

**SEX OFFENDER MANAGEMENT BOARD
MINUTES**

Friday, November 19, 2010

Board Members

Mary Baydarian
Carl Blake
Allison Boyd
Merve Davies
Cheryl Davis
Robert Erler
Jeff Geist
Missy Gursky
Peggy Heil
Bill Hildenbrand
Erin Jemison
Jeff Jenks
Tom Kennedy
Dianna Lawyer-Brook
Tom Leversee
Rick Levinson
Dave Long
Daniel Makelky
Kandy Moore
Eric Philp
Paul Prendergast
Kari Quevli

Visitors

Anthony Getzberg
Christine Tyler
David Emerson
Suzanne MacKinnon
Jennifer Kok
Charmayne Rohde
Jan Hunsaker
Christina Ortiz-Marquez
Steve Parker
Ann Bolser
Michael Baker
Jordan McCaffrey
Tod Siegel
Norma Aguilar-Dave
Ted Romero
Jeremy Schupbach
Stephen Brake
Steve Easterday-McPadden
Angel Weant
Sterling Hains
Kim Mersman

Visitors

Chris Thompson
Paul Bender
Cyndi Smith
Allison Brittsan
Ann Greenwood
Charles Szatkowski
Burl McCullar
Brian Koch
Rose Hardy
Carolyn Turner
Laurie Kepros
Emily Tofte
Pat Harris
Diane Mulhaven
Darcia DeSalvo
Dustin Powell
Dawn Bienek
Ellen Hale
Diane Wolta
Mandee McLane

Absent Board Members

Kellie Hotter
Bill Martinez
Doug Stephens

Staff

Jeanne Smith
Chris Lobanov-Rostovsky
Kristy Alles-Serrant
Charla Phagan
Nancy Bullis
Cathy Rodriguez
Amy Dethlefsen

Board Meeting Begins: **Introductions**

Future Agenda Items

Treatment needs for the Department of Corrections (DOC).

Announcements

- The next Board meeting will be on 12/3/10, 11 am to 1:30 pm, at the PPA Event Center. This will be a Board appreciation lunch. No business or decision items will be on the agenda; lunch will be served to Board members only.
- Adam Walsh Act- A conference call with the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) did indicate that Colorado may need to do a few things in order to come into compliance; but the official report has not been received yet. The Colorado Commission on Criminal and Juvenile Justice (CCJJ) has also been looking at sex offender issues with a newly formed task force, including registration issues such as transient registration. The CCJJ has a website with information about their activities.
- Upcoming Trainings offered by the SOMB:
 - Craig Latham on 1/28/11 - This will be a juvenile training. A flyer is on the website.
 - The DV/SO crossover committee will sponsor a training on intimate partner rape early in 2011.
 - Strengths-based treatment training by Kevin Powell on 3/2/11. The focus will be juveniles.
 - The 5th Annual SOMB Conference will be the second week in July. A Call for papers will be posted on the website soon.
 - Carolyn Kesterson and Kristy Alles-Serrant are working on a day-long Developmental Disability Conference for March 2011.
 - Jeff Jenks will lead a brown bag discussion regarding preparing clients for a polygraph.
 - COVA presentations on audio tapes are available to check out- to see the selection and instructions on checking them out, go to the Training section of the SOMB website.
 - The SOMB also has 3 video trainings on CD available for check out as well.
 - The State Probation Department has announced that Angel Weant has been hired to fill the position formerly held by Chris Rowe. Angel will be attending board meetings.
 - The Victim Advocacy Committee is hosting a training about the SOMB Standards & Guidelines for victim therapists on 12/8/10.

Approval of September and October Minutes

A quorum was not available in order to vote on approval of the September minutes at the October Board meeting, therefore a vote will be held today.

Motion was made to approve the September minutes; there was a second.

Vote: Approval: 14 Oppose: 0 Abstain: 6

Motion was made to approve the October minutes; there was a second.

Vote: Approval: 9 Oppose: 0 Abstain: 11

Sex Offender Surcharge Allocation

This was an agenda item from October; however there was not a quorum in order to take a vote. The by-laws allow the chair to conduct a vote via email, which was done. Kari Quevli reported the results as: 21 votes to approve the Sex Offender Surcharge Allocation, 0 votes opposing the Sex Offender Surcharge Allocation and 4 Board members with abstentions.

The Sex Offender Surcharge Allocation was formally approved by the Board.

Disaster Response for Sex Offenders-Mike Baker

In light of the fires in Boulder, Board member Paul Prendergast wanted to know how to address the management of sex offenders during natural disasters. He saw how the sex offender management system was challenged and did not work during the Hurricane Katrina natural disaster. In Colorado, nobody is assigned to find/help and track sex offenders during disasters. Paul is hopeful that the Board can set some policy and possibly offer trainings for public and communities.

- States have started invoking different rules since the Katrina disaster.
- North Carolina has a requirement that sex offenders have a predetermined safe house on the other side of the state.
- California has specific shelters for sex offenders, but failed to think of transportation.
- Not all victimization is by registered sex offenders.
- Many times opportunistic criminals victimize.
- Many communities have attitudes that it will not happen here.

Every state now has an emergency disaster plan; however sex offenders are not always included in these plans. There needs to be a simple humane policy in place.

The Red Cross policy is that they will take in anyone. If a sex offender is there they are supposed to provide 24-hour supervision and segregation, but staffing is not always available to do that. The Red Cross policy also states that an officer is supposed to evaluate the sex offender and tell the Red Cross if the offender can stay. Usually the officer has no sex offender management training in order to make such an evaluation. The sex offender's state of mental health should be addressed as well, but officers do not have the expertise to address this. The SOMB does have the expertise in sex offender management, but many policy makers may think it is not within SOMB purview.

Another consideration during these disasters is the safety of the sex offenders.

Is it possible to access guidelines from other states and form a central registry? There are only a few proactive states:

- California creates policy through their SOMB and a Victim Advocacy Association.
- North Carolina creates policy through their SOMB.
- Texas creates policy through their Attorney General.

There is clear hierarchy when an emergency happens, but agencies usually claim a lack of expertise.

It was suggested that the SOMB should have mission statement and work with the other stakeholder agencies to work out a specific policy. The following stakeholders should be included when creating policy:

- State judicial
- Probation & Parole
- Law enforcement
- SOMB
- US Marshalls office

There should be policies at all levels (statewide through to the local municipalities).

The policies do not have to match 100%, but each should be consistent and include the following:

- Community protection
- Victim protection
- Where should the sex offenders go?
- The special needs population also needs to be addressed as well.

In order to get consistency, the SOMB could work with the County Commissions to help create/update the current plans. As part of the Adam Walsh Act (AWA) in a national disaster, the US Marshalls office has jurisdiction.

There is a consensus among the Board that a subcommittee should be formed.

SOMB Variance Request-Application Review Committee (ARC)

ARC has received 3 variance requests; the therapists work for the same agency.

The request is for a variance to the face-to-face supervision requirement. The variance would allow the applicants to use other technology for some of the supervision requirements with at least a quarterly face-to-face meeting requirement. The variance would be for a 6-month period; then a review from the Board would be required.

Discussion:

This is an issue of distance and this can be addressed through various mediums. If the SOMB does not approve this, the Rural Initiative is being defeated. The variance applicants are aware of Rural Initiative, but want to go through the regular application process. It was noted that 6 months may not be a sufficient time frame.

A motion was made to approve the variance requests, but extend the time frame to a year.

It was asked if ARC supports the change to the time frame. It was explained that ARC felt that 6 months was appropriate, however ARC will support the year.

The motion was seconded.

Vote: Approval: 22 Oppose: 0 Abstain: 0

The motion passes.

Break

MST-PBS Provider Approval Process-Best Practices Committee

Handouts provided (History & Research summary), (Comparison of SOMB Qualification standards with the proposed pathway for MST-PSB Therapists)

Concerns & questions from the May Board meeting:

- Training provided
- Specific knowledge to juveniles who have committed sexual offenses
- Is MST-PSB victim focused enough?
- Credentialing & license issues

Initially the Best Practices Committee was looking at an alternative pathway, but found that actually only a few adjustments need to be made and the therapists will be meeting the same qualifications as SOMB approved therapists.

This model is qualitative rather than quantitative approval process as well as competency based. Instead of measuring training hours, this model is measuring skill sets and the ability to demonstrate the skills.

Table:

Differences:

Associate Level:

100 hours co-therapy vs. 100 hours clinical contact hours

Full Operating Level:

Supervision only for Associate Level

Education equal to a Master degree or higher

Additional 60 direct face-to-face clinical contact hours with juveniles who have committed a sexual offense

There was a motion to adopt the MST-PSB pathway for therapists. The motion was seconded.

Discussion:

Clarify that this is approved for MST-PSB and SOMB Full Operating Therapists

Vote: Approval: 16 Oppose: 0 Abstain: 4

Motion is approved.

No Known Cure Research Presentation- Continued- Peggy Heil

Handouts provided.

Peggy Heil wanted to make it clear that she is not answering the “No Known Cure” question. This is a summary of research that was presented to the subcommittee which focused on the question “What is the recidivism rate for sex offenders?” The true recidivism rates are unknown as only recorded offending is known, as these rates do not cover unreported crimes.

- Often it is thought that only sexual offenses are relevant; however any recidivism is relevant.
- The task is to see what treatment is effective.
- Some may think any treatment is better than no treatment. This has been found to be false.
- Just focusing on sexual acting out is not enough; criminal thinking patterns should also be considered.
- The priority is to create a reduction of recidivism

Because of time restraints, this agenda item will be continued at the January Board meeting.

Lunch: Research Corner: Judicial report on Technical Violations

This agenda item will be continued at the January Board meeting.

SOMB Enabling Legislation-Erin Jemison Colorado Coalition Against Sexual Assault (CCASA)

Handout provided

Erin let the SOMB know this is just a draft of the enabling legislation; if there is any input please get it to her ASAP as this is time sensitive.

The Colorado Coalition Against Sexual Assault (CCASA) has received a lot of feedback that has yet to be incorporated. It is anticipated that there will be lots of language/wording changes throughout this process.

Lifetime Supervision Report- Colorado Departments of Public Safety and Corrections- This was a formal presentation of the 2010 Lifetime Supervision Report.

Meeting Adjourned