

SEX OFFENDER MANAGEMENT BOARD (SOMB) MINUTES

Friday, February 17, 2023

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

SOMB Members

Amanda Retting
Carl Blake
Casey Ballinger
David Bourgeois
Gary Kramer
Hannah Pilla
Ivonne Sierra
Jason Lamprecht
Jessica Dotter
Katie Abeyta
Kent Vance
Kimberly Kline
Lisa Mayer
Mike Knotek
Nicole Feltz
Sarah Croog
Taber Powers

Guests

Abi Olson	Laurie Kepros
Amanda Albo	Margaret Ochoa
Andrei Lobanov-Rostovsky	Marsha Brewer
Alison Talley	Devra Meer
Allison Boyd	Meggan Greenwald
Alyssa Glaser	Melissa Bossert
Amira Minazzi	N Volle
Beryimar Perez-Trejo	Rick Anglund
Celia Williamson	Pat Harris
Chelsea Beck	Rick Ostring
Courtney	Sarah Marlow
Holly Harris	Sera Bennett
Jessica Fields	Tami Floyd
Jordyn Schneider	Tara Saulibio
Kristin Kubacki	Tonya Woodson
Kyle Jones	Wellesley Bush

Absent SOMB Members: Gregg Kildow, Jesse Hansen, Michelle Simmons, Norma Aguilar-Dave, Sharon Holbrook, and Theresa Weiss

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

SOMB Meeting Begins: 9:06 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. 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) introduced herself.

The SOMB members in-person introduced themselves.

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

Raechel Alderete (SOMB Staff) introduced Mike Knotek the new polygraph representative on the SOMB. He gave a brief introduction of himself and his past experience.

Raechel Alderete (SOMB Staff) introduced David Bourgeois the new law enforcement representative on the SOMB. He gave a brief introduction of himself and his past experience.

The in-person guests introduced themselves.

The ODVSOM Staff introduced themselves.

Erin Austin (ODVSOM Staff) introduced the online guests.

FUTURE AGENDA ITEMS:

Board:

None

Audience:

Laurie Kepros (Audience Member) asked for a future agenda item regarding the attrition of adults who have been discharged from treatment based on the data outlined in the Annual Legislative Report. She specifically asked for more in-depth data to include ethnicity rather than by only risk factors, and referenced the data on page 21 of the Report.

Carl Blake (SOMB Member) responded to Laurie Kepros that the data coming from the Data Management System is only reflected by the limitations of the data collected in that system, and that this data may not be reflective of all those in treatment.

Raechel Alderete (SOMB Staff) noted that this item has been raised with the Executive Committee who will be looking into this data and will further review and discuss the issues raised by Laurie Kepros.

ANNOUNCEMENTS:

Gary Kramer (SOMB Member) discussed two court cases regarding invoking the 5th Amendment privilege while engaged in sex offense-specific treatment when their case is under appeal. He noted that one of the cases referenced information directly from the SOMB Standards and the use of a variance in appeal cases. He noted that the Court of Appeals has not made a ruling yet regarding invoking the 5th Amendment privilege while in sex offense-specific treatment when a case is under appeal.

Gary Kramer (SOMB Member) read a District Court opinion released that states "*Before imposing a condition that subjects the probationer to ongoing unfettered monitoring of their electronic devices and internet usage, the District Court must make sufficient factual findings concerning the extent of the electronic monitoring necessary to accomplish the legitimate purposes of the probationary sentence and evaluate whether less restrictive means is available to achieve those ends.*" He noted that if this opinion stands, then there will no longer be "boiler plate" mandates for probationers regarding the usage of electronic devices, and indicated that evaluations will need to be more specific to the individual to ensure the best outcomes.

Raechel Alderete (SOMB Staff) noted that Judge Sharon Holbrook also supplied the SOMB staff with this opinion yesterday which will be shared with the SOMB members.

Taber Powers (SOMB Member) noted that the Adult Standards Revisions Committee is currently working on Section 3.00 of the Standards which meets on the 3rd Thursday of each month and invited all treatment providers, polygraph examiners, and evaluators to attend this meeting to share their views and concerns. He indicated that this meeting also has an online option.

Staff:

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

- 3/7/23 - Offense Supported Attitudes Among the Sex Offending Population training is being held by Dr. Hannah Pilla in Castle Rock. She noted there are still open seats available.
- 4/13/23 – Bi-monthly Lunch and Learn which is held on the 2nd Thursday of every other month.
- The Call for Papers (abstract to present) to the ODVSOM Conference has been sent out, and noted that responses to the Call for Papers are due by 2/17/23.
- The ODVSOM Conference will be held on July 11 – July 14 in Breckenridge, CO.

Erin Austin (ODVSOM Staff):

- Indicated that the Provider Data Management System (PDMS) will include the online application capability. She asked all who currently use the PDMS to update their contact information (business and personal) and their treatment qualifications. Erin Austin noted that effective March 1st paper applications will no longer be accepted. She also asked that all currently listed providers send an electronic copy of their degrees (or copy of their transcripts) and licensure to the SOMB staff.

Raechel Alderete (ODVSOM Staff):

- She asked all SOMB members to complete their annual disclosure statement regarding the Conflict of Interest Policy.
- She indicated that the SOMB staff attended the first SOMB Sunset Hearing on 2/8 before the Senate Judiciary Committee. Raechel Alderete mentioned to stay tuned for more updates as to the status of the Sunset bill, and noted that the bill is going through the Legislative process.

Board Announcements:

None

Audience Announcements:

None

APPROVAL OF JANUARY MINUTES: (Attachment #1)

Carl Blake (SOMB Member) indicated that he revised some of his responses in the January minutes after the minutes were distributed to the SOMB members.

***Judge Gary Kramer (SOMB Member) made a motion to approve the January Minutes as amended.
Taber Powers (SOMB Member) 2nd the motion.***

Board Discussion:

None

Voting Session #138636

Motion to approve the January Minutes as amended: Judge Gary Kramer; Taber Powers 2nd (Question #1)

14	Approve	0	Oppose	2	Abstain	Motion Passes
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David Bourgeois – Abstained verbally

APPROVE AGENDA

The agenda was approved by consensus.

The order of the agenda was revised due to the early timing.

POLYGRAPH OUTCOME DISCLOSURE BRIEF (Decision Item): (Attachment #2) Raechel Alderete, SOMB Program Coordinator

Raechel Alderete (SOMB Staff) reviewed that the SOMB has received a lot of valuable data through the Provider Data Management System regarding polygraph. She noted that this was presented last month, and noted that no new feedback has been received. Raechel Alderete indicated this is an informational paper for clarification and direction for providers, and mentioned that this will not be a Standard or added to the Standards.

Board Discussion:

Sarah Croog (SOMB Member) noted an inconsistency in that 1/2 of all exams resulted in a clinically significant disclosure and asked for clarification as to why the data cited does not support this (see page 2.) Raechel Alderete (SOMB Staff) responded that a client could disclose in more than one exam.

- Taber Powers (SOMB Member) clarified that the discrepancy in the numbers is due to the pre-test disclosures and the Post-test disclosures. He mentioned that those added together equal about 50%.
- Carl Blake (SOMB Member) indicated that some clients make disclosures before they take the actual polygraph test during treatment or during the pre-test interview (part of the polygraph process).
- Kimberly Kline (SOMB Chair) clarified that there are two separate processes which include the client's sex history review with their therapist in which information is given to the polygraph examiner for use in the pre-polygraph test interview.
- Mike Knotek (SOMB Member) reiterated the polygraph process and how the disclosures are viewed, and indicated that the disclosures whether pre-test or post-test are what are most important.
- Carl Blake (SOMB Member) asked if the data includes disclosures from the pre-test that were previously disclosed in the Sex History packet and if the polygraph examiners are only counting the pre-test disclosures which haven't been previously disclosed. Mike Knotek (SOMB Member) responded that only additional disclosures are included in the data that they submit in the PDMS, which include any new disclosures that are a result from the polygraph.
- Nicole Feltz (SOMB Member) noted that this brief includes data entered by polygraph examiners for only those clients who have consented to release their information.
- Jason Lamprecht (SOMB Member) suggested adding "*the majority of disclosures are coming through the pre-test or Sex History process*" in the first bullet point of the report summary section.
- Katie Abeyta (SOMB Member) asked Mike Knotek if the pretest is considered a part of the polygraph exam. Mike Knotek indicated that the pretest interview is the most important part of the exam.
- Taber Powers (SOMB Member) indicated that a deceptive response on a polygraph is not a disclosure on the report.

There was robust Board discussion regarding when and how the majority of disclosures happen.

- Carl Blake (SOMB Member) suggested adding "*the majority of the disclosures are occurring during the pre-test interview portion of the exam*" in Bullet Point 1 of the summary.

Kim Kline (SOMB Chair) tabled this discussion due to the previously scheduled presentation. She noted this discussion will continue after the scheduled presentation (See below.)

THE REALITIES OF HUMAN TRAFFICKING, IT'S EFFECTS ON THE BLACK COMMUNITY, AND OUR CONTINUED QUEST FOR FREEDOM (Presentation): (No Attachment) (1-hour Training Credit for Attendance) Celia Williamson, PhD.

Yuanting Zhang introduced this presentation and Dr. Celia Williamson, the presenter.

Dr. Williamson (Presenter) presented "Shooting the Wounded" which discusses the truths and lies about human trafficking. Some of the highlights of this presentation are as follows:

- What we think we know about Human Trafficking
 - Misguided information (i.e., white vans kidnapping girls and selling them into prostitution, which is a rare occurrence)
 - Sex traffickers are pimps who look for vulnerable people in order to make a lot of money with the least amount of risk
 - Sex trafficking is more about befriending and manipulation of vulnerable people
 - What many people think sex traffickers are
- Sex Trafficking Hype vs. Reality
 - Repeating the Mantra: "Anybody" can be trafficked
 - Reality: Vulnerable people are at high risk
 - Vulnerable populations
 - Characteristics of those populations

- Oppression and Institutionalized Privilege
 - Marginalized populations that are high risk
- Federal definitions under the Trafficking Victims Protection Act, 2000 (Sex Trafficking & Labor Trafficking)
- Number of Victims:
 - World statistics
 - Ohio statistics
- Labor trafficking in the United States
- Sex trafficking in the United States
 - 94% of victims are female (disproportionately Black, Latina, and Alaskan Native/American Indian females)
- Pipeline to prison for girls
- Where vulnerable youth are recruited
- Who recruits
- Recruitment process
- Where the victims of trafficking sold (secret places)
- Sex trafficking business model
- In the shadows
- Moral of the story
- A visual timeline of physical trauma
- Human trafficking = lack of freedom
- Complex and/or chronic trauma
- System responses
- Portrayal of pimps
- U.S. 3P Paradigm of Response
- Influential tables
- Faces of trafficking
- The external work
- There is an internal journey to healing
- International Human Trafficking & Social Justice Conference, September 20 – September 23, 2023

Dr. Williamson (Presenter) noted the need to have a Martin Luther King kind of love, and gave her contact information. She also gave the National Hotline phone number: 888-373-7888

Taylor Redding (SOMB Staff) indicated that some individuals have asked for the scoring tool mentioned in the presentation. Dr. Williamson indicated that she will share that information.

Board Discussion:

Carl Blake (SOMB Member) followed up and noted that anyone can be trafficked, and indicated that some are at higher risk. He clarified that he oversees all the assessment services for the Division of Youth Services. Carl Blake noted that he also sits on the Human Trafficking Task Force and indicated he helped in the design of the Colorado High Risk Victimization Tool. He explained that this tool is specifically used to look at risk factors associated with human and labor trafficking. Carl Blake mentioned that the assessments direct the youth to the appropriate services to help them through the juvenile justice system and as victims. He thanked Dr. Williamson for her work and this presentation.

Raechel Alderete (SOMB Staff) thanked Dr. Williamson for this information and the work she is doing. She indicated there is a new division within the Department of Public Safety for Missing and Murdered Indigenous Relatives, with Arron Julian as the director.

Audience Discussion:

An audience Member asked Dr. Williamson (Presenter) to confirm the number of marginalized females in sex trafficking. She responded that 40% are Native Alaskan/American and African American girls.

Laurie Kepros (Audience Member) thanked Dr. Williamson (Presenter) and noted she sees a high number of those of color who are over-represented and who typically have longer sentences and mandatory punishment. She asked Dr. Williamson for a good metric that realizes this disparity and how to change that disparity. Dr. Williamson noted that the Criminal Justice system is leaning one way without

including social services and health care. She expressed the need for all agencies to collaborate more to address human trafficking for those who are at the highest risk, and to hold each agency accountable.

Taylor Redding (SOMB Staff) will send the training certificate for this 1-hour training next week.

Kimberly Kline (SOMB Chair) stepped out of the meeting at 10:45 am

CONTINUED DISCUSSION - POLYGRAPH OUTCOME DISCLOSURE BRIEF (Decision Item): (Attachment #2) Raechel Alderete, SOMB Program Coordinator

Katie Abeyta (SOMB Vice-Chair) continued the Polygraph Outcome Brief discussion in Kimberly Kline’s absence.

Sarah Croog (SOMB Member) asked if the use of approved SOMB polygraph examinations (in the summary section) are used for post-conviction clients or does this include pre-conviction issue specific polygraphs. Mike Knotek (SOMB Member) responded that these are post-conviction only. Raechel Alderete (SOMB Staff) clarified that these would be used for those individuals who are under the purview of the SOMB.

Sarah Croog (SOMB Member) suggested adding language in the summary section which clarifies that these examinations and results are for post-conviction clients, and mentioned that this data does not include a polygraph in isolation. Rachael Collie (SOMB Staff) clarified that the research polygraph examination reviews and empirical studies consider polygraph as a whole, and noted to remember that when data is reported.

After SOMB discussion, the first bullet point in the Summary section was changed to read:

- *Almost half of polygraph exams (47.1%) resulted in a clinically significant disclosure with the majority of the disclosures reported during the pre-test interview portion of the exam. This percentage of disclosures is consistent with other studies regarding disclosures during polygraph (Gannon et al., 2014).*

Carl Blake (SOMB Member) made a motion to approve the Polygraph Outcome Disclosure Brief as amended. Nicole Feltz (SOMB Member) 2nd the motion.

Board Discussion:

None

Voting Session #138636

Motion to approve the Polygraph Outcome Disclosure Brief as amended: Carl Blake; Nicole Feltz 2nd (Question #2)

16	Approve	0	Oppose	0	Abstain	Motion Passes
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- Jessica Dotter – Yes (verbally)
- David Bourgeois – Yes (verbally)
- Kent Vance – Yes (verbally)
- Ivonne Sierra – Yes (verbally)

BREAK: 11:12 – 11:30

ADULT STANDARDS REVISIONS – SECTION 2.00 (Decision Item): (Attachment #3) – Taber Powers, Adult Standards Revisions Committee Chair, and Erin Austin, SOMB Implementation Specialist

Erin Austin (SOMB Staff) reviewed the revisions made to Section 2.00 of the Adult Standards, and noted that the Adult Standards Revisions Committee has revised the Introduction, the Guiding Principles, along with various areas of Section 2.00. Erin Austin indicated that these revisions went to the Best Practices Committee, went out for public comment, and after public comment was received, the revisions were sent back to the Adult Standards Revisions Committee. She mentioned that the Adult Standards Revisions Committee made a few small changes based on the public comment received, and noted that a few areas of concern were tabled to be addressed at a later date. She also noted that Section 2.13 actually relates to Section 2.14 after concerns were brought back, and noted that changes will be made to those sections. Erin Austin indicated that these revisions will go back to the Adult Standards Revisions Committee and the Best Practices Committee for final review.

Taber Powers (SOMB Member) indicated that Sections 2.130, 2.140, 2.150 will be reviewed further due to the interaction between these sections after feedback received from the Best Practices Committee. He mentioned that after those revisions are made, those sections will be brought to the Board as one piece. Taber Powers also noted that the sex offense-specific evaluations timeframe sections are still in progress, and he indicated those will be presented to the Board at a later date.

Taber Powers (SOMB Member) noted that most of the changes made in this wave of revisions were minor since the last time these were presented to the Board.

Board Discussion:

Carl Blake (SOMB Member) noted that he had asked that the tables and charts be labelled along with the references to the tables and charts previously, and indicated that this has not been done. He asked if the Committee did not decide to add these labels. Taber Powers responded that his recollection is to add the labels to the charts. Erin Austin (SOMB Staff) responded that Domain 1, Domain 2, Domain 3, and Domain 4 are labelled, and indicated that there are references to those Domains throughout the sections.

Carl Blake (SOMB Member) indicated that the current labels and references are not clear enough, and asked for direct references to the proper chart or table. He asked if the Board can approve this formatting change. Taber Powers noted that the Committee was in favor of his suggested changes, and indicated that this was an oversight. Raechel Alderete (SOMB Staff) indicated that the formatting changes will happen before any new versions are put on the website. Carl Blake mentioned that he can help the staff with these formatting changes.

Raechel Alderete (SOMB Staff) clarified that the suggested formatting changes will be made upon SOMB approval.

***Sarah Croog (SOMB Member) made a motion to approve the SOMB Adult Standards Revisions Section 2.00 as presented with the addition of the discussed formatting changes.
Carl Blake (SOMB Member) 2nd the motion.***

Voting Session #703283

Motion to approve the SOMB Adult Standards Revisions Section 2.00 as presented with the addition of the discussed formatting changes: Sarah Croog; Carl Blake 2nd (Question #3)

14	Approve	0	Oppose	1	Abstain	Motion Passes
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CHILDREN WITH PROBLEMATIC SEXUAL BEHAVIOR RESOURCE DOCUMENT (Decision Item): (Attachment #4) – Jennifer Harris, Best Practices Member, Chris Lobanov-Rostovsky, ODVSOM Program Manager

Chris Lobanov-Rostovsky (ODVSOM Staff) reviewed the Children with Sexual Behavior Problems Resource Document on behalf of the Best Practices Committee, and noted that Jennifer Harris could not attend this meeting. He indicated that the purpose of this document is to give guidance to the Multi-Disciplinary Team (MDT) and providers regarding working with children with sexual behavior problems. Chris Lobanov-Rostovsky noted that the goal of this document is to educate stakeholders about this population, and mentioned it will give guidance for practice to providers and MDTs. He indicated that this document was presented previously, solicited to the public for feedback, and noted there was no additional feedback. Chris Lobanov-Rostovsky noted this document will not be a Standard, but mentioned this will be a white paper or position paper on the SOMB website. He indicated that the Committee is looking for ratification of this document, and noted that there is legislation around raising the age of those adjudicated as a youth. Chris Lobanov-Rostovsky indicated that this position paper may help the legislation understand that this population will need to continue to receive the services if the adjudication age is raised. He asked the SOMB and the audience for any other comments or revisions.

Board Discussion:

Judge Kramer (SOMB Member) noted that SPB (Sexual Problematic Behavior), PSB (Problematic Sexual Behavior) should be changed to be more consistent throughout the document. Chris Lobanov-Rostovsky noted that those can be changed for consistency.

Carl Blake (SOMB Member) clarified that PSB (Problematic Sexual Behavior) is an identified problem regarding treatment intervention and SBP is Sexual Behavior Problem which is different. He noted that some of that difference in terminology is intentional, and suggested removing the acronyms to avoid confusion.

Chris Lobanov-Rostovsky noted that these acronyms will be cleaned up in the document where necessary.

Board Discussion:

Lisa Mayer (SOMB Member) asked if there should be a definition statement that explains the difference between PSB and SBP. Chris Lobanov-Rostovsky responded that would be a great idea, and noted that if ratified today, that the definitions could be added.

Audience Discussion:

None

Lisa Mayer (SOMB Member) made a motion to approve the Children with Problematic Sexual Behaviors Resource Document with workgroup follow-up.

Nicole Feltz (SOMB Member) 2nd the motion.

Voting Session #703283

Motion to approve the Children with Problematic Sexual Behaviors Resource Document with workgroup follow-up: Lisa Mayer; Nicole Feltz 2nd (Question #4)

13	Approve	0	Oppose	2	Abstain	Motion Passes
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LUNCH BREAK: 11:58 – 12:36

Kimberly Kline returned to the meeting during the lunch break.

LIFETIME SUPERVISION PRESENTION (Presentation): (No Attachment) Dr. Rachael Collie, Staff Researcher, Kristin Kubacki, Judicial, and Amanda Retting, the Department of Corrections

Dr. Rachael Collie (ODVSOM Staff) introduced Kristin Kubacki (Probation/Judicial Department) and Amanda Retting (Department of Corrections.) She noted that this is a presentation to the SOMB, and that the Department of Public Safety, the Department of Corrections, and the Judicial Department worked in collaboration to publish this report.

Amanda Retting (Department of Corrections) reviewed the Department of Corrections report as follows:

- Impact on Prison and Parole Populations
 - FY 2022 Lifetime Supervision Population
 - FY 2022 Admissions and Discharges
 - Parole Hearings
 - Release Hearings FY2022
 - Revocation Hearings FY2022
 - SOTMP
 - Track 1
 - Track 2
 - Global Referral List
 - FY22 Cost of Services
 - Total CDOC Budget = \$3,709,514
 - Treatment = \$3,543,091
 - Polygraph Testing = \$242,500

Kristin Kubacki (SCAO Analyst) presented the following information for the Judicial Department report as follows:

- FY22 Mandatory Lifetime Supervision
- New Cases Sentenced to Probation FY22
- As of June 30, 2022 – 1569 probations under active SOISP (863 under lifetime supervision)
- FY22 transfer to regular probation- 86
- FY 22 probation terminations – 67
- Since FY2011, 179 probationers under lifetime supervision have successfully terminated from probation

- Evaluations = \$1,516,839
- Treatment = \$1,405,659
- Poly Testing = \$485,516

Dr. Rachael Collie (SOMB Analyst) presented the following information from the Department of Public Safety report as follows:

- SOMB Approved Treatment Provider Totals (through July 2022)
 - Treatment Providers = 245 Adult Treatment Providers
 - Evaluators = 102 Adult Evaluators
 - Polygraph Providers = 25 Polygraph Providers
- Treatment Provider locations by County (Map)
- Evaluator locations by County (Map)
- Polygraph Examiners by County (Map)
- Average Cost of Services (survey from treatment providers)

Board Discussion:

Lisa Mayer (SOMB Member) asked Amanda Retting (DOC) what self-revoked means. Amanda Retting responded that is for those individuals recommended for termination where the decision to revoke was made by the individual.

Jason Lamprecht (SOMB Member) asked Amanda Retting (DOC) how many individuals were not able to start the Sex Offender Treatment and Maintenance Program (SOTMP) who were not approved for Parole. Amanda Retting responded that some individuals were not meeting the 7 criteria needed to enter the program, and she indicated that she does not have any further data on this. Jason Lamprecht asked Amanda Retting how long the wait list is and how an individual can find out where they are on the list for those trying to get into the SOTMP. Amanda Retting responded that the wait list is by an individual’s parole eligibility date, and noted that they should reach out to their case manager. Jason Lamprecht then asked how many individuals are past their parole eligibility date who are waiting to enter the SOTMP. Amanda Retting responded that she does not have that information readily available, but asked him to reach out to her offline.

Carl Blake (SOMB Member) asked Amanda Retting regarding the SOTMP tracks, and asked why other reports indicate that only 34 individuals have successfully completed the SOTMP versus the 67 individuals listed in this report. Amanda Retting (DOC) responded that she is not sure where the numbers are coming from, and noted that there were 214 individuals who completed the SOTMP. Carl Blake suggested that the SOMB work with the DOC to ensure the data is consistent and accurate.

Carl Blake (SOMB Member) asked Dr. Rachael Collie how many SOMB approved providers are in Colorado. He asked if the SOMB can report the number of adult and juvenile providers and the number of distinct individuals. Carl Blake noted the need to break out the evaluators from these numbers, to identify the number of distinct individuals, and to not include those providers who are counted two or three times based on their credentials. Dr. Collie responded that information is not in this presentation, but indicated it can be found in the Annual Legislative Report. She mentioned she will work on clarifying this data, and noted she should have that information by next month’s SOMB meeting.

Carl Blake (SOMB Member) indicated that the Cost of Service and the Legislative recommendation to offer multiple provider choices will not bring the cost down. He requested a comparison of individual mental health costs possibly with the help of the Department of Regulatory Agencies (DORA) that compares the costs with other modalities or treatment types. Carl Blake indicated that the treatment provider agencies can set a specific rate which can impact provider choice. Dr. Collie (SOMB Staff) noted the need to get this information, and suggested developing a survey to send to providers that will help capture these issues.

Judge Gary Kramer (SOMB Member) noted that it is commonly recommended that an individual be put on Probation rather than Parole due to the lack of availability into the SOTMP in DOC. He asked Amanda Retting (DOC) about those in the SOTMP process when they are transferred to another facility. Amanda Retting responded that typically once an individual is in SOTMP, they will start and complete treatment in that facility. She noted that continuity of care is practiced between facilities for those who are transferred.

Judge Gary Kramer (SOMB Member) asked that due to the lack of availability of treatment providers in DOC if there is a way to onboard those individuals who are on the SOTMP waitlist. Amanda Retting (DOC) responded that the DOC is currently having conversations as to the best way to deal with the number waiting and the limited resources.

Jason Lamprecht (SOMB Member) asked if Track 1, Track 2, Maintenance, Criteria, Transition categories overlap, and if an individual could be in more than one of these categories in the process. Amanda Retting (DOC) responded that Track 1 includes average/moderate risk level individuals, and noted that when they have completed Track 1 they move to Maintenance and still identify with Track 1. She noted that those in Track 2 (high risk) can also move to Maintenance when Track 2 treatment is completed, but will still identify as Track 2. Jason Lamprecht asked if this also applies for those in the Criteria or Transition phases. Amanda Retting responded that she does not have the breakdown of those who may overlap between categories.

David Bourgeois (SOMB Member) asked what the criteria is for those individuals who are on both Probation and Parole when under lifetime supervision. He asked if the individual will be in treatment or under supervision by both Probation and Parole in these situations. Nicole Feltz (SOMB Member) noted that she has seen numerous individuals with multiple counts (with different sentences) which could be for Probation and Parole at that same time. She indicated that they would be under dual supervision.

Audience Discussion:

Laurie Kepros (Audience Member) questioned Kristin Kubacki (Probation/Judicial) about the 179 individuals successfully discharged from Probation since FY2011. Kristin Kubacki responded that she will go back and double check the math.

Laurie Kepros (Audience Member) asked Amanda Retting (DOC) for clarification of Track 1 and Track 2 treatment criteria. Amanda Retting (DOC) responded that both tracks have to meet the 7 criteria, that the tracks are based on risk level, and noted they are not tied together. Laurie Kepros asked for clarification of the Criteria and Maintenance categories. Amanda Retting responded that those categories are for those under lifetime supervision which have to meet the 7 criteria. Laurie Kepros asked when an individual with an indeterminate sentence is too close to their parole eligibility date and will not have enough time to complete treatment if they are automatically put on the Global Referral List. Amanda Retting responded that these individuals will be on the Global Referral list, but indicated that when discharged from DOC they will be removed from the list.

Laurie Kepros (Audience Member) commented that the DOC website indicated that 34 individuals successfully completed the SOTMP for Track 1, and indicated that this is a very disparaging number as the number of those waiting on the Global Referral list is over 1,100. Kimberly Kline (SOMB Chair) responded that the DOC is looking at eligibility requirements and possible restructuring of the SOTMP program in general, with a focus on continuity of care when entering the community.

VICTIM CLARIFICATION PRESENTATION (Panel Presentation): Dr. Rachael Collie, ODVSOM Researcher, Kim Kline, SOMB Chair, Katie Abeyta, SOMB Member, and Casey Ballinger, SOMB Member

Dr. Rachael Collie (ODVSOM Analyst) noted that this panel presentation will be given by Kimberly Kline, Katie Abeyta, and Casey Ballinger.

Katie Abeyta (SOMB Member) noted that her role will be to ask the questions regarding working with victim representatives, and will discuss what the Victim Advocacy Committee is currently doing regarding victim clarification.

Kimberly Kline (Representing Treatment Providers) indicated she will speak from her treatment provider experience.

Casey Ballinger (Victim Advocacy) noted that she will be speaking from the Post-Conviction Victim Advocacy experience.

Dr. Rachael Collie (SOMB Analyst) presented research on Victim Clarification:

- What is the impact on survivor-victims of engaging in the clarification process?
- Agreement on Essential Components of Victim Clarification
- Positive Outcomes from Restorative Justice for Sexual Assault Survivors
- Positive Outcome for Restorative Justice Programs Generally
- Summary: Themes & Key Points

Dr. Collie noted that she has the research for this presentation that she is willing to share if requested.

Panel Discussion:

Question #1: What is working well from your perspective?

- Kimberly Kline (Treatment Provider) responded that working with the victim representative works well when the representative is brought in early in the survivor process. She indicated that treatment providers want to see their clients succeed and tend to forget the victim perspective.

- Casey Ballinger (Victim Advocate) responded that working with a victim representative early works well by developing a relationship with the survivor, and helps to inform major pieces of offender accountability when the survivor is ready for clarification. She also noted that collaborative work done early with both the survivor and the perpetrator have positive outcomes.

Question #2: What are challenges or difficulties they have encountered?

- Casey Ballinger (Victim Advocate) expressed concern with re-traumatizing survivors to make sure no additional harm is cause. She noted the need to build collaboration between the perpetrators and the survivors, and mentioned that the survivors can drive that collaboration if they want it. Casey Ballinger noted that this is the only opportunity for survivors to express their victimization.
- Kimberly Kline (Treatment Provider) noted that there are challenges when treatment providers are working with the victim representative who has personal victimization information from the survivor, and if that information can be shared with the offender.
- Katie Abeyta (Victim Advocacy Committee) noted that a global challenge and Colorado specifically is that The Blue Bench is the only statewide agency that has this victim advocacy program. She also noted the need to access this program if victim clarification should happen pre-sentence.

Question #3: What do you feel is necessary for effective collaboration between providers and victim representatives?

- Casey Ballinger (Victim Advocate) responded that trust is a big factor in ensuring that each member of the Community Supervision Team (CST) or Multi-Disciplinary Team (MDT) is truly understanding what their role is so the offender understands what they need to do.
- Kimberly Kline (Treatment Provider) noted the need for respect for the roles of the CST/MDT members, and mentioned that everyone is there for the best interests of the client and the victim.
- Casey Ballinger (Victim Advocate) noted that many times the victim asks specific questions or wants to know much information, and indicated that there is empowerment in knowing as much information as possible for their own safety. She stressed the importance of the team working as collaboratively and as honestly as possible.

Question #4: What is your process for preparing people for clarification and what is your process for preparing for clarification?

- Casey Ballinger (Victim Advocate) indicated that when she knows when the client is starting treatment she will let the survivor know that, and asks if or to what extent the survivor wants to be involved. She noted that not all victims want to be informed or included in the process. Casey Ballinger indicated that she may help the survivor with the victim clarification letter so that it does not cause additional harm. She mentioned she supplies support and logistics if the survivor wants a face-to-face clarification session with the offender. Casey Ballinger noted the need to find out if both parties are ready for this clarification.
- Kimberly Kline (Treatment Provider) noted that a lot of treatment happens before getting to the clarification process. She noted that sometimes survivors want some kind of clarification early on in the process, and noted that the logistical prep work needs to be meticulously done to ensure safety for both parties. Kimberly Kline indicate that the Victim Representative and the Survivor should meet before the actual clarification session, and she mentioned that the Victim Representative and the treatment provider also meet before the clarification session to find out what both sides are needing or expecting from the clarification session.

Question #5: What expectations are required when the meeting takes place in order to provide healing for both sides?

- Kimberly Kline (Treatment Provider) noted that a lot of treatment happens with the clients before the clarification process, and indicated that there is a lot of prep work before the clarification happens. She mentioned that the therapist/victim representative/the offender, and therapist/victim representative/survivor should meet and prepare before the clarification event happens.
- Casey Ballinger (Victim Advocate) indicated that sometimes one or both parties may not be ready, and to have the flexibility to recognize that. She mentioned the need to trust the team and collaboration, with the goal for healing and to promote accountability.

Question #6: How frequently are victims opting in order to receive the clarification and what are the barriers for clients not wanting to participate in clarification?

- Casey Ballinger (Victim Advocate) noted that it is about 50%/50% of those survivors wanting clarification. She indicated that more survivors want clarification if there has been a relationship built. Casey Ballinger mentioned that the clarification timelines don't always line up, and noted that the survivor may not be ready to receive a clarification letter after the offender has completed treatment.

- Casey Ballinger (Victim Advocate) mentioned that the barriers are where the survivor is at regarding their healing process.
- Katie Abeyta (Victim Advocacy Committee) noted the need to make aware to all parties, including the courts, that this process is available early on in the case.
- Casey Ballinger (Victim Advocate) noted that this may be the first time a survivor has heard the client taking accountability.

Question #7: How have victims and offenders responded after clarification?

- Casey Ballinger (Victim Advocate) responded that some survivors have indicated that clarification is what they need to move on, and sometimes it does not help. She mentioned that this also may help the offenders move forward with their treatment.
- Kimberly Kline (Treatment Provider) noted that most of her clients are ready to do this, and to show up and take accountability with a lot of support around them.

Katie Abeyta (Victim Advocacy Committee) noted that the Victim Advocacy Committee is working on ways to collect data for the results of this clarification process, the post-conviction process, and implementation. She noted this work will come to the SOMB for their approval at a later date.

Board Discussion:

Sarah Croog (SOMB Member) noted that an offender asked for clarification, but the victim did not. She asked if there is some other way that they can do this. Kimberly Kline (Treatment Provider) responded that an offender can always write a clarification letter which is reviewed by the Victim Representative on the team, even if it is not given to the survivor.

Chris Lobanov-Rostovsky (SOMB Staff) indicated that there are offender treatment groups that meet with victims (not related to the offense) that can help the offender through powerful dialog. He also noted that there are ways to bring an offender and a victim together even if they were not connected through the offense. Chris Lobanov-Rostovsky encouraged the use of other opportunities with the treatment provider (i.e., victim panel.)

Raechel Alderete (SOMB Staff) thanked all for this presentation, and noted that she and Erin Austin (SOMB Staff) receive calls all the time for help with these clarification cases. She mentioned that she refers them to the Blue Bench quite often due to a lack of victim representative throughout the State.

Casey Ballinger (Victim Advocate) noted that the Blue Bench is looking for funding to expand the program throughout the State of Colorado.

Taber Powers (SOMB Member) thanked all for this presentation, and noted that clarification is one of the most difficult processes in his treatment program, and he mentioned the difficulty in obtaining victim contact information. Casey Ballinger (Victim Advocate) responded that Victim Services Officers (VSO's), located within Probation, are available to help with that. She indicated that the victim has the choice to opt in the VRA notifications, and noted that sometimes the survivor does not even know they have the option. Casey Ballinger mentioned that treatment providers should reach out to the VSO's in every case who in turn should follow-up with the victim.

Erin Austin (SOMB Staff) noted that the VSO's can supply the victim representative with the client's treatment provider. She noted that you can request a "round table" training on the SOMB website for training and help with resources.

Audience Discussion:

Laurie Kepros (Audience Member) asked if any clarification work is being done in prison for a client enrolled in the SOTMP. Kimberly Kline (Treatment Provider) noted that the DOC SOTMP does have a victim representative, and indicated that only 2 clarifications have been done with Parolees in the past 10 years. Casey Ballinger (Victim Advocate) also noted that once the survivors are at the point of clarification, then the contact information should be passed along to case managers even if the offender is in the DOC SOTMP. Tara Saulibio (DOC Victim Liaison) responded that there are some barriers for those in DOC, and indicated that it is not impossible, but has not happened yet. She noted that she does not know if the survivor ever receives a victim clarification letter from an offender who is incarcerated in the DOC.

Kimberly Kline (SOMB Chair) noted that any additional questions or comments should be directed to her, Casey Ballinger or Katie Abeyta.

SEXUAL OFFENSE HISTORY DECISION AID (Decision Item): (Attachment #5) – Dr. Rachael Collie, ODVSOM Researcher, and Dr. Hannah Pilla, Best Practices Committee Chair

Dr. Rachael Collie (ODVSOM Staff) noted that this information was presented to the SOMB previously, and that no feedback was received from stakeholders. She noted that this will be an Appendix, is a guide for evaluators as a resource, and mentioned that this is not a Standard.

Raechel Alderete (SOMB Staff) indicated that the current Matrix Appendix will be removed from the Standards.

Board Discussion:

None

Audience Discussion:

None

Taber Powers (SOMB Member) made a motion to approve the Sexual Offense History Decision Aid as presented. Lisa Mayer (SOMB Member) 2nd the motion.

Voting Session #703283

Motion to approve the Sexual Offense History Decision Aid as presented: Taber Powers; Lisa Mayer 2nd (Question #5)

12	Approve	1	Oppose	2	Abstain	Motion Passes
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BOARD MEETING ADJOURNS: 2:51 pm

Respectfully,

Jill Trowbridge
Program Assistant

Date



Kimberly Kline
Chair of the SOMB

3/17/23

Date

Session Name: 2-17-2023 9-36 AM (2)

Date Created: 2/17/2023 8:42:18 AM

Questions: 5

Results Detail

Last Name	First Name	Q1 - Approve January Minutes as Amended	Q2 - Approve Polygraph Disclosure Brief as Amended	Q3 - Approve Adult Standards Revisions to Section 2	Q4 - Approve PSB Resource Document as Amended	Q5 - Approve Sex History Decision Aid
Abeyta	Katie	1	1	1	1	1
Ballinger	Casey	1	1	1	1	1
Blake	Carl	1	1	1	1	1
Bourgeois	David	3	1	1	3	3
Dotter	Jessica	Not Present	1	Not Present	Not Present	Not Present
Feltz	Nicole	1	1	1	1	1
Croog	Sarah	1	1	1	1	2
Kline	Kim	1	Not Present	Not Present	3	1
Knotek	Mike	3	1	1	1	1
Kramer	Gary	1	1	1	1	1
Pilla	Hannah	1	1	3	1	1
Mayer	Lisa	1	1	1	1	1
Lamprecht	Jason	1	1	1	1	1
Retting	Amanda	1	1	1	1	3
Powers	Taber	1	1	1	1	1
Sierra	Ivonne	1	1	1	1	1
Vance	Kent	1	1	1	Not Present	Not Present
		14 - Yes	18 - Yes	14 - Yes	13 - Yes	12 - Yes
		0 - No	0 - No	0 - No	0 - No	1 - No
		2 - Abstain	4 - Abstain	1 - Abstain	2 - Abstain	2 - Abstain
Answer Key:						
1 = Yes						
2 = No						
3 = Abstain						
<i>Jessica Dotter not present for Approval of January Minutes</i>						
<i>Jessica Dotter not present for Approval of Adult Standards Revisions - Section 2.00</i>						
<i>Jessica Dotter not present for Approval of the Sexual Offense History Decision Aid</i>						
<i>Kimberly Kline not present for the Approval of the Polygraph Disclosure Brief</i>						
<i>Kimberly Kline not present for the Approval of the Adult Standards Revisions - Section 2.00</i>						
<i>Kent Vance not present for the Approval of the PSB Resource Document</i>						
<i>Kent Vance not present for the Approval of the Sexual Offense History Decision Aid</i>						