

**SEX OFFENDER MANAGEMENT BOARD
MINUTES**

Friday, January 15, 2016

Board Members

Allison Boyd
Amy Fitch
Angel Weant
Carl Blake
Jeff Geist
Jeff Jenks
Jeff Geist
Jeff Shay
Jessica Meza
John Odenheimer
Kim English
Marcelo Kopcow
Mary Baydarian
Merve Davies
Mimi Scheuermann
Missy Gursky
Nancy Jackson
Pam Bricker
Richard Bednarski
Rick May
Tom Leversee

Visitors

Anthony R. Mathias
Debbie Baty
Jeff Carpenter
Taralyn Clark
Valerie Estrada
Jamie Gibbs
Renee Hazlewood
Dianna Lawyer-Brook
DeAnn Major
Pat Martin
Linda Martin
Dena McClung
Bobbie Ponis
Gary Reser
Kelli Scherer
Jo Stack
Christine Tyler
Susan Walker
John Wittwer
Jerry Frey
Roger Kincade
Dean Berry
Gale Page
Steve Parker
Wellesley Bush

Absent Board Members

Alli Watt, Brie Akins, Bill Hildenbrand, Jessica Curtis, and Kandy Moore

Staff

| | | |
|-------------------------|------------------|-----------------|
| Chris Lobanov-Rostovsky | Raechel Alderete | Michelle Geng |
| Marina Borysov | Jesse Hansen | Jill Trowbridge |

9:01 am

Board Meeting Begins:

Introductions:

Future Agenda Items – Carl Blake: Use of "Tele-Therapy"

December Minutes – Approved

APPROVAL OF December MINUTES: motion to approve __Jeff Shay_ 2nd ___ Carl Blake_____

15 Approve

0 Oppose

2 Abstain

Motion Passes

Announcements:

Merve Davies reported that Anthony Beech/Anthony Bowman (in England) were awarded a 2 yr. research grant regarding the use of The Look VRT instrument.

Angel Weant noted that the Ending Violence Against Women Conference is in Washington, D.C. this year.

Mimi Scheuermann announced that she will be resigning from the SOMB effective March 2016. She reported that Korey Elger will be her replacement. Sex Offender Management Board (SOMB) members expressed sadness regarding Mimi's resignation.

Chris Lobanov-Rostovsky reported that Kim English (along with Peggy Heil and Greig Veeder) authored a chapter (updating the containment approach) in a new book titled Sex Offender, edited by Hoberman & Phenix. He also indicated having written (in conjunction with Prof. Andrew Harris of UMASS Lowell) a chapter in this book on sex offender management policy.

Raechel Alderete announced the Save the date for the Annual SOMB Conference and the Call for Papers. All interested presenters should send proposals to Marina Borysov. She noted that last year there 50 presentation proposals for 23 slots. Registration for the conference will begin in April. Raechel also provided an updated on 2016 trainings. She described upcoming Introduction to the Standards and Booster trainings in Colorado Springs. There is also a VASOR-2/SOTIPS training February at the Arvada Police Department. Finally, there will be a training on victim representation of Community Supervision Teams and Multi-Disciplinary Teams at the Jefferson County District Attorney's Office on February 26 from 9:00-11:00 AM.

Jeff Geist announced the SOMB will be holding an Open Forum during the March 2016 SOMB meeting. An email with details will be forthcoming.

Bobbie Ponis thanked the SOMB for the arrangement of the room set-up for guests, and described it as very open and welcoming.

Jeff Geist indicated that in response to the SOMB Moving Forward Day, there is a need to establish a sub-committee to work on decision-making and meeting logistics. Carl Blake and Missy Gursky volunteered to be part of this group.

Chris Lobanov-Rostovsky reported that in response to the discussion related to the Advocates for Change (AFC) post regarding the SOMB's work on sexting, a request has been made to AFC to post a response from the SOMB.

Allison Boyd indicated that a Sexting Bill is in being proposed this legislative session.

Approve Agenda: Approved by Consensus

Sex History Evaluation Matrix (Decision Item) – Dr. Rick May

Dr. Rick May gave a brief history of the development of the Sex History Evaluation Matrix. Handout provided.

Dr. May noted that a SOMB Committee has made revisions from feedback and suggestions regarding the instrument.

Chris Lobanov-Rostovsky indicated that the Sex History Evaluation Matrix has been previously approved by the SOMB and has been an optional assessment tool that was placed on the SOMB website. The goal is to make the Sex History Evaluation Matrix an Appendix to the Standards to provide guidance to evaluators.

Merve Davies expressed concern about the use of the term 'deviant sexual arousal' in the Sex History Evaluation Matrix. He indicated the belief that the word 'deviant' does not differentiate between offending and non-offending populations, as they both show the same sexual interest patterns. Merve suggested a shift away from the word "deviant" to "expected" or "appropriate".

Judge Copco suggested use of the word "abusive" sexual arousal, and use of the word "problematic" was also put forth.

Chris Lobanov-Rostovsky suggested deferring this issue to the Adult Standards Revisions Committee, who is currently working on the evaluation and treatment Standards, rather than addressing it within the context of the Sex History Evaluation Matrix.

Carl Blake agreed this should be discussed in the Standards Revision Committee, but does not agree this word needs to be changed based on the actual definition of "deviant."

Laurie Kairos noted that the term "Deviant" is used widely in the courts.

The SOMB agreed that a discussion of this term will be on March 3rd, 1-4pm at RSA – 1410 Vance St., Lakewood at the Adult Standards Revisions, Treatment Sub-committee meeting.

Jeff Geist requested that the SOMB consider the Sex History Evaluation Matrix today with the inclusion of the term "deviant" and allow time for the Standards Revisions Committee to assess the issue. If there needs to be a change in the proposed Appendix, this can be done at a future date.

Tom Lever see gave motion to approve the Sex History Evaluation Matrix as an Appendix 2nd Rick Bednarski.

17 Approve 0 Oppose 0 Abstain Motion Passes

Continuity of Care Intake Assessment Form (Action Item) – Carl Blake

Handout provided. This Intake Assessment Form is to be added as an Appendix to the Adult and Juvenile Standards.

Jessica Meza asked about alternative forms of treatment for youth who are recommended for a boundary education intervention.

Carl Blake indicated the belief that the Form does address this issue in Other forms of treatment. A provider could make the determination to recommend this type of treatment.

Chris Lobanov-Rostovsky noted that the Juvenile Standards Revision Committee decided not to identify boundary education protocol as separate from sex offense specific treatment as this is the term typically utilized by Judges to order treatment. Providers can pick and choose which treatment best meet the needs of the juvenile.

Jessica Meza noted that the Court, when a recommendation is made for boundary education, the District Attorneys feel that this is not sex offender specific treatment. Due to this, there is confusion in the Court that the Judge makes a determination that the juvenile is not getting sex offense specific treatment. This needs to be clarified in the Juvenile Standards.

Allison Boyd suggested adding in deferrals in past convictions/adjudications (for juveniles).

Carl Blake noted that the Intake Assessment Form is intended to clarify for therapists to assess treatment needs following prior treatment involvement .

Mimi Scheuermann noted that if prior treatment history is not available, then the offender will receive more treatment and not less.

Chris Lobanov-Rostovsky noted that the definition of who the Standards apply to, including deferrals, is in the Introduction to the Standards.

Missy Gursky requested that the issue of Judges requesting information from providers for registrants to be released from registration requirements be placed on a future agenda item.

Motion to adopt to approve Intake Assessment Form: Motion Missy Gursky 2nd Mimi Scheuermann

18 Approve 0 Oppose 0 Abstain Motion Passes

Legislative Session/Sunset Review Update

Chris Lobanov-Rostovsky reported that Jana Locke, legislative liaison for the Department of Public Safety was unable to attend today. She has been invited to attend SOMB meetings through the Spring to update on the status of the Sunset Review Bill, which has not been introduced as of yet. The staff will keep the SOMB informed when this is being introduced and the legislative hearings begin. Jeff Geist will be the SOMB Representative to these hearings, however, other SOMB members are welcome to attend and testify provided they do not represent themselves as speaking on behalf of the SOMB. There are two other bills that are relevant to the SOMB's work – a Sexting Bill and a Statute of Limitations Bill regarding Felony Sexual Assault. The SOMB will be provided a tabulation of the bills and updates throughout the year.

Break 10:15 – 10:35

SOMB Administrative Policies (Action Item)

Ingrid Barrier from the Attorney General's office suggested working with a sub-committee of the SOMB to do a line-by-line review of the Administrative Policies. She suggested then having a SOMB discussion to modify some of the policies. Some items for consideration may include

- What are the time parameters during an appeal?
- What modifications to these policies would look like?
- What would the information sharing between the SOMB and the Department of Regulatory Agencies (DORA) look like?

It was suggested to do this sub-committee as a part of the Application Review Committee (ARC) meetings.

Chris Lobanov-Rostovsky highlighted other areas for consideration, including

- Appellants motion to reconsider
- Is the SOMB subject to the Administrative Practices Act
- Consolidating all appeal paperwork in the Administrative Policies

Carl Blake suggested that the issue of who is the complainant when the ARC forwards a complaint to DORA. Ingrid Barrier suggested addressing this issue directly with DORA.

Chris Lobanov-Rostovsky suggested also inviting ARC 2 to the meeting.

Allison Boyd raised the issue of ARC abstaining on a vote, and requested this also be addressed. Ingrid indicated a willingness to look at this and get back to the SOMB.

Ingrid Barrier offered to provide the SOMB with a refresher course on Executive Session, if there is interest..

Allison Boyd raised the issue of whether the complainant needed to be present at the appeal process.

Ingrid Barrier noted that the SOMB is reviewing the decision, not a part to the complaint, in the appeal process.

Jeff Geist confirmed that all are in agreement that this is the direction the SOMB needs to go.

Lifetime Supervision Criteria (Decision Item) – Lenny Woodson

Lenny Woodson and Christina Ortiz-Marquez presented on behalf of the Sex Offender Treatment and Monitoring Program (SOTMP) at the Department of Correction (DOC) regarding revisions to Section 4.200 of the Lifetime Supervision Criteria.

Handout provided.

The SOTMP revised the treatment formats to take into account risk factors of the sex offender and allow more options for community support. Revisions have been made to address the offenders who are not meeting criteria and are having trouble obtaining outside support when paroled.

John Odenheimer asked about the impact of the criteria for non-lifetime offenders?

Allison Boyd inquired about the use of the word "always" in the first sentence. It was agreed to remove this word.

Gary Reser asked for clarification as to how to respond to offenders when they contact him regarding seeking treatment providers. It was noted that parole will make the necessary referrals for the offender. These requests should go through parole.

Dr. Rick May asked about Criteria #2, and expressed concern about the requirement to be found non-deceptive on a polygraph assessment to be released. Lenny responded that this is only one assessment to be used in conjunction with other assessments.

Susan Walker raised concerns about the polygraph procedure for those with physical/emotional disabilities. Lenny indicated SOTMP will collaborate with offender as to why he/she not able to take a polygraph.

Tom Leversee noted that the Best Practices Committee is currently looking at the use of polygraph and is making recommendations to the Juvenile and Adult Standards Revisions Committees. He reported that a central issue is whether there is any additional information that will be collected through polygraph that will change the particular risk or need of this juvenile or adult? Is there a need to test and retest if there is a very clear profile of an individual as it relates to treatment and supervision?

Susan Walker requested clarification regarding the "support" person role for an offender. Lenny Woodson noted that offenders may make a disclosure to an agency or parole, and then find someone to support them when they are released. She asked why advocacy group are is not included in disclosures and support? Lenny responded that they are included in criteria #4.

Carl Blake suggested a modification under Criteria #2. He suggested a revision to "Complete to identified risk areas as verified through the sexual history polygraph (preferred) process or other clinical indicators."

Amy Fitch – motion to approve the Lifetime Supervision Criteria modifications as amended by Carl Blake to Criteria #2 and removing the word "always" from the first sentence.

Motion to approve as amended- Amy Fitch 2nd – Jeff Shay

18 Approve 0 Oppose 0 Abstain Motion Passes

Lunch: 11:45 – 12:30

Adult Standards Guiding Principles (Decision Item) – Jeff Geist and Missy Gursky

Principle #4: To be discussed further at the February SOMB meeting.

Principle #5: Carl Blake suggested changing adding the community supervision team (spelled out) in the Guiding Principle.

Laurie Kepros made a number of suggestions for additions and changes to the Guiding Principle.

Revised Standard to read:

The treatment and management of sex offenders requires a coordinated response by the Community Supervision Team (CST) and will be most effective if SOMB providers and the entirety of the criminal justice and social services systems apply the same principles and work together.

Community safety is enhanced when treatment providers and community supervision professionals practice in their area of specialization and work together. This collaboration should include frequent and substantive communication about information that will assist in reducing an offender’s risk to the community. When the CST members respect the individual roles and mutually agree upon their goals, the offender can be treated and managed more effectively.

Motion to approve #5 as amended. – Allison Boyd 2nd – Amy Fitch

15 Approve 3 Oppose 1 Abstain Motion Passes

#6. Missy Gursky reviewed previous Adult Standards Revisions Committee meeting discussions regarding the wording of this item. No alternative language was provided.

The SOMB had a lengthy discussion about whether community supervision is a privilege. It was suggested to change the language to “opportunity” to better reflect both parole and probation considerations.

Revised Standard to read:

Community supervision is an opportunity, the success of which is dependent upon a sexual offender’s willingness and ability to cooperate with treatment and supervision, and be accountable for their behaviors. Accordingly, members of the Community Supervision Team should employ practices designed to maximize offender participation and accountability. (Source: OE p 55).

Motion to Item #6 as amended: John Odenheimer 2nd – Angel Weant

17 Approve 1 Oppose 0 Abstain Motion Passes

#7 Missy Gursky reviewed previous Adult Standards Revisions Committee meeting discussions regarding the wording of this item.

The SOMB had a discussion about whether to include language specific to the Risk, Need, Responsivity (RNR) principles or focus more generally on evidenced based and research informed practices.

Revised Standard to read:

Treatment and supervision are most effective when they are individualized, and incorporate evidenced based and research informed practices.

Motion to amend Guiding Principle #7: Allison Boyd

14 Approve 4 Oppose 0 Abstain Motion Passes

After lengthy discussion, revised wording of #7.

Jeff Geist suggested the “alternative language” section be incorporated in the Adult Standards 3.0 section.

Motion to approve Guiding Principle #7 as amended language: Allison Boyd

17 Approve 1 Oppose 0 Abstain Motion Passes

#8 Missy Gursky reviewed the Guiding Principle

Motion to Approve Guiding Principle#8 to : Allison Boyd

18 Approve 1 Oppose 0 Abstain Motion Passes

#9 Missy Gursky reviewed previous Adult Standards Revisions Committee meeting discussions regarding the wording of this item.

The SOMB raised questions about the wording related to the victim’s voice. This issue was not resolved and the Adult Standards Revisions Committee will review the wording prior to the next meeting.

Medical marijuana Statement (Decision Item) – Chris Lobanov-Rostovsky, Angel Weant and Carl Blake

Handout provided.

It was suggested to clarify and spell out Article 43.3 in this document.

Amy Fitch amended her motion to remove the last sentence on Page 2 and to adopt Carl’s revision to this paragraph.

Revised Statement to Read:

Testing and Assessment Considerations Medical marijuana usage by clients in sex offense specific treatment may affect their polygraph results. Therefore, the use of medical marijuana by clients subject to polygraph assessment should be discussed with the polygraph examiner and prescribing physician. The CST/MDT should make a determination about the suitability of a client for assessment utilizing polygraph, plethysmograph, VRT, and alternative monitoring and accountability measures.

Motion to approve medical marijuana document and revisions – Amy Fitch

2nd – Kim English

16 Approve 2 Oppose 0 Abstain Motion Passes

MEETING ADJOURNED at 2:40

Turning Participant Results

Session Name: New Session 1-15-2016 2-40 PM

Created: 1/19/2016 9:17 AM

| Device ID | Remote No. | First Name | Last Name | 1) Motion to Approve December Minutes | 2) Motion to Approve December Minutes | 3) Motion to Approve sex history evaluation matrix | 4) Motion to Approve intake assessment form | 5) Motion to approve lifetime supervision criteria as amended | 6) Motion to approve GP #5 as amended | 7) Motion to approve GP #6 as amended | 8) Motion to amend GP#7 | 9) Motion to amend GP#7 | 10) Motion to approve GP#8 | 11) Motion to approve medical marijuana document |
|-----------|------------|------------|-------------|---------------------------------------|---------------------------------------|--|---|---|---------------------------------------|---------------------------------------|-------------------------|-------------------------|----------------------------|--|
| 2B201 | 1 | Pam | Bricker | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B212 | 2 | Mary | Baydarian | - | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B213 | 3 | Richard | Bednarski | - | 1 | 1 | - | 1 | 2 | 1 | 2 | - | 1 | 1 |
| 2B216 | 4 | Carl | Blake III | - | 1 | 1 | 1 | 1 | 2 | 1 | 2 | 2 | 1 | 1 |
| 2B226 | 5 | Allison | Boyd | - | 1 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | 1 | 2 |
| 2B22D | 6 | Jessica | Curtis | - | - | - | - | - | - | - | - | - | - | - |
| 2B237 | 7 | Merve | Davies | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B23B | 8 | Kim | English | - | 3 | 1 | 1 | 1 | 3 | 1 | 1 | 1 | 1 | 1 |
| 2B246 | 9 | Amy | Fitch | - | - | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B25B | 10 | Jeff | Geist | - | - | - | - | - | - | - | - | - | - | - |
| 2B261 | 11 | Missy | Gursky | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 5EE64 | 12 | Rick | May | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B26A | 13 | Bill | Hildenbrand | - | - | - | - | - | - | - | - | - | - | - |
| 2B26E | 14 | Nancy | Jackson | - | - | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B281 | 15 | Jeff | Jenks | - | 1 | 1 | 1 | 1 | 1 | - | - | 1 | 1 | 1 |
| 2B291 | 16 | Marcelo | Kopcow | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B295 | 17 | Allison | Watt | - | - | - | - | - | - | - | - | - | - | - |
| 2B2A8 | 18 | Tom | Leversee | - | 1 | 1 | 1 | 1 | 2 | 1 | 2 | 1 | 1 | 1 |
| 2B2D6 | 19 | Jessica | Meza | - | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 1 | 1 | - |
| 2B2F5 | 20 | Kandy | Moore | - | - | - | - | - | - | - | - | - | - | - |
| 2B2FF | 21 | John | Odenheimer | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 2 |
| 2B302 | 22 | Mimi | Scheuermann | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B32A | 23 | Jeff | Shay | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B32C | 24 | Angel | Weant | - | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2B32F | 25 | Brie | Akins | - | - | - | - | - | - | - | - | - | - | - |