

# **SEX OFFENDER MANAGEMENT BOARD MINUTES**

**Thursday, July 9, 2009**

## **Board Members**

Mary Baydarian  
Carl Blake  
Merve Davies  
Cheryl Davis  
Kellie Hotter  
Marcie Howell  
Tom Leversee  
Rick Levenson  
Kandy Moore  
Paul Prendergast  
Chris Rowe

## **Staff**

Chris Lobanov-Rostovsky  
Kristy Alles-Serrant  
Cathy Rodriguez  
Charla Phagan  
Nancy Bullis

## **Visitors**

Alice Shoemaker  
Pam Rodden  
Maureen O'Brien  
Greig Veeder  
Cindy Carey  
Mickey Wright  
Sue Hicks  
Kristi Petross  
Oksana Donelson  
Deana Davies  
Cheronda Small  
Erin Dolgan  
Steve French  
Gary Bradford  
Kim Todd  
Terry Rogers  
Dustin Powell  
Sarah Conti  
Mike Yergler  
H Ray Vigil  
Martin Hotter  
John Odenheimer

## **Board Meeting Begins: Introductions**

Paul Prendergast, Board Chair, reviewed the makeup of the board and their representation as well as the appointing body for each member.

Chris Lobanov-Rostovsky spoke about the Juvenile and Adult Advisory Boards as part of the Board, who focus on issues specific to each population.

Paul Prendergast spoke about how the Agenda is built. Today's items were taken from the survey in each conference attendee's conference packet.

**SOMB Website:** most information about the Board is on the SOMB website

- Standards
- Provider list
- Link to Office of Research and Statistics, and the Domestic Violence Offender Management Board
- SOMB Research
- Department of Public Safety/Colorado Bureau of Investigations, where sex offender registration is handled
- Staff
- Board members
- Schedule of trainings
- Meeting minutes

If you have need for training, please feel free to contact Kristy Alles-Serrant, who will provide you with assistance in scheduling a training in your area or region. Potential training topics include: Multi-disciplinary Team/Community Supervision Team training, victim trainings, trauma trainings, Comcor trainings, good lives model trainer, developmental disability training, etc.

Contact Cathy Rodriguez (Adult Standards Coordinator) or Kristy Alles-Serrant (Juvenile Standards Coordinator) in regard to concerns about approved providers.

### **Adam Walsh Act White Paper- Kristy Alles-Serrant**

The Board formed a committee to look at The Adam Walsh Act (AWA) and the issues surrounding compliance. The committee reviewed the AWA section by section taking these steps:

- Reviewed published research on issues addressed in AWA
- Reviewed what other states were doing and their processes
- Developed a survey sent to the entire SOMB email list and training attendees asking about their concerns.
- Looked at current standards of the SOMB to see if there was conflict.

The findings of the committee were compiled into a White Paper given to the Adam Walsh Act Multi-Agency Compliance Committee and the Governor's Office with the Board's recommendations. Page nineteen of the White Paper is a summary of the recommendations of the committee.

The SOMB held nine educational forums (metro & rural) to train people on the AWA. More than 500 attended and around 200 participants provided written feedback.

### **Participant Concerns:**

The fiscal impact

Juvenile registration

Participants felt AWA would impact their agency.

Participants felt AWA would contradict best practices as well as conflict with the SOMB Adult and Juvenile Standards.

Victims left out

### **Status of AWA in Colorado- Update from Chris Lobanov-Rostovsky**

- July 2009 was the implementation deadline
- Colorado was granted a one year extension
- At this time, there are not any states in compliance
- A blanket one-year extension was given to all jurisdictions

SMART Office leadership has changed with the new administration. The new appointee has sex offender management experience.

There are court cases going on around the country dealing with lawsuits from offenders who had AWA applied retroactively.

Given that grant funding has been up and down, the question remains as to what will cost more implementation or loss of funding?

### **Residency Restriction White Paper-Cathy Rodriguez**

The Board recently approved a White Paper on Residency Restrictions written by Cathy Rodriguez and Amy Dethlefsen. The paper is available on the SOMB website

#### Background:

In 2004, the legislature mandated a study on the safety issues of Shared Living Arrangements (SLA) and residence/zoning restrictions. Communities were wanting to implement residency restrictions upon learning of SLA's in their neighborhoods.

#### Unintended Consequences:

Homelessness increased among sex offenders

Sex offenders going underground and not registering

Politics are also an issue, as lawmakers do not want to be viewed as "easy" on sex offenders.

The research found that there were not a greater number of sex offenders who sexually recidivated living within areas where children congregate. It was also noted in the study that offenders who had positive support were less likely to recidivate.

Recently, the Board heard of a municipality that was looking to pass a residency restriction law. The Board offered to provide education based on current research to the lawmakers in that municipality. Unfortunately, despite these efforts the local residency restriction law was passed.

The Board decided to prepare this White Paper to address residence restriction concerns on a proactive basis.

### **Role of Sex Offender Management Board-**

- Put forth Standards for treatment and evaluation of adult sex offenders & juveniles who have committed a sex offense

- Enforce and revise the Standards
- Approve providers
- Investigate complaints against providers
- Sexually Violent Predator (SVP) risk assessment process
- Training and technical assistance for law enforcement providing Community Notification

**Areas that the Board has no legislative mandate:**

Sex Offender registration  
Sex Offender sentencing

**Board Accomplishments from the past year:**

**Adult Standards revisions in 2008-**

Provider qualifications and Sections 3.0 (denier component changed) revised.  
Simplified the process to eliminate redundancy in the provider application.  
Changed the variables in what skill sets are needed.

**Sexually Violent Predator (SVP) Risk Assessment Tool-**

Given new research, it was determined that the SVP Risk Assessment Tool should be revised. It was also noted that the dynamic factors in the assessment change how offenders score over time.

*Suggested Changes to the SVP Risk Assessment Tool:*

Revise to only contain static factors, which will be more consistent over time.  
Add a prior sex offense conviction criteria to capture those sex offenders with multiple sex offense convictions.

A committee is still working on changes to the SVP Risk Assessment Tool. It is their goal to have a revised instrument by 2010 as well as developing a training component for those who administer the tool.

**Victim Advocacy-**

There has been an effort to have more victim representation on Multi Disciplinary Teams (MDT). A Roundtable discussion was conducted to find out what is happening in the field as far as victim representative participation on MDTs.

**Sunset Review-**

The SOMB is currently undergoing the Sunset Review process. The report compiled by the Department of Regulatory Agencies will go to the legislature with recommendations regarding the SOMB.

**Rural Provider Initiative-**

Rural counties were concerned that there were not enough providers available. This is a new program area, which matches up a Full Operating level provider with a prospective Provisional level provider. This program is a multi-agency project, with involvement from State Judicial and County Departments of Human Services. The State Judicial Department as well as County Departments of Human Services will provide funding for the project. The

application documents are currently on the SOMB website to help start this process. Two or three more trainings are being planned.

**Community Notification-**

The Community Notification team has been working on merging their documents (protocol and manual) to update materials and eliminate redundancy. The Power-point presentation was revised to reflect current research. The team has added more law enforcement officers, which has helped in the response to the trainings by other law enforcement personnel. The Community Notification curriculum was expanded to include residency restriction information in a condensed form.

**Committees:**

There are approximately 15 active committees. Some of the committees are as follows:

Sex offender housing committee- Address sex offender housing challenges. This committee will start in August 2009.

Risk discrimination committee- Address individualizing treatment and supervision based on risk and need.

Standard revisions committee- Address Standards revisions for both juveniles and adults.

Victim advocacy committee

Domestic violence/sex offender crossover committee

Best practices committee

Defense bar committee- An informational sheet is being developed for offenders and others.

**Meeting adjourned.**