

**SEX OFFENDER MANAGEMENT BOARD
MINUTES**

Friday, December 16, 2011

Board Members

Jim Austin
Mary Baydarian
Allison Boyd
Mervyn Davies
Cheryl Davis
Robert Erler
Jeff Geist
Missy Gursky
Peggy Heil
Erin Jemison
Jeff Jenks
Dianna Lawyer-Brook
Tom Leversee
LiYing Li
Bill Martinez
Kandy Moore
Mimi Scheuermann
Angel Weant

Visitors

Deb Brenner
Michelle Archuleta
Carla Spence
Chamois Fanelli
Laurie Kepros

Visitors

Sara Marshburn
Charlene Giggy
Kristen Lilla
Joe White

Absent Board Members

Carl Blake III
Amy Fitch
Bill Hildenbrand
Tom Kennedy
Rick Levinson
Doug Stephens

Staff

Chris Lobanov-Rostovsky
Cathy Rodriguez
Charla Phagan
Nancy Bullis
Jay Raiola
Jesse Hansen
Sharon Behl

Board Meeting Begins: Introductions

Future Agenda Items

- Update on the Lifetime Report
- Use of no opinion on polygraph tests
- Process in use for complaints and appeals

Announcements

- Upcoming trainings are listed on the Sex Offender Management Board (SOMB) website for 2012.
- There is a schedule in the handouts for next year's SOMB meeting schedule. Make note that the January meeting will be at the Wheat Ridge Recreation Center, not the PPA Center.
- There is an appeal scheduled for January 2012. Please read the appeal notebook and make sure to bring it to the January meeting. There is a memo explaining the process.
- Jim Austin presented on Shared Living Arrangements (SLAs) to a group of Southern Colorado legislators.
- The Colorado Coalition Against Sexual Assault (CCASA) has released the results of a victim research study done here in Colorado. Erin Jemison is available to discuss and answer questions about the survey.
- The SOMB Research Committee will reconvene in January 2012.

Approval of November Minutes

Motion made to approve the November minutes with the suggested change on page 5. Motion seconded.

It was requested to remove Cheryl Davis' name from 3rd bullet on page 5.

Vote: 13 Approve 0 Oppose 4 Abstentions The motion carries.

Adult Standards Appendices-Victim Readiness Criteria and Criteria for Reduction in the Level of Supervision While on Parole and Discharge from Parole

Regarding the Victim Readiness Criteria, changes that were made to the document:

- Placement of the first paragraph (moved up as an introductory paragraph)
- Under the heading Non-Offending Parent or Guardian Readiness, bullets one and ten were added

It is intended that this will be added as an appendix to both the Adult & Juvenile Standards.

Motion: to add the document to both the Adult and Juvenile Standards in the appendices. Motion seconded.

Discussion:

- This is no different from the advisory document produced by the Defense Bar Committee and should it really be added to the Standards when the other document was not supported by the SOMB? This is guidance for persons who the Board does not have purview over.
- Mary Baydarian shared comments from her constituency (county Departments of Social Services) who are not in support of this document. The requirement of a certain level of sophistication cannot be met by some of the youthful victims.
- This is about the victim, not the victim representative. It is beneficial for therapists to have these guidelines.
- However, under Non-Offending Parent #1- many times the parent believes readiness is present when it is not. Therefore, this should be re-worded.
- The Magistrate would like guidelines as long as they are interpreted as guidelines.
- This document is for victim providers, while the standards are for offender providers. It was suggested that this be available on the website as a resource, but not as part of the Standards.
- Non-offending family members like having these guidelines.
- What is the downside of having as a link instead of Standards? People do not look at the website as often as the Standards.
- This is a welcome document for probation officers.
- This provides an outline to the Multi-Disciplinary Teams (MDTs)/Community Supervision Teams (CSTs).
- Cathy Rodriguez stated that the Adult Standards Revision Committee is in support of this being in the appendices, and not as a part of the Standards.
- Mary Baydarian wanted to stress that, particularly in rural areas, the Standards are taken as prescriptive measures. It was suggested to rename or make reference that these are suggestions for areas a victim therapist can focus on during treatment.
- This should be guidelines and the professionals should be responsible for keeping it from becoming a way to blame the victim.
- Make it clear in the title as well as the first paragraph who this is for, with expectations being for the team and not for the victim.
- The Appendix is for a reference, and guidelines are not references. Maybe the title should be clearer and make sure it is labeled as a reference so that it is not a guideline.

Suggested changes for the document:

1. Change the title to: Guidance regarding victim family member readiness for contact, clarification, or reunification.
2. The first sentence should read: The following are considerations for supervision teams in determining readiness and ability to make informed decisions for

individuals who have been victimized and have requested contact, clarification, or reunification, as well as readiness for parents/guardians and other children in the home.

3. Under the Non-Offending Parent or Guardian section, strike, “Believes the victim’s report of the abuse.”
4. Change the use of numbers to bullets throughout the document.
5. The statement under Victim Readiness, Contact and Clarification should read, “The person who has been victimized, based on their age and developmental level, is able to:”

Motion: to accept suggested amendments to the document. Motion seconded.

Vote: 13 Approve 3 Oppose 0 Abstain

Vote: on the motion to accept document with amendments for the Adult and Juvenile Appendices:

13 Approve 3 Oppose 0 Abstain The motion carries.

LS2.00 Criteria for Reduction in Level of Supervision while on Parole and Discharge from Parole

Changes to the document are in red on the handout. The main change is decreasing the levels of supervision from 5 supervision levels to 3 supervision levels.

Motion: to approve the document. Motion seconded.

Vote: 15 Approve 1 Oppose 0 Abstain The motion carries.

Sex History Evaluation Status-Angel Weant

Offenders returned to the judicial system on a non-sex crime who have a prior history of a sex crime are required to have an offense specific evaluation, which then triggers offense specific treatment and supervision.

- There is concern around the ambiguity of the statute.
- When should there be discretion when ordering a sex history evaluation?
- Judicial has come up with language in conjunction with stakeholders, however there has not been a firm resolution.
- A resolution is needed by the start of the legislative session.

The SOMB will continue to be updated on the progress by State Judicial on this issue.

State Probation Rural Initiative/SOMB Provisional Provider Update-Angel Weant/Cathy Rodriguez

Rural areas in need of a sex offender treatment provider identify an approved advanced practitioner to work with the prospective rural provider who needs assistance with developing their treatment competencies.

For most areas the Rural Initiative has worked well, although there was a problem in one jurisdiction. The funds provided from Judicial were intended to cover the cost of supervision and possibly training.

The SOMB now has approved three provisional providers:

- One in La Junta approved for Adult provisional listing (also working Juvenile provisional listing).
- One in Burlington approved for Adult, Juvenile & Developmental Disability provisional listing.
- One in Steamboat Springs approved for Juvenile provisional listing.
- There is one prospective Adult provisional provider on Intent to Apply status in Bailey.
- There is one prospective Juvenile provisional provider on Intent to Apply status in Berthoud.

Provisional providers may work independently or with limited supervision based on the recommendation of the clinical supervisor.

Challenges have included issues with forms, internal processes, and providers understanding the process. Often times, there are not enough clients to sustain a practice. It was suggested that the Application Review Committee (ARC) strongly consider those that have already established a practice with other specialties. There are still funds available.

The 22nd & 6th Judicial Districts are still struggling with getting qualified providers.

Medical Marijuana-

There are concerns from the provider perspective in dealing with offenders who have authorization to use medical marijuana while in offense specific treatment. The SOMB was initially reliant on the Domestic Violence Offender Management Board (DVOMB) position paper, and used this document to develop a position paper.

This position paper will be available on the SOMB website.

Motion: to approve the document. Motion seconded.

Discussion:

- Should there be anything about whether a client is on other medication in combination? This is not necessary.
- Is Medical Marijuana allowed by probation? Some probation jurisdictions do allow use of Medical Marijuana.

Vote: 14 Approval 1 Opposition 0 Abstentions

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

Meeting Adjourned