

**SEX OFFENDER MANAGEMENT BOARD  
MINUTES**

**Friday, November 18, 2011**

**Board Members**

Jim Austin  
Carl Blake III  
Allison Boyd  
Mervyn Davies  
Cheryl Davis  
Robert Erler  
Amy Fitch  
Missy Gursky  
Peggy Heil  
Bill Hildenbrand  
Erin Jemison  
Jeff Jenks  
Tom Kennedy  
Dianna Lawyer Brook  
Tom Leversee  
Rick Levinson  
David Long  
Bill Martinez  
Kandy Moore  
Mimi Scheuermann  
Angel Weant

**Visitors**

Yvonne Parietti  
Robertta Ponis  
Karen Vigil  
Frank Cadillo  
Jason Johnson  
Maureen O'Brien  
Jason Page  
Laurie Rose Kepros  
Davlyn Turner  
Valerie Estrada  
Ken Barker  
Nancy Gifford  
Bryce Gilmour

**Visitors**

Kristen Lilla  
Carla Spence  
Sharon Caudillo  
Deb Stjernholm  
Jordan McCaffrey  
Gale Page  
Teri Cueva  
Suzanne MacKinnon  
Diana Allen  
Heather Towndrow  
Loraine Diaz de Leon  
Charles Szatkowski

**Absent Board Members**

Mary Baydarian  
Jeff Geist  
LiYing Li  
Doug Stephens

**Staff**

Chris Lobanov-Rostovsky  
Charla Phagan  
Nancy Bullis  
Jay Raiola  
Jesse Hansen

## **Board Meeting Begins: Introductions**

### **Future Agenda Items**

- Presentation from parole about supervision
- Community Corrections - what they are doing to incorporate sex offenders?

### **Announcements**

- New training announcements will be placed on the Board website soon.
- In the Executive Committee meeting it was decided to try a different way to record votes electronically, and this method will be tried in January 2012.
- The December meeting will be 12/16/11. There will be a business agenda in the morning and in the afternoon will be the Board appreciation luncheon.
- The collection of feedback on the sexual history evaluation process is ongoing. A review of the feedback will take place in January and will be presented to the Board in February.
- The traveling Board meeting in October was a success. Thank you to the Board members who participated. Staff was recognized for a great job with the outreach to the two tribes in the Durango area.
- The Public hearing went well, but there was minimal public comment. Staff will look at a more cost effective way of doing things next time.

### **Approval of September and October Minutes**

**Motion** made to approve the September minutes. Motion seconded.

**Vote:** 12 Approve            0 Oppose            4 Abstentions

The motion carries.

**Motion** made to approve the October minutes. Motion seconded.

**Vote:** 10 Approve            0 Oppose            6 Abstentions

The motion carries.

## **Review of public comment on the Standard Revisions and Final Approval-**

### **Juvenile Standard Revisions-**

**Section 2.900-** the change as to which sexual evaluation tools would be listed was addressed during the revision process.

**Section 5.000-** there was concern over the direct line of authority in the Multi-Disciplinary Team (MDT). Concern was also expressed about the change in wording from “shall” to “should” was not completed in the last revision. Motion to complete the wording changes from “shall” to “should” throughout Section 5.500. Motion seconded.

**Vote:** Unanimous vote of 17 for approval

**Section 7.000-**

It was suggested that since this is not going to be eliminated, the newest version of the Terms & Conditions should be used.

- There are some points that really need to be worded “should”; can a statement be added that these are for informational purposes including but not limited to these Terms & Conditions. It was suggested to place the Terms & Conditions in an appendix so that it can be changed at any time.

**Motion:** To have the introduction with the wording “should” follow the current Terms & Conditions of Probation with examples referenced in the appendix with the wording “shall.” Motion seconded.

**Motion:** To amend the original motion to read: Introduction to remain in the Standards & Guidelines and read as follows: Probation, parole, supervising officers/agents and DHS caseworkers should use the current terms and conditions for the supervision of juveniles who have committed sexual offenses. The juvenile shall be supervised by the probation department (or other supervising agency) for a period of time to be determined by the court and shall comply with the general terms and conditions of supervision as listed in the appendix. The wording in the appendix will be “shall.” Motion seconded.

**Vote:** It was a unanimous vote for approval with 15 votes

**Motion** to change title of the section to Recommended Guidelines for Community Supervision and the copy should read:

It is recommended that Probation, etc. use these Terms & Conditions for the supervision of juveniles who have committed sexual offenses subject to court order modification/approval. It is recommended that the juvenile shall be supervised. . . . Motion seconded.

**Vote:** 1 Approve    14 Oppose            3 Abstentions            Motion fails.

**Adult Standards Revisions Public Comment**

**Section 2.061-**

**Motion** to update the evaluation instrument names and adding the wording, “not limited to and including the most current versions” instruments. Motion seconded.

**Vote:** Motion passes with a unanimous vote of 17 for approval.

**Sections 4.500 and 4.600**

**Motion** to increase the required hours of training for the Contact with Children Assessment from 4 to 8 hours. Motion seconded.

**Vote:** 14 Approve            3 Oppose            0 Abstentions            Motion carries.

**Section 5.000**

Citations to be used as reference in the standards were submitted.

**Motion** to include the citations as reference points in the Standards. Motion seconded.

**Vote:** 15 Approve            0 Oppose            0 Abstentions            Motion carries.

**Section 5.130**

**Motion** to add law enforcement as adjunct members of the CST.

**Vote:** 16 Approve            0 Oppose            0 Abstentions            Motion carries.

**Section 5.700-**

**Motion** to change the word “minor” to read “child.”

**Vote:** 0 Approve            17 Oppose            0 Abstentions            Motion fails.

**Motion** to change wording from “child/children” to “minor child/ minor children”

**Vote:** 17 Approve            0 Oppose            0 Abstentions            Motion carries.

- Need to include a definition of minor.
- Define child as under the age of 18

**Motion** to amend the words “child/children” to read “minor child/minor children” as well as adding the definition of minor child as a child under the age of 18 years. Motion seconded.

**Vote:** 16 Approve            0 Oppose            0 Abstentions            Motion carries.

**Section 5.725**

**Motion** to add discussion point after 3rd bullet point stating: An evaluator should read the most current version of the DSM when making a diagnosis of pedophilia. Motion seconded.

**Motion** to amend the previous motion to have the discussion point read as follows: When there is a diagnosis of pedophilia or a diagnosis by history of pedophilia the evaluator should refer to the current version of the DSM to ensure the diagnosis is accurate prior to excluding the offender from a Child Contact Assessment (CCA).

Motion seconded.

**Vote:**            17 Approve            0 Oppose            1 Abstentions            Motion carries.

**Section 5.750**

Motion to change the heading to read: Contact, Clarification or Reunification with Victims. Motion seconded.

**Vote:**            17 Approve            0 Oppose            1 Abstentions            Motion carries.

**Motion** to approve the document with amendments made today.

**Vote:**            17 Approve            1 Oppose            0 Abstentions            Motion carries.

**Board discussion of the publication/implementation of the revised Standards & Guidelines**

**Motion** to publish the revised Standards & Guidelines no later than January 31, 2012 with implementation no later than June 30, 2012. Motion seconded.

**Vote:**            19 Approve            0 Oppose            0 Abstentions            Motion carries.

**Lunch**

**Recognition of Commissioner Long as he departs the SOMB**

**Victim/Family Member readiness for Contact, Clarification or Reunification Paper presented by Allison Boyd**

This is to be included in both the Adult and Juvenile Standards & Guidelines as an appendix.

Revisions:

- Adding a statement in the non-offending parent/guardian readiness section about being aware of the grooming tactics of the offender.
- Adding a statement in the parent section about team members recognizing non-verbal cues (readiness) from younger children
- Adding a statement in the secondary victim/sibling or other children in the home section about the child able to identify a safe adult to talk to.

Get any changes/suggestions to Allison within 10-15 days and the Board will vote on this at the December meeting and be ready for publication in January.

**Review of the SOMB Legislative Report- presented by Jesse Hansen**

What conclusions can be drawn?

- The Board might need to report that we do not know if the Standards & Guidelines are effective due to a lack of a comparison group and the short amount of time.

**Break**

**Review of the Sex Offender Housing White Paper**

Staff worked with Erin Jemison to incorporate the ideas from the Victim Advocacy committee as well as incorporating feedback from others to change the “tone”. The paper was also shortened as a response to feedback that it was too long.

**Discussion:**

- It was suggested that the Employment Barrier section is redundant.
- Is board truly in agreement about all of the recommendations?
- Members of the Board were not sure if they could support the recommendation that “the only way to effectively stop local jurisdictions from enacting these ordinances is through state legislation preempting such local laws.”

**Motion** to change the copy to read: To date the SOMB has been active in staying apprised of these local ordinances and engaged in public education with local policy makers when it appears that such an ordinance is being considered. The SOMB has endorsed the following statement: “The Board does not support sex offender residency restrictions or zoning restrictions that are counter-productive to the effective supervision of sex offenders”. The remainder of the existing paragraph would then be deleted. Motion seconded.

**Vote:**            1 Approve            13 Oppose            0 Abstentions            Motion fails.

**Motion** to change the first full sentence on page 35 to read: One way to stop local jurisdictions from enacting these ordinances could be through state legislation preempting such local laws.

**Vote:** 13 Approve 1 Oppose 0 Abstentions Motion carries.

**Motion** to approve the Sex Offender Housing Committee White Paper on Sex Offender Housing as amended. Motion seconded.

**Vote:** 14 Approve 0 Opposed 0 Abstentions Motion carries.

**Motion** made to adjourn. Motion seconded. Motion passes by unanimous consent.

**Meeting Adjourned**