

# SEX OFFENDER MANAGEMENT BOARD (SOMB) MINUTES

Friday, February 17, 2017

## SOMB Members

Allison Boyd  
Alli Watt  
Amy Fitch  
Angel Weant  
Brie Franklin  
Carl Blake  
Jeff Jenks  
Jeff Shay  
Jessica Curtis  
Jessica Meza  
John Odenheimer  
Kandy Moore  
Kim English  
Korey Elger  
Leonard Woodson III  
Marcello Kopcow  
Mary Baydarian  
Merve Davies  
Missy Gursky  
Richard Bednarski  
Rick May  
Tom Leversee

## Visitors

Abbey Grand	Jo Stack
Allison Brittsan	John Bricker
Allison Capranelli	John Fischer
Amanda Edwards	Johnathan Doern
Andrea Paolucci	Karmen Carter
Brandon Matthews	Kerry Humphrey
Cathy Rodrigues	Kimberly Kline
Christian Gardner-Wood	Kristie Newland
Christine Rinke	Laurie Kepros
Colton McNutt	Lisa Nelson
Daniel McDonald	Mable Baker
Danny Brown	Marissa Lalacio
Darcie Magnuson	Michael Dunlap
Debbie Baty	Nancy Becker
Dena McClung	Naytal Schmidt
Elisabeth Garcia	Nicole Leon
Erica Flingberg	Pam Bricker
Evelyn Leslie	Reo Leslie
Fred	Robin Garrelts
Gary Reser	Roger Kincade
Glenna Claunch	Shelly Fisher
Greg Hisscock	Sterling Harris
Jacque Sumida	Steve Brake
Jalice Vigil	Susan Walker
Jan Hunsaker	Tami Floyd
Jason Thacher	Timothy Johnson
Jeff Geist	Valerie Estrada
Jenna Matthews	Wayne Bethurum
Jennifer Schneider	Wellesley Bush
Jill Marshall	

**Absent SOMB Members:** Norma Aguilar-Dave

## **Staff:**

Chris Lobanov-Rostovsky	Raechel Alderete	Michelle Geng
Kelli Reynolds	Marina Borysov	Jill Trowbridge

**SOMB Meeting Begins: 9:06**

## **INTRODUCTIONS:**

Introductions were made by all members and visitors present.

## **FUTURE AGENDA ITEMS:**

Jessica Meza suggested having a discussion on juvenile denial due to the lack of clarity on this issue.

**Announcements:**

Marina Borysov mentioned that the April Sex Offender Management Board (SOMB) meeting will be held at the Cottonwood Center of the Arts in Colorado Springs. She noted that if any of the SOMB members need a hotel, she can make these arrangements.

Raechel Alderete reminded all that the proposals for the 2017 SOMB Conference are due by February 28<sup>th</sup> and that the Training Committee will be reviewing all submitted proposals. She announced that Robert Emerick will present training on Secondary Trauma that is scheduled for 3/21 and noted that registration is now open for this class. Raechel also indicated some future training that include Jeff Kisicki and Kyle Lucas' training on the Intellectually Disabled/Developmentally Disabled (ID/DD) population scheduled for April 12<sup>th</sup>, and Dr. Jill Levinson's training on Trauma Informed Care scheduled for May 18<sup>th</sup>.

Kelli Reynolds announced that the Young Adult Modification Protocol survey was sent out last week and will remain open until March 3<sup>rd</sup>.

Chris Lobanov-Rostovsky gave an update on the Joint Judiciary presentation on February 2<sup>nd</sup> that included discussion of the SVP Risk Assessment, sex offender registry for incapacitated registrants, and a review of the data collection plan. He also updated the Legislature on the SOMB strategic plan and the progress made to date. Chris indicated there was some Legislative feedback regarding the lack of SOMB progress on the recommendations from the External Evaluation of the SOMB Standards, and noted that the bulk of the time was spent on polygraph use in treatment and supervision. He also indicated the updated Legislative Bill summary is included in the SOMB member packets. Chris reviewed Senate Bill #17-087 (sponsored by Senator Aguilar) which would give Judicial discretion for indeterminate sentencing, and Senate Bill #17-141 (sponsored by Senator Aguilar) that requires the Sex Offender Management Board in collaboration with the Department of Corrections (DOC), the Judicial Department, and the Parole Board to establish evidenced based criteria for the release of low risk sex offenders from prison. He also mentioned that these two bills will have a significant impact on sex offender management, and noted that both of these bills will be heard in the Senate Judiciary on February 22<sup>nd</sup> at 1:30 pm. He indicated that the SOMB staff will keep all updated as to the Legislative results of these bills and indicated that Gabby Reed, the Department's Legislative Liaison, is scheduled to come and speak to the SOMB regarding legislative issues.

Judge Kopcow announced that, based on legislative concerns for lack of progress, the SOMB Executive Committee is implementing new protocols for the committee revision process. He read and highlighted some of these protocols and guidelines.

**APPROVAL OF JANUARY MINUTES:**

**Motion to approve the January Minutes:** Jessica Meza; Jeff Jenks 2<sup>nd</sup> (Question #1)

**17 Approve      0 Oppose      2 Abstain      Motion Passes**

**LIFETIME SUPERVISION CRITERIA (Decision Item) – Lenny Woodson, Department of Corrections** (Handout Provided)

Lenny Woodson mentioned that the Lifetime Supervision Criteria will not be voted on today and proceeded to give an overview of the revisions based on feedback from last month's presentation. He indicated that he will take these revisions back to the Parole Board for review and that this should be a decision item next month.

**Board Comments:**

Allison Boyd asked for clarity on the "recommended levels of treatment". Lenny responded that they are based on a low-risk or high-risk treatment track.

**Audience Comments:**

Tim Johnson suggested that in Section 4.200 to add a condition that there is a current review of any Pre-Sentence Investigation (PSI) report or Psychosexual Evaluation (PSE). He indicated that in some instances, the Parole Board is not getting updated PSI's/PSE's before release. Lenny responded that this is probably the exception but that he will look into it.

Laurie Kepros responded to Tim Johnson that the Parole Board has their own set of criteria and that the SOMB has indicated that evaluations have a limited timeframe utility.

**Board Comments:**

Judge Kopcow indicated that this will be added as a decision item at next month's SOMB meeting.

**JUVENILE STANDARDS REVISIONS APPENDICES CROSSWALKS (Decision Item) – Carl Blake and Raechel Alderete** (Handout Provided)

Raechel Alderete indicated that there were revisions to Section 3.000 related to the use of penile plethysmography (PPG) on juveniles. She reviewed the revisions to this section and noted the new language does not recommend the use of the PPG on adolescents under the age of 18. Raechel also asked the SOMB members to review these revisions and be prepared to vote on this revised language today.

Carl Blake mentioned that there were additional revisions made to this section regarding viewing time terminology.

**Board Comments:**

Tom Leversee clarified the stance that the Association for the Treatment of Sexual Abusers (ATSA) is taking regarding PPG that simply states: "ATSA does not recommend the use of the PPG on adolescents under the age of 18."

**Audience Comments:**

Dale Jenkins asked when the ATSA Adolescent Guidelines regarding the use of Polygraph on juveniles will be discussed in relation to the Juvenile Standards. Carl Blake responded that the Juvenile Standards Revisions Committee has reviewed the ATSA Adolescent Guidelines and decided that there are no current changes to the Juvenile Standards at this time.

**Board Comments:**

Jessica Meza asked that in Section 7.121 (Polygraph Examination of Juveniles Who Have Committed Sexual Offenses) if juveniles are not required to take polygraph, how and when suitability becomes a factor in determining if a polygraph is necessary. Raechel Alderete responded that this is found in Section 3.000 and that there are lengthy steps in determining the criteria. She noted that she is available for further discussion outside of this meeting.

**Motion to Approve Juvenile Standards Revisions Appendices Crosswalks: ; Rich. Bednarski 2<sup>nd</sup> (Question #2)**

<b>20</b>	<b>Approve</b>	<b>0</b>	<b>Oppose</b>	<b>0</b>	<b>Abstain</b>	<b>Motion Passes</b>
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Raechel Alderete noted that this language will be available for 20 day public comment and if there is no feedback, then this will be ratified and included in the Juvenile Standards.

There was a change in the agenda order and Amy Fitch suggested reviewing the Adult Polygraph Standards Revisions next due to the timing.

**ADULT POLYGRAPH STANDARDS REVISIONS (Public Comments) – Jeff Jenks and Chris Lobanov-Rostovsky**

(Handout Provided)

Chris Lobanov-Rostovsky and Jeff Jenks reviewed the public comments.

Jeff Jenks explained the difference between the 4 types of exams mentioned in the document vs. the 5 exams identified in the American Polygraph Association Model Policy. Kim English responded by suggesting to add a footnote clarifying the Instant Offense and/or Prior-Allegation exam in Section 6.010.

Amy Fitch suggested renaming Prior Allegation Exam to "Specific Offense Exam" for clarification. Jeff Jenks replied that he agrees with Amy's suggestion but noted that it is in conflict to the American Polygraph Association's (APA) definition. He also indicated this could be clarified in a discussion point.

**Board Comments:**

Tom Leversee asked if it would be helpful to indicate that the Polygraph Committee is being responsive to the Best Practices Committee recommendations. Jeff Jenks replied that the Polygraph Committee has responded to all the Best Practices Committee recommendations following the Risk-Needs-Responsivity model.

Allison Boyd made a motion to ratify this document as it stands with recommended revisions (addition of the footnote to clarify the types of exams and change the word 'investigate' to 'assess'). Kandy Moore seconded the motion.

Angel Weant followed-up on Tom Leversee's concern and indicated the 5.000 Adult Standards Revisions Committee has begun work on the use of the polygraph within the team, and that they have included the all the elements of the best practice recommendations into Section 5.000.

Jessica Meza questioned the use of Footnote 6 (Konopasek) and if anyone has vetted the use of this research.

Carl Blake noted that the SOMB should consider some of the public comments and see if they enhance what has been written. He went on to clarify the recommended use of the term "computer generated" test results when a client makes a disclosure.

Magistrate Jessica Curtis agreed with Carl Blake that some of the public comment should be integrated. She also indicated that some of the research cited does not fit properly and the need to use citations wisely.

Amy Fitch suggested adding a footnote after “polygraph test results” that read: “Statements made by the offender during the polygraph are not considered polygraph test results.”

Allison Boyd agreed with Amy Fitch and noted that the test results are referring to Section 6.151 where this can be addressed.

Missy Gursky agreed with Magistrate Jessica Curtis and Carl Blake that some of the public comments should be incorporated.

**Audience Comments:**

Susan Walker affirmed what Tom Leverage suggested regarding aligning the Polygraph section with the Best Practices recommendations. Chris Lobanov-Rostovsky responded to Susan Walker and Tom Leverage that the Polygraph Committee is adhering to all the Best Practices recommendations and have incorporated them into the new polygraph language.

Dr. Leslie responded to Carl Blake regarding changing the word investigates to “assesses” and noted that there is a shift toward this language in the field.

**Board Comments:**

Judge Kopcow recapped the motion on the table to ratify the document with the change of the word investigates to “assesses” and to add a footnote clarifying the different types of polygraph exams.

**Motion to Approve the Adult Standards Polygraph as amended:** Allison Boyd; Kandy Moore 2<sup>nd</sup> **(Question #3)**

<b>12</b>	<b>Approve</b>	<b>8</b>	<b>Oppose</b>	<b>0</b>	<b>Abstain</b>	<b>Motion Passes</b>
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**BREAK: 10:33 – 10:52**

**SOMB STANDARDS REGARDING BURNS CASE – OWN CHILD ONLY (Decision Item) – SOMB Executive Committee**

(Handout Provided)

Chris Lobanov-Rostovsky framed the Burns contact with own children language changes in conjunction with the terminology used by State Judicial and Parole. He noted that “contact is allowed” is the default position (except if own child is victim, or there is no parental association). Chris stated that the siblings issue is a separate issue that will be addressed at a later time.

Judge Kopcow indicated that the SOMB does not have purview over State Judicial and that silence by the Court means “contact.” He noted that there needs to be compelling information from the courts to deny contact.

Chris Lobanov-Rostovsky indicated that similar language is in the Parole language and the need to include their perspective as well.

**Board Comments:**

Kim English asked if the Parole Board has to follow the Burns ruling. Judge Kopcow responded that Burns is applicable to Parole.

Jessica Meza made a motion to approve the suggested language. Carl Blake 2<sup>nd</sup> the motion.

Merve Davies indicated that he does not support contact with own child as the default and that contact under these circumstances is just as harmful to the child as having no parental contact. He also indicated the need to change the language so that the treatment providers are not impacted.

Allison Boyd suggested a change that an offender is not permitted to have contact with own child unless directed by the court or parole board. She indicated that the current language is not best practice, is not taking into account the safety of the child, is making treatment providers vulnerable, and pushes them into an unethical treatment dilemma.

Alli Watt asked how the language is identifying primary and secondary victims. Judge Kopcow replied that the offender cannot have contact with the own child victim.

Angel Weant responded to Allison Boyd’s suggested language that the SOMB should be consistent with the judicial system.

Amy Fitch agreed with Allison Boyd’s suggested language change and that the role of the SOMB is to make decisions that are beneficial to all concerned. She noted that contact with own child should be indicated from the courts.

Allison Boyd replied to Angel Weant that there will be a push for no contact to be litigated at sentencing.

Magistrate Jessica Curtis shared her concern that treatment providers do not want to be liable, but if the SOMB does adopt the revised language by Allison Boyd, then the treatment providers and the SOMB will be in a position to be sued. She went on to clarify that silence by the courts is the "court order" and that this order is to be followed.

There was continued SOMB discussion regarding changes to Allison Boyd's suggested wording.

Carl Blake stated that it is an unfortunate situation that the SOMB is in, but the language is the law. Carl made a motion to Call the Question to end conversation and move forward.

**Motion to Approve the Call to Question – end conversation :** Carl Blake; Jeff Shay 2<sup>nd</sup> (Question #5)

<b>11 Approve</b>	<b>9 Oppose</b>	<b>0</b>	<b>Abstain</b>	<b>Motion Fails</b>
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**Board Comments:**

Korey Elger stated the need to have a definition of victim. Michelle Geng read the definition of victim from the Standards that reads: "Any person against who sexually abusive behavior has been perpetrated or attempted."

Kandy Moore noted that there are so many child and sibling victims in these cases and that she does not know how to protect the children.

Judge Kopcow indicated from the judicial perspective that the SOMB has an obligation to follow best practices and to follow the law.

Jessica Meza emailed Chris Lobanov-Rostovsky a copy of the Pre-Sentence Investigation (PSI) language that is attached when a PSI is done on an individual accused of a sexual offense. She indicated that Probation has responded by including a page on Burns that is included in the PSI paperwork for the judge. Jessica read the language. Merve Davies noted his concern for treatment providers being sued and that the law does not protect the treatment providers.

**Audience Comments:**

Tim Johnson asked for a definition of "own child" with regard to contact. Judge Kopcow responded that this is not under the purview of the SOMB and should be addressed at sentencing or during clarification after sentencing. Tim responded to Allison's confusion with the word "compelling" and indicated that the SOMB should include language for treatment providers to express risk. He also noted that when litigating in court, the Standards are used and any decisions the SOMB makes, should include language that research supports. He also indicated that there should be no contact. Tim suggested a footnote that notates a reference of the best practices found in Appendix C.

Christian Gardner-Wood commented that the Burns Committee was forced to make a Federal application of law and not State application of law. He urged the SOMB to make a decision on what is important for the SOMB and to help judicial officers make decisions about contact.

Steve Brake reiterated that there is conflict between judicial and treatment providers, and noted that the purpose of the SOMB is to reflect best practices. He indicated that the SOMB should be inviting the examination of risk factors.

Shelly Fischer stated from the parent perspective that there is significant trauma in children (who are not the victims) who do not get to see a parent when there has been no sexual violation against them.

Christine Rinke noted that the proposed language does not address the existing language regarding restrictions and safety precautions that the team sees fit. She also indicated that this would disinvite treatment providers due to the length of time this would take. Chris Lobanov-Rostovsky responded that the allowance for placing restrictions on contact is now taken to the judge.

**Board Comments:**

Jessica Meza amended her motion and suggested changing Parole Board to Division of Adult Parole in the last sentence.

Judge Kopcow reiterated that a vote "yes" will approve the proposed language with revisions and a vote "no" will keep the existing language in place.

**Motion to Approve Burns Language as amended:** Jessica Meza ; Rick Bednarski 2<sup>nd</sup> (Question #6)

<b>7 Approve</b>	<b>13 Oppose</b>	<b>0</b>	<b>Abstain</b>	<b>Motion Fails</b>
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**LUNCH: 12:09 – 12:52**

**SOMB STANDARDS REGARDING BURNS CASE - SIBLINGS (Action Item) – SOMB Executive Committee (Handout Provided)**

Chris Lobanov-Rostovsky framed the contact with minor sibling issue. He noted that currently, the Standards allow contact with child (victim) of an offender that has a parental association only, and there is no allowance for sibling contact.

**Board Comments:**

Missy Gursky mentioned that the Young Adult Protocol covers this issue and noted that there is a variance process for which a provider can apply. She suggested leaving the Standards as they are.

Angel Weant agrees with Missy Gursky and noted that this will have to be litigated at the time of sentencing just as restricting contact with own child.

Jessica Curtis stated that the Juvenile Standards do address the contact with sibling issue but needs help in understanding if the Adult Standards are in conflict with current law.

Merve Davies also agrees that the Young Adult Protocol in the Juvenile Standards deals with this and has the flexibility.

Jessica Meza questioned if the Young Adult Protocol does not happen at the time of sentencing, what is done in the interim regarding contact with siblings. Missy Gursky responded that an evaluation is done with recommendations from treatment providers, the CSTs make a determination from that, and then a decision is made whether to apply for a variance to restrict contact or not. She also noted that there are other avenues through the protocol that deal with adult offenders who have very young siblings and that the variance process can be used.

Angel Weant mentioned that if the court remains silent, then contact is allowed and if the Team feels there are risk factors, they should go back to the courts for modification to the terms and conditions of probation.

**Audience Comments:**

Laurie Kepros stated that it is important to remember the clients who cannot live in the home where the minor siblings reside and have no access to a support system. She noted that these cases also apply under the Burns ruling and contact should be allowed.

Laurie Knight expressed her concern about the victim's constitutional right for safety and the need for the CST/MDT to assess the family situation and dynamic risk factors of the offender before allowing contact.

Tim Johnson noted that there is not a lot of case law on this issue, and there needs to be a definition of "sibling" in the Standards, and guidance as to what contact is allowed. He mentioned that the Pre-Sentence Investigation (PSI) does not indicate ages of siblings and does not mention much about the family situation.

Magistrate Jessica Curtis mentioned that there are areas of the Adult Standards that conflict with the new Burns terms and conditions on this issue of sibling contact. She asked for an executive session with the SOMB counsel for direction on this issue.

There was consensus from the SOMB to have an executive session with Ingrid Barrier regarding the sibling issue.

**ADULT STANDARD REVISIONS COMMITTEE SECTION 3.000 – DENIAL SECTION (Action Item) – Missy Gursky and Michelle Geng (Handout Provided)**

Missy Gursky framed the issue of denial in Section 3.500, Managing Sex Offenders in Denial. She indicated that the committee as a whole agreed to keep this section; however, in Section 3.560 there was a split regarding the 90-day timeframe recommendation.

Michelle Geng gave a historical background of the 90 day timeframe issue.

Missy Gursky gave a summary of the pros and cons of this issue:

Pros (Keeping 90 day timeframe): She noted that without the timeframe a person could be in denial for years and not move forward with offense specific treatment.

Cons (No timeframe): Missy indicated that with no denial timeframe, it would be seen as a protective factor, and that an individual can work on issues without fully admitting to their offense. She also noted that there is no correlation between denial and risk level.

**Board Comments:**

Judge Kopcow asked if there is research to support the 90 day timeframe. Missy Gursky replied that this is a number based on clinical experience and is not research based. Chris Lobanov-Rostovsky reiterated that the absence of a specific end date does not motivate the client to come out of denial.

Kim English also noted that there is not evidence-based research for everything in the Standards. She mentioned that an end date matters and to let the professionals that work with these clients make these decisions.

Tom Leversee asked Missy Gursky how this is affecting operating in practice. He asked what percentage is still in denial after 90 days. Missy Gursky responded that she prefers a deadline, and that a majority of offenders come out of denial when given a deadline so that they can move forward with offense specific treatment. She went on to indicate that the sooner they can admit to their offense and take responsibility, the sooner they can heal and also the victim can heal.

Amy Fitch agrees that a deadline matters and that there is a good balance in the 90-day deadline.

Allison Boyd stressed that this is an important issue for victims for offenders take responsibility for their actions. She also mentioned to keep in mind that without a timeframe, the offender would not take any responsibility for their crime and therefore not have offense specific treatment. Allison supports keeping a timeframe in the Standards.

Merve Davies indicated that the vast majority of offenders do come out of denial rather quickly, but there are some who do not. He noted that there are barriers that keep the offender in denial and that the treatment providers try to break those barriers down to help them come out of denial. Merve agrees that this 90-day protocol allows for an extension if an offender needs it. He reiterated that this is offense specific treatment, and for those who do not come out of denial, they should go back into the legal system.

Chris Lobanov-Rostovsky indicated that, as written, this section has taken denial out of the realm of risk, and the need to make this a more individualized treatment option.

Angel Weant echoed Chris Lobanov-Rostovsky's comment that this is a treatment issue. She noted that Probation Officers work in collaboration with the treatment providers who have the lead in denial situations. Angel agrees that timeframes are crucial and critical in breaking the denial barrier.

**Audience Comments:**

Allison Brittson noted that the right thing for victims is to have a denial deadline for victim clarification. She indicated the impact on the victim, victim family, and offender family is critical when an offender remains in denial.

Gary Reser gave an opposing view which indicated that according to research (McGrath's work on SOTIPS), denial is not a risk factor. He noted that ATSA and the SOMB agreed that denial is a responsibility factor. Gary also indicated that there is no research to support the 90-day limit, and that clients are not made to resolve other responsibility issues in 90 days. He cited that various states do not include "denial" in their standards, and that taking responsibility is not in the Probation Terms and Conditions. Gary agreed that a timeframe is necessary, but to let the CST make that determination.

Jenna Matthews indicated that victims are impacted when the offender takes responsibility.

Christian Gardner reiterated that the SOMB's mandate is to manage treatment providers and to maintain a date which not only helps victims heal, but the offender too. He noted that, as a prosecutor, the removal of the 90-day timeframe will affect plea deals.

Steve Brake noted that in the past, according to research, 6 months was the recommended timeframe. He stressed that denial is a risk factor, and noted that if the treatment provider is not helping the offender to accept the responsibility of the sex offense, then they are not doing sex offense treatment.

Valerie Estrada stated that Probation Officers do not have the discretion of time working with the offenders, so timeframes are necessary. The timeframes give the Probation Officers flexibility within the CST.

**Board Comments:**

Kim English indicated that Public Safety Canada had published in 2008 research regarding denial and the likelihood of deniers to recidivate.

Carl Blake responded to Gary Reser and asked at what point it becomes unethical to treat someone. He noted that it is important for the CST to indicate progress by having a timeframe with the provision to extend if needed.

Tom Leversee mentioned that if someone does not come out of denial, then this is not addressing risk, needs, and responsibility.

Rick May indicated that he sees that many offenders are revoked and then reinstated, but not returned to DOC. He noted that progress in treatment has a lot to do with taking responsibility for the offense, and also to be responsive to and protect the community.

Alli Watt noted that treatment is more than stopping an offender from re-offending, but about healing. She stated that an offender cannot heal if they do not admit to the offense itself.

**Motion to keep 90 day timeframe with CST Discretion:** Allison Boyd; 2<sup>nd</sup> (Question #7)

16 Approve

5 Oppose

0

Abstain

Motion Passes

**BREAK: 2:17 – 2:21**

**ADULT STANDARDS REVISIONS COMMITTEE SECTION 5.000 – VICTIM REPRESENTATION ON COMMUNITY SUPERVISION TEAMS (Action Item) – Angel Weant and Allison Boyd** (Handout Provided)

Allison Boyd framed the issue as whether victim representation should be kept as an adjunct member of the CST or a required member of the CST.

Angel Weant commented that the Section 5.000 Adult Standards Revisions Committee is looking to have victim representation language in the Adult Standards and that victim representation on teams is extremely critical. She indicated the need to enhance the language to include this representation in the Adult Standards.

Chris Lobanov-Rostovsky noted that this is an attempt to clarify the direction that the 5.000 Adult Standards Committee should go regarding victim representation. He indicated that today's feedback will be used for the Committee to complete this section.

Allison Boyd noted that this has been a delicate situation for years and now is the time to include the Victim Representative as a full member of the CST. She indicated that there are a variety of avenues to obtain victim representation on the team.

Judge Kopcow asked Allison Boyd how confident she is that the smaller jurisdictions throughout the state will be able to comply if this is put in the Standards. Allison responded that there will not be strict parameters to include a representative and that there are non-profits that can assist with low cost options. Judge Kopcow asked what will be the consequences if the CST is unable to incorporate a victim representative. Allison responded that there has been some discussion but she is not clear on this.

**Board Comments:**

Merve Davies likes the inclusion of the victim representative, but is concerned as a Domestic Violence (DV) treatment provider, of the fallout from the inclusion in the DV Standards and how it will affect the SOMB Standards. He also noted that there is a new burden on the treatment providers to hire this victim representative, and that there is a pathway for the provider being grieved. Merve asked if there is another way to share without the burden falling on the treatment providers.

Carl Blake indicated that there were the same concerns when the Juvenile Standards included the victim representative and noted that it is hard to do, but is the right thing to do. He stated that the victim representative requirement has been in the Juvenile Standards for a number of years and found that it was not included when the victim representative was an adjunct member. Carl commented that when the victim representative became a requirement that creative ways were found to comply. He stated that the victim representative requirement has been working well and has been very beneficial to the team.

Tom Leversee asked Carl Blake asked what the definition of member is, and what the level of participation is. Carl responded that this would have to be clarified but that it does not mean that the victim representative is present at every Team meeting. He noted that the juvenile Multi-Disciplinary Team (MDT) has a victim representative assigned to each case and is included as the case dictates.

Michelle Geng stated that when a treatment provider does not have access to a victim representative that the SOMB has a process to assist.

Amy Fitch agreed that if the victim representative is not mandatory, then it will not happen. She went on to ask who can fill this position (i.e., a therapist or a victim advocate). She suggested that stakeholders should come up with a list of victim resources in each



jurisdiction. Raechel Alderete responded that there is a document of victim resources through the SOMB, and noted that when teams are having trouble finding a victim representative, to reach out to the SOMB who will make contacts to help find them.

Allison Boyd responded to Tom Leversee that there is a need to craft some language that indicates what "as needed" looks like and that the representative does not need to be at every CST meeting, but be available. She also indicated the need to rewrite Section 5.130 regarding core members vs. adjunct members of the CST.

**Audience Comments:**

Jo Stack indicated the need for provider input regarding this proposed change, and asked if there is anything in place to reach out to all the treatment providers for feedback. Chris Lobanov-Rostovsky responded that this is still in discussion at the committee level and suggested treatment providers attend meetings and make sure they are on the SOMB email list.

Debbie Baty and Allison Brittsan commented that it is critical that this is a mandatory position on the CST to adhere to the victim-centered balanced approach. Allison Brittsan indicated that it is working well on the juvenile MDTs and the victim representative does not attend every MDT meeting. Allison noted that it is easy to implement and has not been a financial burden for the client. Debbie Baty indicated that she has worked for 10 years on training the implementation of a victim representative on the team.

Laurie Kepros expressed her concern about the financial ramifications for adult offenders as juvenile funding is paid by the state, while adults do not have this funding available. She indicated the most critical needs should be addressed first and does not see the need for a "mandatory" victim representative on the CST. Laurie stated that when a mandate is made, individualized treatment is lost and noted that there is still a crisis in remote areas where there are not many SOMB approved therapists.

Jenna Matthews mentioned that this is a good opportunity to show victims that the SOMB cares and is holding offenders accountable.

**Board Comments:**

Jessica Meza asked Allison Boyd if there is any process for those offenders who are also a victim. Allison responded that this would not be a role of the victim representative, but that the offense specific treatment provider would take on this responsibility.

Kim English noted that the evidence shows value in victim centeredness on the team, and is concerned about the rollout and what this means for the treatment providers. She asked the SOMB if there is the capacity to handle the additional phone calls, the team structure, and if this representative could fit as an essential adjunct member.

Mary Baydarian reminded all to be mindful when mandating something when resources are not available in all areas of Colorado.

A motion was made to include the Victim Representative as a required member of the CST.

**Motion to Add the Victim Representative as a Mandatory Member of the CST: ; Carl Blake 2<sup>nd</sup> (Question #8)**

<b>13 Approve</b>	<b>7 Oppose</b>	<b>0</b>	<b>Abstain</b>	<b>Motion Passes</b>
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**SOMB Meeting Adjourned: 3:22**

**Session Name**  
New Session 2-17-2017 11-30 AM

**Date Created**  
2/17/2017 8:44:33 AM

**Active Participants**  
21

**Total Participants**  
24

**Average Score**  
0.00%

**Questions**  
8

**Results by Question**

**1. Motion to Approve the January Minutes (Multiple Choice)**

Responses		
	Percent	Count
Yes	89.47%	17
No	0.00%	0
Abstain	10.53%	2
<b>Totals</b>	<b>100%</b>	<b>19</b>

**2. Motion to (Multiple Choice)**

Responses		
	Percent	Count
Yes	100.00%	20
No	0.00%	0
Abstain	0.00%	0
<b>Totals</b>	<b>100%</b>	<b>20</b>

**3. Motion to approve document as amended (Multiple Choice)**

Responses		
	Percent	Count
Yes	60.00%	12
No	40.00%	8
Abstain	0.00%	0
<b>Totals</b>	<b>100%</b>	<b>20</b>

**5. Motion to approve call the question (Multiple Choice)**

Responses		
	Percent	Count
Yes	55.00%	11
No	45.00%	9
Abstain	0.00%	0
<b>Totals</b>	<b>100%</b>	<b>20</b>

**6. Motion to approved Burns language as amended (Multiple Choice)**

Responses		
	Percent	Count
Yes	35.00%	7
No	65.00%	13
Abstain	0.00%	0
<b>Totals</b>	<b>100%</b>	<b>20</b>

**7. Motion to keep standard with 90 days with CST discretion (Multiple Choice)**

Responses		
	Percent	Count
Yes	76.19%	16
No	23.81%	5
Abstain	0.00%	0
<b>Totals</b>	<b>100%</b>	<b>21</b>

**8. Motion to add a victim representative as a mandatory member of the CST (Multiple Choice)**

Responses		
	Percent	Count
Yes	65.00%	13
No	35.00%	7
Abstain	0.00%	0
<b>Totals</b>	<b>100%</b>	<b>20</b>

**Session Name**

New Session 2-17-2017 11-30 AM

**Date Created**

2/17/2017 8:44:33 AM

**Active Participan**

21

**Total Participants**

24

**Average Score**

0.00%

**Questions**

8

**Results Detail**

Last Name	First Name	Q1	Q2	Q3	Q5	Q6	Q7	Q8	Total Points
<b>Answer Key</b>		-	-	-	-	-	-	-	0.00
Akins	Brie	1	1	1	2	2	1	1	0.00
Baydarian	Mary	-	-	-	-	-	2	2	0.00
Bednarski	Rick	1	1	2	1	1	2	2	0.00
Blake	Carl	1	1	2	1	1	1	1	0.00
Boyd	Allison	1	1	1	2	2	1	1	0.00
Curtis	Jessica	-	1	2	1	1	2	1	0.00
Davies	Merve	1	1	2	2	2	1	1	0.00
Elger	Korey	1	1	1	2	2	1	2	0.00
English	Kim	3	1	1	1	2	1	1	0.00
Fitch	Amy	3	1	1	2	2	1	1	0.00
Gursky	Missy	1	1	2	1	2	1	-	0.00
Jenks	Jeff	1	1	1	2	2	1	1	0.00
Leversee	Tom	1	1	2	1	1	2	2	0.00
May	Rick	1	1	1	2	2	1	2	0.00
Meza	Jessica	1	1	2	1	1	2	2	0.00
Moore	Kandy	1	1	1	2	2	1	1	0.00
Odenheimer	John	1	1	1	1	1	1	2	0.00
Shay	Jeff	1	1	1	1	2	1	1	0.00
Watt	Alli	1	1	1	2	2	1	1	0.00
Weant	Angel	1	1	1	1	1	1	1	0.00
Woodson III	Lenny	1	1	2	1	2	1	1	0.00
<b>Participant List Averages</b>		-	-	-	-	-	-	-	0.00