in Comment Boxes
- Risky Behaviors

Chris Lobanov-Rostovsky (ODVSOMB Staff) indicated that any questions or feedback should be directed offline to him.

Board Discussion:

None

Audience Discussion:

None

HUMAN TRAFFICKING AWARENESS MONTH (Presentation): (No Attachment) (30 Minutes Training Credit for Attendance) – Kara Napolitano, Laboratory to Combat Human Trafficking

Yuanting Zhang (ODVSOM Staff) introduced Kara Napolitano, presenter of the Human Trafficking presentation.

Kara Napolitano (Presenter) gave a presentation regarding Human Trafficking and Interpersonal and Sexual Violence - Intersections and Overlaps as follows:

- Human trafficking = A severe form of exploitation for labor (including sex or sex work) through the use of force, fraud, or coercion
- Trafficking laws in the United States (TVPA)
- Child Sex Trafficking as a form of Child Abuse and Neglect
- Action / Means / Purpose
- The intersection with domestic violence and sex assault
- Additional complexities for people with disabilities
- The Ideal Victim
- Who is missing?
- Quotes from Service Providers and Law Enforcement
- Colorado Human Trafficking Hotline information

Board Discussion:

Sharon Holbrook (SOMB Member) thanked Kara Napolitano (Presenter) for the presentation and for addressing the diversity and the sexual/domestic violence aspects of human trafficking.

Jessica Dotter (SOMB Member) echoed Judge Holbrook's comments and noted the difficulties in prosecuting those cases. She asked Kara Napolitano if there are things the SOMB can do better to address sex offenders. Kara Napolitano responded that she works more with victims than the perpetrators, and noted that many perpetrators were also victims at one point in their lives. She indicated that having more education and open conversations may help to develop a greater awareness of the commercial and economic aspects of these crimes. Kara Napolitano indicated that she can have off-line conversations with the Board regarding identifying sex traffickers and the SOMB.

Casey Ballinger (SOMB Member) asked Kara Napolitano if she has seen any trends in those who instigate sexual trafficking. Kara Napolitano responded that 30% of the perpetrators are female and are often a family member. She also noted that the majority of sex traffickers are male, ages 25-45. Kara Napolitano mentioned that much human trafficking goes unreported, and indicated that it disproportionately reflects people of color as the victims.

Raechel Alderete (SOMB Staff) thanked Kara Napolitano and indicated that she has presented at the ODVSOM Conference in the past. She hopes Kara Napolitano will consider presenting in the future. Raechel Alderete noted that the Human Trafficking Council meets on the 4th Friday of the month, with Maria Trujillo as the Program Manager of that council. She noted that two white papers have been created in the past addressing both male and female sex trafficking.

Audience Discussion:

None

LUNCH BREAK: 12:05 – 12:35

SUNSET RECOMMENDATIONS DISCUSSION (Presentation): Raechel Alderete, SOMB Program Coordinator and Joel Malecka, CDPS Legislative Liaison

Raechel Alderete (SOMB Staff) introduced Joel Malecka, the CDPS Legislative Liaison, and indicated that he will review the DORA Sunset Review recommendation report. She noted that all will be notified as soon as the Sunset Legislative hearing is scheduled.

Raechel Alderete (SOMB Staff) reviewed the DORA Sunset Recommendations as follows:

Recommendation #1: Continue the Sex Offender Management Board for seven years, until 2030

- Raechel Alderete indicated that the DORA Sunset Report indicates the amount of the work that the SOMB does and the need to continue this Board.
- Raechel Alderete indicated that the DORA Sunset Report discussed the need for the Sex Offender Treatment and Monitoring Program (SOTMP) within the Department of Corrections (DOC) and the nexus between the SOMB and the SOTMP.

Board Discussion:

None

Recommendation #2: Clarify that supervising officers are required to follow the Standards & Guidelines when working with sex offenders and direct those agencies that employ supervising officers to collaborate with the SOMB in developing procedures to hold accountable those who fail to do so.

- Raechel Alderete indicated that the DORA Sunset Report expressed concern that supervising officers on the Community Supervision Team (CST) and Multi-Disciplinary Teams (MDTs) are not following the Standards and Guidelines, and placing pressure on the treatment providers contracting with them to not follow the Standards and Guidelines.
- Raechel Alderete then went on to indicate that there currently is no way for a grievance to be filed with the SOMB against supervising officers for these situations, so the recommendation gives the SOMB the authority to ensure supervising agencies are following the Standards and Guidelines.
- Raechel Alderete noted the DORA report states that all supervision team members should be accountable to the same standards and the same implementing authority when working with this statutorily-acknowledged unique population.
- Raechel Alderete indicated that the DORA Sunset Report indicates that any agency responsible for sex offender management should work with the SOMB to ensure their officers are following the Standards and Guidelines, and noted they should be in collaboration with the SOMB to develop a process to hold supervising officers accountable for the ability to do so.

Board Discussion:

None

Recommendation #3: Repeal the limitation on the number of treatment providers given to offenders and provide every available listed treatment provider.

- Raechel Alderete indicated the DORA Sunset Report expressed concern that supervising officers are creating working relationships with only certain agencies.
- Raechel Alderete noted that the DORA Sunset Report also recommended repealing the two treatment provider option being available for the clients, and indicated the need for more choices. She mentioned that the report indicated the need for flexibility to change providers when treatment would better match the client's needs.
- Raechel Alderete also indicated that the DORA Sunset Report recommended that the entire treatment provider list be made available to clients.

Board Discussion:

Carl Blake (SOMB Member) commented that some of the agencies who serve these clients do not have the ability to accommodate all the individual needs of each client (does not account for the agency limitations around contracts and geographical concerns.) He noted that while there may be geographical limitations, that clients may use this recommendation as a way to manipulate the treatment process. Carl Blake indicated that treatment is currently matched based on client needs which consider the availability and community ties to the client.

Jessica Dotter (SOMB Member) agreed with Carl Blake's concerns, and noted that District Attorneys are creating a bill that suggests the supervising officers make recommendations of what provider will best fit the client's individual needs. She mentioned this would not just be a carte blanche list, but would include those who would fit best with the client. Jessica Dotter also indicated that the Developmentally Disabled/Intellectually Disabled (DD/ID) cases will be referred to only those providers approved in DD/ID treatment. Carl Blake (SOMB

Member) noted that referral sources also have inside information about providers (i.e., such as a provider that will no longer treat these cases in six months might not be a good fit for clients.)

Kim Kline (SOMB Chair) expressed opposition to giving out the entire referral list due to the various nuances that occur with each individual client. She indicated that proper treatment matching is of utmost importance, and noted that treatment providers ensure the client is receiving the best possible treatment.

Nicole Feltz (SOMB Member) mentioned that Probation has contracts with certain providers who are tried and true, and noted that too many choices outside of the client's community may be hard to manage.

Recommendation #4: Require standards compliance reviews on at least 10 percent of approved providers every two years.

- Raechel Alderete noted that the DORA Sunset Review recommends an increase in the number of Standards Compliance reviews which are random reviews and not just based on cause or a complaint.
- Raechel Alderete indicated that there is currently a lack of resources to complete these additional reviews.

Board Discussion:

Carl Blake (SOMB Member) noted that in the past there have been requests to increase the number of approved provider Compliance Reviews. He indicated that this is not only a resource issue, but mentioned that 10% may be too burdensome for the Application Review Committee (ARC) due to time involved in completing these reviews. Carl Blake indicated that the Board recently addressed an appeal that was a result of a Standards Compliance review which took years of work, which included a large amount of work for both the SOMB staff and the ARC staff. He expressed concern that the quality of the reviews will lessen as the number of requested reviews increases.

Recommendation #5: Modernize the language related to criminal history record checks and fingerprinting requirements.

- Raechel Alderete indicated that DCJ currently works with a third-party vendor to take and forward fingerprints to the Colorado Bureau of Investigation and the Federal Bureau of Investigation, so the SOMB no longer collects fingerprints with the application. She noted the recommendation from DORA is that the Statutory language needs to be updated to capture that process.

Board Discussion:

None

Recommendation #6: Repeal the requirement that the Department of Regulatory Agencies participate in the publication of the list of approved providers.

- Raechel Alderete noted that it is more efficient for the SOMB to publish the list of approved providers rather than involve DORA in its process. She indicated that the recommendation is to remove the DORA requirement to participate in the creation of this list.

Board Discussion:

None

Joel Malecka (CDPS Legislative Liaison) noted that the Sunset bill will reflect the DORA recommendations, and indicated that the Colorado Department of Public Safety (CDPS) will move the bill forward.

Board Discussion:

None

Audience Discussion

An audience member asked about Recommendation #3 and the number of treatment providers made available for a client. This individual reiterated the shortage of treatment provider options in that there may be 135 providers in an area but only 9 are contracted with Probation.

Rick Ostring (Audience Member) commented that there is a need for the treatment provider listing by geographical area and by their approved operating levels.

CHILDREN WITH PROBLEMATIC SEXUAL BEHAVIORS RESOURCE DOCUMENT (Action Item): (Attachment #6) – Jennifer Harris, Best Practices Member, Chris Lobanov-Rostovsky, ODVSOM Program Manager

Chris Lobanov-Rostovsky (ODVSOM Staff) noted that the Children with Problematic Sexual Behaviors (PSB) resource document was requested by the Best Practices Committee and Jennifer Harris.

Jennifer Harris (Private Practice Treatment Provider) noted that a sub-committee of the Best Practices Committee gathered information regarding children with problematic sexual behaviors to create a resource document. She presented the document as follows:

- Introduction
- History of the Problem – She noted that there is not a lot of history or data about this population
- Identification of Children with Sexual Behavior Problems
- SOMB juvenile provider children with PSB survey & Child Welfare Data
- Sexual Development in Children
- Prevention and Education Strategies
- Incidence & Prevalence: Not Much is Known
- Risk Level of Children with Sexual Behavior Problems – incidents increased from 1980 to 2010 by 67%
- Concerning Trends Emerging from Early Studies
- Etiology and Developmental Trajectory
- Family Environment Factors:
 - Exposure to intimate partner violence
 - Inconsistent parenting
 - Lack of parental supervision
 - Lack sexual boundaries
 - Physical neglect
- Importance of Comprehensive Evaluation
- Evidence Informed Treatment Interventions
- Public Policy Directions
- When to Mandatorily Report
- Where to Place A Child with Sexual Behavioral Problems
- Considerations When Out of Home Placement May Advised

Rachel Alderete (SOMB Staff) asked all to review the resource document and submit any feedback before it comes back to the SOMB before public dissemination.

Board Discussion:

None

Audience Discussion:

None

SEXUAL OFFENSE HISTORY DECISION AID (Action Item): (Attachment #7) – Dr. Rachael Collie, ODVSOM Researcher, and Dr. Hannah Pilla, Best Practices Committee Chair

Dr. Rachael Collie (ODVSOM Researcher) gave a review of the Guidelines for Evaluations of Referrals for Sex-Offense Treatment and New Non-sex Crimes document (Appendix E) as follows:

- Action Items
- Purpose of Revisions
- Process Undertaken
- Overview of Revisions
- Structure of Appendices
- Highlights of Proposed Revisions

Dr. Rachael Collie continued to discuss the new layout of Appendix E which now includes a section for Adult or Juvenile Females, Adult Males, and Juvenile Males:

- Statutory Mandate
- Introduction
- Guideline Protocols
- Multidisciplinary Collaboration
- Evaluator Competency
- Decision Aid
- Decision Aid Format
 - Phase 1
 - Phase 2
 - Phase 3
- Applying the Time-Free Actuarial Methods
- Time-Free Risk Calculator

Dr. Rachael Collie (ODVSOM Staff) went on to discuss the highlights of the proposed revisions that encompass adult males with adult only sex offenses, adult or juvenile males with juvenile only sex offenses, and adult or juvenile females.

Dr. Rachael Collie (ODVSOM Staff) noted that the Association for the Treatment and Prevention of Sexual Abuse (ATSA) Conference is coming to Denver this year, and encouraged all to try to attend this if possible.

Dr. Rachael Collie (ODVSOM Staff) also noted that there will be Lunch and Learn training available regarding the use of these decision aids.

Nicole Feltz left the meeting at 1:55 pm

Raechel Alderete (SOMB Staff) thanked Dr. Rachel Collie and Dr. Hannah Pilla for their work on this topic, and noted that this information has already been brought to Best Practices Committee. She mentioned that the current Appendix E will be replaced by these new documents, and asked all to send any questions or feedback to Dr. Rachael Collie and Dr. Hannah Pilla.

Dr. Rachael Collie (ODVSOM Staff) reminded all that when this comes back to the Board for approval, it will not officially go out for public comment due to the fact that this is not a Standard.

Board Discussion:

Sarah Croog (SOMB Member) asked if and when this process began regarding juveniles. Dr. Rachael Collie responded that they reached out to the Attorney General's office for guidance and noted that this evaluation information is not required, but should be available to the courts if requested.

Chris Lobanov-Rostovsky (ODVSOMB Staff) also indicated that this is not a change in policy, but noted that there are a number of legalities involved. This is a resource when a court appointed evaluation is requested in these situations.

Kim Kline (SOMB Chair) reiterated that any questions with this document should be directed to Dr. Rachael Collie or Dr. Hannah Pilla.

Audience Discussion:

None

Taylor Redding (ODVSOM Staff) noted she will be sending a certificate for the Human Trafficking presentation/training on Monday, January 23.

BOARD MEETING ADJOURNS: 2:07 pm


Respectfully,

Jill N. Trowbridge

Digitally signed by Jill N.
Trowbridge
Date: 2023.02.23 07:24:48 -07'00'

Jill Trowbridge
Program Assistant

Date



2/17/23

Kimberly Kline
Chair of the SOMB

Date

Session Name: 1-20-2023 2-08 PM (1)

Date Created: 1/20/2023 8:30:03 AM

Questions: 6

Results Detail

| Last Name | First Name | Q1 - Test Vote | Q2 - Approve October Minutes | Q3 - Approve November Minutes | Q4 - Approve Adult/Juvenile Revisions to Section 4 | Q5 - Approve Juvenile Revisions to Section 3 | Q6 - Approve Increase in Sex Offender Allocation |
|------------|------------|----------------|------------------------------|-------------------------------|--|--|--|
| Abeyta | Katie | 1 | 1 | 1 | 1 | 1 | 1 |
| Ballinger | Casey | 3 | 3 | 3 | 1 | 1 | 1 |
| Blake | Carl | 1 | 1 | 1 | 1 | 1 | 3 |
| Carochi | Tony | 1 | 1 | 1 | 1 | 1 - Verbally | 1 |
| Dotter | Jessica | 3 | 1 | 1 | 1 | 1 | 1 |
| Feltz | Nicole | 3 | 1 | 1 | 1 | 1 | 1 |
| Hansen | Jesse | 3 | 1 | 1 | 1 | 1 | 3 |
| Croog | Sarah | 3 | 1 | 1 | 1 | 1 | 1 |
| Holbrook | Sharon | 3 | 1 | 1 | 1 | 1 | 1 |
| Kildow | Gregg | 3 | 1 | 3 | 1 | 3 | 3 |
| Kline | Kim | 1 | 3 | 1 | 1 | 1 | 1 |
| Knipscheer | Glenn | 1 | 1 | 3 | 1 | 1 | 1 |
| Kramer | Gary | 3 | 1 | 1 | 1 | 1 | 1 |
| Pilla | Hannah | 2 | 1 | 1 | 1 | 1 | 1 |
| Mayer | Lisa | 1 | 1 | 1 | 1 | 1 | 1 |
| Lamprecht | Jason | - | - | - | 1 | 1 | 1 |
| Retting | Amanda | 3 | 1 | 3 | 1 | 3 | 3 |
| Powers | Taber | 1 | 1 | 1 | 1 | 1 | 1 |
| Shay | Jeff | 3 | 1 | 1 | 1 | 1 | 1 |
| Sierra | Ivonne | 1 | 1 | 1 | 1 | 1 | 1 |
| Simmons | Michelle | 1 | 1 | 1 | 1 | 1 | 1 |
| Vance | Kent | 1 | 1 | 1 | 3 | 1 | 1 |
| Weiss | Theresa | 1 | 1 | 1 | 1 | 1 | 1 |

| | | | | | |
|--------------|-------------|-------------|-------------|-------------|-------------|
| 11 - Yes | 20 - Yes | 18 - Yes | 22 - Yes | 21 - Yes | 19 - Yes |
| 1 - No | 0 - No | 0 - No | 0 - No | 0 - No | 0 - No |
| 10 - Abstain | 2 - Abstain | 4 - Abstain | 1 - Abstain | 2 - Abstain | 4 - Abstain |

Answer Key:

1 = Yes

2 = No

3 = Abstain

Theresa Weiss left the meeting at 1:33 pm

Nicole Feltz left the meeting at 1:55 pm