

# SEX OFFENDER MANAGEMENT BOARD (SOMB) MINUTES

Friday, October 21, 2022

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

## **SOMB Members**

Carl Blake  
Casey Ballinger  
Christina Ortiz-Marquez  
Gary Kramer  
Glenn Knipscheer  
Gregg Kildow  
Hannah Pilla  
Jeff Shay  
Jesse Hansen  
Jessica Dotter  
Katie Abeyta  
Kent Vance  
Lisa Mayer  
Michelle Simmons  
Nicole Feltz  
Norma Aguilar-Dave  
Sarah Croog  
Sharon Holbrook  
Taber Powers  
Theresa Weiss  
Tony Carochi

## **Guests**

Abi Olson  
Alison Talley  
Amanda Albo  
Amanda Retting  
Amira Minazzi  
Angel Weant  
Beryimar Perozo Trejo  
Brian Garrett  
Gabriel Garcia  
Holly Harris  
Jackie List  
Jenna Harper  
Jennifer Eyl  
Jordyn Schneider  
Kristin Kubacki  
Laurie Kepros  
Levi Middleton  
Marni Lyons  
Melissa Gursky  
Michelle Neergaard  
Nicole Amundson  
Philippe Marquis  
Roger Kincade  
Sarah Marlow  
Sera Bennett  
Steve Dempsey  
Susan Walker  
Tami Floyd  
Tanya Ahamed  
Xaviera Turner

**Absent SOMB Members:** Ivonne Sierra, Jason Lamprecht, Kimberly Kline and Scott James

**Staff:** Chris Lobanov-Rostovsky, Erin Austin, Jesse Hansen, Rachael Collie, Raechel Alderete, Taylor Redding, and Jill Trowbridge

**SOMB Meeting Begins: 9:04 am**

This meeting was recorded.

## **INTRODUCTIONS/ATTENDANCE:**

Katie Abeyta (SOMB Vice-Chair) introduced herself, and welcomed the SOMB members in attendance along with the members of the public.

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

Chris Lobanov-Rostovsky (SOMB Staff) introduced himself.

The SOMB members who were present in-person at the meeting introduced themselves.

Chris Lobanov-Rostovsky (SOMB Staff) introduced the Board members attending online.

The SOMB staff introduced themselves.

The in-person guests introduced themselves.

Erin Austin (SOMB Staff) introduced the online guests.

**FUTURE AGENDA ITEMS:**

**Board:**

None

**Audience:**

None

**ANNOUNCEMENTS:**

**Staff:**

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

- The July 2022 ODVSOM Conference videos will be available until October 31, 2022
- Professional Ethics and DORA lunch and learn training for approved providers will be held on December 8, 2022
- Upcoming 2023 Lunch & Learn topics (providers only):
  - Implementation of the PDMS
  - Data Collection and Success in Treatment
  - Section 2.0
  - Sex Offense History with a Current Non-Sex Crime
  - Victim Representation
  - Sex History Packet
  - Standards and Policy Booster
- The SOMB quarterly Newsletter will be going out on October 24, 2022. Taylor Redding asked all to let her know if they would like to be included in the newsletter distribution list.

Chris Lobanov-Rostovsky (SOMB Staff) announced that the Sunset Review Report on the SOMB has been completed by the Department of Regulatory Agencies (DORA), and he indicated that the findings look similar to the recommendations made in 2019. He encouraged all to read this report. Chris Lobanov-Rostovsky noted that Brian Tobias (Sunset Reviewer) will present the report to the Legislature (Senate Judiciary Committee), and noted that when it has been approved it will be turned into a bill that will proceed through the 2023 Legislative process. He indicated that he will keep everyone posted when the hearings are scheduled.

Chris Lobanov-Rostovsky (SOMB Staff) announced the following staff anniversaries:

- Erin Austin's 3<sup>rd</sup> year anniversary is today, 10/21
- Jesse Hansen's 11<sup>th</sup> year anniversary is on Monday, 10/24

Rachael Collie (SOMB Staff) announced that the Annual Legislative report will be published in January, and asked all SOMB members to make recommendations they wish to be included in the report to reach out to her or Chris Lobanov-Rostovsky.

***9:11 am Christina Ortiz-Marquez joined the meeting virtually.***

**Board Announcements:**

None

**Audience Announcements:**

Laurie Kepros (Audience Member) noted that October 2<sup>nd</sup> was International Wrongful Conviction Day, and mentioned that a report has been published that notes the relationship between race and wrongful conviction in the US. She indicated that this report includes sexual offense convictions, and noted that Caucasians are three times more likely to be innocent of a sexual offense than if they are African American. She asked the Board to modify its position on "denial" as a result of the findings of this report.

**APPROVAL OF SEPTEMBER MINUTES (Decision Item) (Attachment #1):**

***Jeff Shay made a motion to approve the September 2022 Minutes.  
Carl Blake 2nd the motion.***

Chris Lobanov-Rostovsky (SOMB Staff) indicated that the votes will be taken both in person and virtually (via the polling option). It was indicated that only SOMB members should vote.

**Motion to approve the September Minutes as presented: Jeff Shay; Carl Blake 2<sup>nd</sup> (Question #1)**

18	Approve	0	Oppose	1	Abstain	Motion Passes
<b>Online:</b>	<b>5 Yes</b>					
	<b>0 No</b>					
<b>In Person:</b>	<b>13 Yes</b>					
	<b>0 No</b>					
<b>Abstention:</b>	<b>1</b>					

**APPROVE AGENDA**

The agenda was approved by consensus.

Due to the early timing of the meeting, the agenda was revised and the following item was discussed first.

**ADULT AND JUVENILE STANDARDS REVISIONS-SECTION 4 (Action Item) (Attachment #3): Erin Austin, Adult Standards Coordinator**

Erin Austin (SOMB Staff) discussed the following DORA licensing changes and how they effect changes to the Adult and Juvenile Standards as follows:

- Section 4.100-A & 4.200-B: Associate Level Treatment Providers and Evaluators
  - Now includes Certified Addiction Technicians, Certified Addiction Specialists, Licensed Addiction Counselors and Licensed Professional Counselors (Provisional or Candidate). She indicated that the Certified Addiction Technicians, who are not licensed by DORA, but have an SOMB listing status can still offer treatment. She mentioned that a Bachelor's degree in a behavioral health field is required for Associate Level providers by the SOMB to include the Certified Addiction Technicians.
- Section 4.300-B, 4.310, 4.600, 4.610A Full Operating Level Treatment Providers and Evaluators
  - Now include the Certified Addictions Specialist, the Licensed Addictions Counselor, and the Provisional or Candidate Licensed Professional Counselor listings which fall in line with the new DORA licensing structure. She noted that there are Full Operating Providers/Evaluators who do not have a master's degree, but who are in good standing with the SOMB for the past 10 years.
- Section 4.700 Clinical Supervisor Requirements
  - Section 4.700 – H: 40 Hours of training within the past 5 years to include the SOMB Introductory and SOMB Standards Booster training (in addition to the 40-hour requirement in being an approved full operating treatment provider or evaluator). They must also have a full operating listing for at least 6 months prior to applying for the SOMB Clinical Supervisor listing.
  - Section 4.700 – I.: Application for Approval as an SOMB Clinical Supervisor requirements.
- Section 4.750 – Continued Placement of Clinical Supervisors on the Provider List:

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

**Board Discussion:**

None

**Audience Discussion:**

An audience member asked if the six-month period applies to developmentally and intellectually disabled (DD/ID) full operating level, clinical supervisor listings. Erin Austin (SOMB Staff) responded yes, and noted that this waiting period is new, and that the language has not been officially adopted in the Standards yet.

***Carl Blake (SOMB Member) made a motion to send the Adult and Juvenile Standards revisions out for public comment. Sharon Holbrook 2<sup>nd</sup> the motion.***

**Motion to send out the Adult and Juvenile Standards revisions to Section 4 for Public Comment: Carl Blake; Sharon Holbrook 2<sup>nd</sup> (Question #2)**

19	Approve	0	Oppose	0	Abstain	Motion Passes
<b>Online:</b>	<b>6 Yes</b>					
	<b>0 No</b>					
<b>In Person:</b>	<b>13 Yes</b>					
	<b>0 No</b>					
<b>Abstention:</b>	<b>0</b>					

**HOUSING PAPER (Action Item) (Attachment #5): Dr. Hannah Pilla, Best Practices Committee Co-Chair, and Dr. Rachael Collie, Staff Researcher**

Chris Lobanov-Rostovsky (SOMB Staff) framed the background regarding the lack of housing for individuals with a sexual offense conviction, and in particular, those with the Sexually Violent Predator (SVP) designation, entering into the community. He indicated that safe housing is a protective factor. Chris Lobanov-Rostovsky mentioned that inadequate housing can be a critical factor, and noted that accurate information regarding these situations drove the need to create this paper.

Rachael Collie (SOMB Staff) noted the need to review this information and to send her any comments or feedback regarding this paper. She indicated that this information will be distributed to the public and Board members for their review. Rachael Collie reviewed the main facts regarding these individuals and the lack of housing as follows:

- Issue 1. The term “sex offender” is a catch-all label for any individual who has been convicted of one or more crimes of a sexual nature.
  - o **Fact 1.** In actuality there are many types of sexual crime convictions, and it tends to characterize all individuals who have committed a sex offense as the same when research shows there are important differences between individuals.
- Issue 2. The likelihood that an individual with a sex offense conviction will commit another sex crime varies widely.
  - o **Fact 2.** Research shows that reoffending varies by risk and decreases the longer an individual lives successfully in the community.
- Issue 3. A small proportion of individuals with a history of sex offending do pose a higher risk and go on to be repeat offenders.
  - o **Fact 3.** Research found that taking part in treatment reduced sex reoffending by a third over the next 5 years.
- Issue 4. Treatment programs for sexual offending and related problems like substance abuse have been evolving for decades.
  - o **Fact 4.** Housing stability is a protective factor that is associated with lower rates of sex reoffending.
- Issue 5. As part of community safety, researchers have studied the relationship between place of residence and sexual reoffending.
  - o **Fact 5.** The vast majority of sex crimes happen in social relationship contexts. Research shows that residential restrictions are not a big factor in the risk to reoffend.

**Ways Forward**

- Parole and Probation officers are involved in checking the suitability of housing choices for these individuals.
- Law enforcement has a role in addressing verification and compliance for non-supervised registered sex offenders.
- Together, this network can work to identify appropriate options and address potential concerns.
- Being willing to give a suitable housing option is part of the solution in creating safer communities.

## Bibliography of Relevant Research

Chris Lobanov-Rostovsky (SOMB Staff) noted that the challenge was to keep this paper short and concise, and to make it more effective and easier to understand. He noted that this could be a useful tool when law enforcement has community notification meetings.

### **Board Discussion:**

Carl Blake (SOMB Member) suggested changing the title to "Sex Offenders and Housing Barriers."

Nicole Feltz (SOMB Member) noted this information will be very valuable for Probation, especially for those individuals placed in temporary housing.

Rachael Collie (SOMB Staff) indicated that this will be a living document that will change as research indicates, and she encouraged all to make suggestions.

Jessica Dotter (SOMB Member) asked if Dr. Stephen Brake's paper was referenced in the bibliography. Rachael Collie (SOMB Staff) indicated that she will review this article for possible inclusion.

### **Audience Discussion:**

An audience member asked about the SVP designation, and if law enforcement, community organizations, treatment providers and any other agencies will receive this paper. Rachael Collie (SOMB Staff) responded that she tried to keep the paper as simple to understand as possible and used relative risk rather than SPV specific needs. She noted that there is potential room to include SVP specific needs in this paper if the SOMB desires. Rachael Collie indicated the various venues and situations where this information will be made available.

Chris Lobanov-Rostovsky (SOMB Staff) also mentioned that this paper, a PowerPoint presentation, and a possible training video could be a possible tool kit to help individuals in the public. He noted that this information will be distributed to treatment providers and evaluators first. Erin Austin (SOMB Staff) mentioned that this document will be on the website and will be included in law enforcement resources. She also indicated that this document will be part of the community notification meetings.

Susan Walker (Audience Member) thanked the SOMB for creating this paper after years of encouragement from stakeholders, and indicated that she was looking forward to working together with all those involved to help with this much needed information.

### **INTIMATE PARTNER VIOLENCE IMPACTS ON CHILDREN (Presentation): Jackie List, Safe Shelter of St. Vrain, Jennifer Eyl, Project Safeguard; Phillippe Marquis, DVOMB Provider**

Chris Lobanov-Rostovsky (SOMB Staff) indicated that October is Domestic Violence Awareness month, and noted that this presentation is based on the work of the Domestic Violence Offender Management Board (DVOMB.) He indicated that the DVOMB Victim Advocacy Committee has put this presentation together. Chris Lobanov-Rostovsky introduced Jackie List (Safe Shelter of St. Vrain Valley), Jennifer Eyl (Project Safeguard), and Phillippe Marquis (National Institute for Change).

Jackie List (Presenter) presented the overarching impacts and the psychological maltreatment on children exposed to domestic violence as follows:

- Exposure may include:
  - Seeing the abusive or violent incident
  - Overhearing incidents
  - Observing the victim's injuries and/or emotional distress after the incident
  - Learning that the offending parent is incarcerated
- Psychological Maltreatment
- Psychological Effects of Witnessing
- Children's psychological wellbeing depends on:
  - Their sense of Competence
  - Their sense of Autonomy
  - Their sense of Relatedness
- Children's witnessing of intimate partner violence occurs in households where there is:
  - Isolation from extended family & community

- Decreased parent availability
- A chronic, elevated level of tension and stress
- A sense that violence is the norm
- Children's Varied Responses may/are:
  - Exhibit stress-related physical ailments
  - Experience a wide range of emotions, including guilt, sadness, depression, anxiety, anger, and powerlessness
  - Experience conflict over loving/hating their parents
  - Unable to relax or sleep
  - Show signs of Post-Traumatic Stress
  - Adultification and/or reverse roles with parents; assume responsibility for the care and protection of younger siblings
- Intervention Works
  - Risks to children exist on a continuum, and their reactions to offender behavior exist on a continuum
  - The effects of domestic violence on children are not irreversible
  - There is strong anecdotal and empirical evidence that safety and support can reverse the negative impact of offender behavior on children

Jennifer Eyl (Presenter) noted that it is hard to hear how domestic violence impacts children. She presented the following information:

- Ongoing pattern of coercive control (with or without physical abuse)

Jennifer Eyl (Presenter) went on to discuss that a white paper was created by a sub-committee of the DVOMB named "Referrals for Offender Treatment Evaluations and Services in Domestic Violence Civil Cases Without Criminal Findings – Challenges and Recommendations." She indicated that many cases avoid the criminal system due to the fact that "controlling someone" is not a criminal offense. Jennifer Eyl went on to indicate that:

- There are many civil cases where there are no criminal charges (with no children involved,) but treatment referrals could be requested in child-custody cases which include:
  - Dependency and neglect cases
  - Domestic relations cases
  - Civil Protection Orders cases
- Four main areas of the White Paper include:
  - Evaluation
  - Treatment
  - Collaboration
  - Policy
- White Paper Recommendations include:
  - The DVOMB needs to broaden its purview to address or include civil cases
  - The Best Interest of the Child Standard would have to be updated to require the utilization of the DVOMB approved providers and ensure compliance
  - She indicated that the Statute provides some guidance for the Court to order an evaluation and treatment, but does require a "DVOMB approved" provider, or does not provide the necessary information to continue in an appropriate manner. Jennifer Eyl indicated that there is currently no oversight or infrastructure in the Domestic Relations or the Protection Orders system to monitor these cases.
  - She noted the need to strengthen the Protection Orders Statute to give some guidance for the courts in these cases
  - Dependency and Neglect – direct the Department of Human Services (DHS) to promulgate policy and procedure changes needed to sustain ongoing case coordination and treatment

Jennifer Eyl (Presenter) noted that the Statute indicates to use only DVOMB approved providers in Title 16 Statutes (Criminal Procedures Codes,) but are not included in Title 19 Statutes (the Children's Code.) She mentioned that due to this, Child Welfare is not aware of these statutes.

Jennifer Eyl (Presenter) indicated that she will share the White Paper with all. She expressed the need to protect and help these kids receive the treatment that deals with the "control" aspect of their treatment. Jennifer Eyl mentioned that if early intervention is given, there will be impact on the lives of these children, and noted that the non-offending parent and the offender can receive the treatment that is best for them.

Jennifer Eyl (Presenter) mentioned that while domestic violence treatment victim advocates are part of the treatment team, they do not have confidentiality and privilege. She noted the importance of victims being connected to those community-based treatment providers who are providing confidential and privileged victim services (i.e., Safe Shelter.)

Jennifer Eyl (Presenter)The need to look at the civil cases differently and expressed the need to intervene, use the resources, the power, and the reach that the DOMB can offer to protect kids.

Philippe Marquis (Presenter) discussed how to create treatment interventions for children who are under the child welfare system. He indicated the tremendous need for more providers to take these cases. Philippe Marquis mentioned that the DVOMB has updated their Standards and created a White Paper to help meet these needs. He also noted the Department of Human Services has created a guide (Child Welfare Practice Guide) to help providers work with these cases from a policy point of view, and encouraged all to review this document.

Philippe Marquis (Presenter) discussed child welfare cases as follows:

- Treatment in child welfare cases are more difficult when navigating the legal aspects and policies that are applicable
- He thanked the DVOMB standards for structure, evidence, liability, and protection for treatment providers
- He described the aspects of how his agency operates in these cases:
  - Use of the Multi-Disciplinary Treatment Team (MTT), expanded evaluations, and individualized treatment plans
- He noted the barriers of working with these children and offenders
- Successes & Outcomes

Phillipe Marquis (Presenter) reiterated the need for more providers who can offer treatment and evaluations for comprehensive domestic violence treatment.

#### **Board Discussion:**

Lisa Mayer (SOMB Member) thanked Philippe Marquis for this presentation. She expressed appreciation for the collaboration that occurs in child welfare cases, and noted how far this system has come in realizing the needs of the victims and the perpetrators (both adult and children).

Gary Kramer (SOMB Member) commented that there is a shortage of resources in rural and possibly urban areas of Colorado. He noted that there are not enough domestic violence approved treatment providers. Jennifer Eyl (Presenter) responded that she has heard about this shortage many times, and noted the need for more qualified providers throughout Colorado. She stressed that these providers need to be well-trained in domestic violence aspects of treatment, and indicated that providers who are not properly trained can do more harm than good with these individuals. Philippe Marquis (Presenter) discussed the need for clients to admit their part in domestic violence incidents while in treatment.

Sharon Holbrook (SOMB Member) thanked the presenters and the need to remember that these children grow up. She indicated the need to address the trauma incurred by "all" parties. Jennifer Eyl (Presenter) mentioned that there are a high number of parents involved in domestic violence who were in the system as a child. She noted the need for intervention and treatment in children to help break the cycle.

Jesse Hansen (SOMB Members) thanked all for this presentation. He noted the importance of maintaining and promoting victim safety, and mentioned the need to approach these cases with a victim-centered mindset.

Chris Lobanov-Rostovsky (SOMB Staff) noted the need to address and treat domestic violence trauma in children, and mentioned that it could help to offset potential future sexual offenses, as this is an etiological factor for offending. He indicated that good intervention and good care for the children, the perpetrators, and victims will hopefully reduce the chance of future offending. Chris Lobanov-Rostovsky (SOMB Staff) noted that domestic violence does not advocate for couples counseling in those cases. He indicated that domestic violence providers have less time to work with the clients due to shorter sentences. Chris Lobanov-Rostovsky mentioned the need to intervene in civil cases, and to determine if and when the Standards apply. He thanked all the presenters for this presentation and the work that they do.

**Audience Discussion:**

Angel Weant (Audience Member) echoed her gratitude for the work that domestic violence providers are doing in the system. She emphasized the importance of focusing on the children, so that they can grow and thrive having good boundaries and proper relationship behavior. Jennifer Eyl (Presenter) noted that intervention works and mentioned that children are resilient. She indicated the need for the abusive parent to also receive the proper treatment.

**LUNCH: 11:20 – 11:52**

**Adult Standards Revisions Committee Update – Use of Interpreters (Decision Item) (Attachment #2): Taber Powers, Adult Standards Revisions Committee Chair, and Erin Austin, Adult Standards Coordinator**

Taber Powers (SOMB Member) indicated that public comment did not warrant any additional changes to the Use of Interpreters in Section 2 of the Adult Standards. He noted that this will be a decision item at today’s meeting.

Erin Austin (SOMB Staff) noted that the Best Practices Committee was asked to review the Use of Interpreters in Section 2 of the Adult Standards, who then sent this work to be done through the Adult Standards Revisions Committee. She indicated when the changes were made, they were then sent out to various evaluators, treatment providers, and non-English-speaking providers for their input and approval.

**Board Discussion:**

Glenn Knipscheer (SOMB Member) asked where can providers find interpreters. Erin Austin (SOMB Staff) responded that they can possibly be court interpreters. She indicated that Probation and Parole will try to cover the cost of an interpreter for an evaluation if the individual cannot pay for it.

**Audience Discussion:**

None

***Carl Blake (SOMB Member) moved to approve the Use of Interpreters language as presented.  
Lisa Mayer (SOMB Member) 2nd the motion.***

It was noted that the online voting is restricted to SOMB members only.

**Motion to approve the Use of Interpreters language as presented: Carl Blake; Lisa Mayer 2<sup>nd</sup> (Question #3)**

19	Approve	0	Oppose	0	Abstain	Motion Passes
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**Online:** 6 Yes  
0 No

**In Person:** 13 Yes  
0 No

**Abstentions:** 0

**Juvenile Standards Revisions (Action Item) (Attachment #4)**

Raechel Alderete (SOMB Staff) gave a high-level overview of the revisions made to the Juvenile Standards, and indicated that Carl Blake will go through these changes in more detail.

Carl Blake (SOMB Member) reviewed item by item the revisions made to the various sections as follows:

**Introduction:**

*The Board also recommends that The Board provides the following guidance regarding use of the Standards for juveniles who are not under the Statutory purview of the SOMB. These Standards and Guidelines be utilized as best practice in the following situations where there are concerns of abusive, harmful, or illegal sexual behavior:*

*Juveniles placed on Diversion without a Deferred Adjudication, or*



A juvenile ~~with a developmental/intellectual disability~~ who has committed a sexual offense is either found incompetent to stand trial, or is not charged with an offense but rather the case is opened on a D&N Petition, or

**Guiding Principle #14 – added:**

*The individualization of evaluations, assessment, treatment and supervision requires particular attention to social and cultural factors. Recognition of these factors are essential when interacting with clients from different social, cultural, and religious backgrounds. A basic premise is to recognize the client's culture, your own culture, and how both affect the client-provider relationship. This premise extends to all professional members of the MDT and positive support persons and is essential in creating an equitable and inclusive environment regardless of differences in culture or lifestyle.*

**Section 2.10 - G. – added:**

*G. To make recommendations for the treatment ~~management~~ and supervision of the juvenile; due to the court's ability to waive registration requirements if there is a corresponding recommendation against registration from the evaluator, the evaluation shall include a recommendation regarding whether or not the court should order the juvenile to register as a sex offender, When providing a recommendation for or against registration the evaluator shall include supporting reasoning and rationale for the recommendation.*

*Discussion point: For additional information regarding registration recommendations, it is recommended that evaluators review the SOMB White Paper regarding juvenile registration, the ATSA position paper regarding Registration and Community Notification of Children and Adolescents Adjudicated of a Sexual Crime: Recommendations for Evidence-Based Reform (2020), C.R.S. 16-22-103(5), and available research.*

**Section 2.200 – A. & B. – added:**

- A. The recommendations shall be based upon a formulation of all pertinent data collected in the evaluation process.*
- B. Each recommendation shall be clearly supported by information within the body of the evaluation.*

*Discussion point: In response to the Family First Prevention Services Act (FFPSA) there may be circumstances in which the recommended level of care or services do not match where the juvenile is currently placed/residing or the services the juvenile is receiving. In these circumstances the evaluator should make note of the recommended level of care/services and explain any known circumstances that prevent the youth from being placed at the recommended level of care or receiving the recommended services, such as but not limited to; not qualifying for a Qualified Residential Treatment Program (QRTP) by a qualified individual.*

**Section 3.000 – added:**

*Treatment for juveniles who have committed sexual offenses shall be individualized to address the identified risks and needs of a particular juvenile. When creating the treatment plan and determining which of the content areas identified in section 3.130 A. 1-24 should be addressed, the provider shall be sensitive to, ~~and not discriminate based on~~, diverse factors including but not limited to cultural ~~identity~~, language, development, sex (including gender identity, gender expression, and sexual orientation), ~~gender, gender-identification~~, medical, past trauma/victimization, religion, national origin, citizenship, age, veteran status, disability, marital status and/or education/cognitive/adaptive functioning. Individualized treatment shall follow the fundamentals of Risk, Need, and Responsivity and account for the unique dynamics of each client. While some youth may present with similar histories and require similar treatment, a template universal approach should not be used. This is consistent with the Association for the Treatment of Sexual Abusers (ATSA) Guidelines for Assessment, Treatment, and Intervention with Adolescents.*

**Section 3.130 – 21 – added:**

*21. Recognition of how ~~personal beliefs and cultural identity factors attitudes of as well as family, peer group, community and cultural factors may~~ influence tolerance of offending/abusive behaviors, or protections against future offending/abusive behaviors.*

**Section 3.140 – E. – added:**

*E. Clarification sessions ~~and clarification work~~ shall occur as prescribed in Section 9.000 of these Standards.*

**Section 3.151 – B. – added:**

*B. Include input from the victim or victim representative to enhance victim impact, victim empathy, and victim clarification goals. (See section 9.000 for guidance).*

**Section 3.420 – C. – added/deleted:**

*C. For juveniles required to register as a sex offender the provider shall provide a current recommendation regarding whether registration should/should not continue based on information available at the date of the report. When providing a recommendation for or against continued registration the provider shall include supporting reasoning and rationale for the recommendation. (This recommendation is to be used for juveniles who at some point may petition the court to discontinue registration (per section 16-22-113.8, C.R.S.). Please refer to Appendix J "Notice of Recommendation Concerning Removal from Sex Offender Registry."*

*Discussion point: The Court will consider whether the juvenile is likely to reoffend sexually; therefore, when making a recommendation regarding registration the provider should base this recommendation on potential risk to the community utilizing factors to include but not limited to; level of engagement in treatment, level of accountability and compliance with supervision requirements, information gained from community involvement, and any collateral information obtained from the MDT and other sources.*

*Discussion point: For additional information regarding registration recommendations, it is recommended that treatment providers review the SOMB White Paper regarding juvenile registration, the ATSA position paper regarding Registration and Community Notification of Children and Adolescents Adjudicated of a Sexual Crime: Recommendations for Evidence-Based Reform (2020), C.R.S. 16-22-113(1)(e), and available research.*

**Section 3.200 – added:**

**A.** *Authorization for the Release of Information (ROI): When a provider needs to share information about a client with an entity not covered by the waiver of confidentiality a signed ROI shall be in place.*

*1. Treatment ROI: This ROI shall explain that written and verbal information will be shared between the treatment provider and the individual or agency named on the ROI. The ROI must include information regarding the time limit of the authorization as well as the procedure to revoke the authorization.*

*2. Substance Use Disorder Treatment ROI: For clients undergoing substance use disorder treatment co-occurring with sex offender treatment, this ROI shall comply with the provisions of 42 C.F.R. § 2.31.*

*3. Research ROI: Prior to entering information into the SOMB Data Collection System the provider must have a signed research ROI. The provider shall inform the client that this ROI is voluntary and is solely for communication with the SOMB for the purpose of research related to the Standards and Guidelines for juveniles who have committed sexual offenses in Colorado, in compliance with 45 CFR § 64.508 and 16-11.7-103(4)*

**B.** *Releases of Information are a voluntary aspect of Sex Offense Specific treatment. The ROI is an authorization by the client for the provider to share/receive confidential information from an identified individual or agency for the purposes of providing treatment services.*

**Section 3.200 – 7. – added:**

*Discussion Point: Juveniles have a right against self-incrimination. Juveniles who have filed an appeal should not be treated as though they are in denial. The MDT should discuss what, if any, implications the appeal has on the juvenile's ability to comply with these standards and may modify the standards accordingly. Providers should determine if a protection order, use immunity, or other court order is in place that protects against the use of any of the juvenile's statements to self-incriminate. If in place for the juvenile the standards may be followed as written. Juveniles who are appealing the sex crime adjudication can still benefit from participation in sex offense specific treatment, the sexual behavior disclosure process, and discussion of behaviors unrelated to the adjudication. Juvenile's may also be able to participate in the sexual history polygraph process, excluding the crime of adjudication, if determined to be appropriate to do so by the polygraph examiner and the MDT.*

**Section 3.200 - C. 5 – added:**

*Discussing cultural norms that may impact attitudes about gender and sexuality in the context of current law ~~the majority culture~~ and how differences may impact behavior.*

**Section 3.151 – I. – added:**

**I.** *Be reviewed and signed by the juvenile, the provider, the provider's supervisor (when applicable), and the parent or guardian. A copy of the treatment plan shall be offered to the juvenile and provided upon request.*

**Section 3.420 – added:**

**3.420** *For a juvenile who has completed or discharged from treatment, a provider shall submit a written summary within 30 days. Discharge summaries shall be provided to all MDT members involved, including the juvenile, at the time it is completed. Regardless of the type of discharge, if specific aspects of sex offense specific treatment were not addressed due to a pending appeal, or any other reason, such information shall be noted in the discharge summary. Information shall, ~~include~~ but not be limited to the following:*

**Section 5.140 – G. – added:**

**G.** *Discussion point: In response to the Family First Prevention Services Act (FFPSA) there may be circumstances, outside the control of the MDT, in which the juvenile and the victim have contact due to the juvenile remaining in the home. In these circumstances the treatment provider and MDT should document any concerns and any known circumstances that prevent contact from being restricted, such as but not limited to; not qualifying for a Qualified Residential Treatment Program (Q RTP) by a qualified individual. In these cases, the treatment provider and MDT, in collaboration with the victim representative, should discuss and establish plans regarding ongoing treatment and safety considerations to ensure both psychological and physical safety of the victim. Treatment providers have the right*

*not to accept a referral based on the provider's determination they cannot meet the needs of the client. In the event new information that was not known at the time the juvenile was placed back in the home becomes known to the team, the team should bring this information to the referral source or court for possible reconsideration of placement or assessment under FFSPA.*

**Section 5.700 – added:**

*Upon convening, the MDT should identify the best person to be the victim representative for each individual case, such as the victim therapist, a victim advocate, or other (refer to the document titled "Resources for Victim Representation"). In circumstances where multiple victim professionals are involved in the case, the MDT, including the victim professionals, should determine and clarify what role and function each victim professional will serve.*

**Section 9.110 – added:**

**4.c.** - *Letters shall ~~should~~ be written in a manner assuming the victim will receive the letters, regardless of whether or not the letters will actually be sent. With the clarification process designed to primarily benefit the victim, if the victim, the parent or guardian of a child victim, the victim's therapist, or victim representative requests the completed letter, it shall be provided in a manner that best meets the needs of the victim.*

*Discussion point: If there are concerns that releasing the letter could result in harm to the victim or juvenile, or there are disagreements regarding releasing the letter, the MDT should discuss these concerns and develop a plan for how to mitigate the concerns while still meeting the needs of the victim.*

**Section 9.310 – added:**

*Discussion point: In response to the Family First Prevention Services Act (FFPSA) there may be circumstances, outside the control of the MDT, in which the juvenile and the victim have contact due to the juvenile remaining in the home. In these circumstances the treatment provider and MDT should document any concerns and any known circumstances that prevent contact from being restricted, such as but not limited to; not qualifying for a Qualified Residential Treatment Program (QRTTP) by a qualified individual. In these cases, the treatment provider and MDT, in collaboration with the victim representative, should discuss and establish plans regarding ongoing treatment and safety considerations to ensure both psychological and physical safety of the victim. See section 9.320 for additional information. In the event new information that was not known at the time the juvenile was placed back in the home becomes known to the team, the team should bring this information to the referral source or court for possible reconsideration of placement or assessment under FFSPA.*

**Section 9.320 – C. 3 – added:**

*Discussion point: In response to the Family First Prevention Services Act (FFPSA) there may be circumstances, outside of the control of the MDT, in which the juvenile and the victim have contact due to the juvenile remaining in the home. In these circumstances the treatment provider and MDT should document any concerns and any known circumstances that prevent contact from being restricted, such as but not limited to; not qualifying for a Qualified Residential Treatment Program (QRTTP) by a qualified individual. In these cases, the treatment provider and MDT, in collaboration with the victim representative, should discuss and establish plans regarding ongoing treatment and safety considerations to ensure both psychological and physical safety of the victim. See section 9.320 for additional information. In the event new information that was not known at the time the juvenile was placed back in the home becomes known to the team, the team should bring this information to the referral source or court for possible reconsideration of placement or assessment under FFSPA*

Carl Blake (SOMB Member) indicated that these revisions have been vetted through the Victim Advocacy Committee and the Best Practices Committee which have reached consensus.

**Board Discussion:**

Jessica Dotter (SOMB Member) questioned the language in Section 3.000 – 21. regarding cultural identity in that it does not include the term "race." Carl Blake (SOMB Member) responded that the Juvenile Standards Revisions Committee tried to keep it more general and less specific. He noted that if specificity needs to be included, then that can be done.

Gary Kramer (SOMB Member) gave information regarding a case of a 16-year old boy who has a documented history of sexual violence. He noted that he needs treatment, but indicated that he is in denial, and is under an immunity agreement due to his appeal. Gary Kramer referred to a statement in the Adult Standards (Section 3.162 C.) regarding this situation that he indicated should be added to the Juvenile Standards. Carl Blake (SOMB Member) noted that this is being addressed, and noted that information will be presented to the SOMB when the committees involved have reached consensus.

Gary Kramer (SOMB Member) expressed concern with recommending the Standards as best practices for those individuals who are outside the Statutory purview of the SOMB. Carl Blake (SOMB Member) responded the Committee has been working on this language, and noted that it will be changed to "general guidance to the field."

Jessica Dotter (SOMB Member) expressed concern with the discussion point in Section 3.130 regarding "Juveniles who have filed an appeal should not be treated as though they are in denial." She indicated that some may be in denial, and some are not, and she suggested the language should read "treated as though they are not in denial." Carl Blake (SOMB Member) responded that when a client is under appeal, there are treatment limitations, so denial cannot be determined while under appeal. Carl Blake noted that by including a disclaimer might cause more confusion. Sharon Holbrook (SOMB Member) noted that this has been discussed previously, and indicated that Carl Blake clarified this properly.

Raechel Alderete (SOMB Staff) indicated that the revisions process is continuing to improve, and noted that all revisions are vetted through the Best Practices Committee. She indicated that the next step is to trigger the public comment process. Raechel Alderete noted that public comments received will go back through the Juvenile Standards Revisions Committee and Best Practices Committees before coming back to the Board for approval.

***Lisa Mayer (SOMB Member) moved to send these revisions out for public comment as presented  
Nicole Feltz (SOMB Member) 2<sup>nd</sup> the motion.***

**Motion to send revisions out for public comment as presented: Lisa Mayer; Nicole Feltz 2<sup>nd</sup> (Question #4)**

20	Approve	0	Oppose	1	Abstain	Motion Passes
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**Online:** 8 Yes  
0 No  
**In Person:** 12 Yes  
0 No  
**Abstentions:** 1

**ODVSOM REORGANIZATION AND ALIGNMENT (Presentation) (No Attachment): Raechel Alderete, SOMB Program Coordinator and Jesse Hansen, SOMB Member, DVOMB Program Coordinator**

Raechel Alderete (SOMB Staff) reviewed the new ODVSOM reorganization and alignment. She noted that the Domestic Violence Offender Management Board (DVOMB) was under Sunset last year and now required to submit an annual Legislative report, develop a data collection system, and has Standards compliance review requirements. Raechel Alderete indicated that due to this increased work, the Legislature authorized 1.3 FTE to assist with these additional duties. She noted to that due to duplication of work on both Boards, that it made sense to combine and streamline these duties. Raechel Alderete presented the new staff assignments and realignments.

Jesse Hansen (SOMB Member) noted that this alignment will maximize the resources that are available and meet the needs of the statutory mandates. He indicated that there are ways to do things better and that the Shared Services model will help do that. Jesse Hansen announced that Raechel Alderete (SOMB Staff) will be promoted as the SOMB Program Coordinator. He continued to go through the various staff changes. Jesse indicated that the ARC duties will be handled by the new SOMB and DVOMB ARC Coordinator position.

Chris Lobanov-Rostovsky (SOMB Staff) noted that there should be greatly availability and support for stakeholders and providers, with more accessibility. The hope is that the use of the resources will be efficient, with a focus on implementation, and to give you what you need.

**Board Discussion:**

None

**Audience Discussion:**

None

Meeting Adjourned: 1:21

Respectfully,

 1/20/23  
Date  
Jill Trowbridge  
Program Assistant

 1/20/23  
Date  
Katie Abeyta  
Vice-Chair of the SOMB

Event Name	Event Start Date	Event Start Time	First Name	Last Name	Join Time	Leave Time	Attendance Duration	Approve motion to approve September 16, 2022, minutes.(9:21 am / 9:22 am)	Approve motion to refer Adult and Juvenile Standards Revisions - Section 4 for public comment.(9:34 am / 9:34 am)	Approve motion for use of Interpreters of language.(12:00 pm / 12:01 pm)	Approve motion to refer Juvenile Standards Revisions for public comment.(12:55 pm / 12:56 pm)
SOMB Meeting	October 21, 2022	9:00 am	Katie	Abeyta	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Norma	Aguilar-Dave	10:01 am	12:56 am	156.0 min	N/A	N/A	N/A	Yes
SOMB Meeting	October 21, 2022	9:00 am	Casey	Ballinger	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Carl	Blake	8:56 am	1:22 pm	265.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Tony	Carochi	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Sarah	Croog	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Jessica	Dotter	9:02 am	1:22 pm	260.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Nicole	Feltz	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Jesse	Hansen	8:51 am	1:22 pm	271.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Sharon	Holbrook	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Gregg	Kildow	8:50 am	1:22 pm	271.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Glenn	Knipscheer	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Gary	Kramer	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Christina	Marquez	9:11 am	1:22 pm	141.0 min	Yes	Yes	N/A	Yes
SOMB Meeting	October 21, 2022	9:00 am	Lisa	Mayer	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Hannah	Pilla	8:39 am	1:22 pm	283.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Taber	Powers	10:21 am	1:22 pm	180.0 min	N/A	N/A	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Jeff	Shay	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Abstain
SOMB Meeting	October 21, 2022	9:00 am	Michelle	Simmons	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Kent	Vance	8:57 am	1:22 pm	264.0 min	Abstain	Yes	Yes	Yes
SOMB Meeting	October 21, 2022	9:00 am	Theresa	Weiss	8:59 am	1:22 pm	263.0 min	Yes	Yes	Yes	Yes
								18 - Yes	19 - Yes	19 - Yes	20 - Yes
								0 - No	0 - No	0 - No	0 - No
								1 - Abstention	0 - Abstentions	0 - Abstentions	1 - Abstention
<b>Christina Marquez-Ortiz left the meeting at 11:32 am</b>											
<b>Christina Marquez-Ortiz joined the meeting at 12:24 pm</b>											
<b>Norma Aguilar-Dave joined the meeting at 10:01 am</b>											
<b>Norma Aguilar-Dave left the meeting at 10:58 am</b>											
<b>Norma Aguilar-Dave joined the meeting at 12:20 pm</b>											
<b>Norma Aguilar-Dave left the meeting at 12:56 pm</b>											