

SEX OFFENDER MANAGEMENT BOARD (SOMB) MINUTES

Friday, August 16, 2024

THIS MEETING WAS HELD IN PERSON AND VIA AUDIO/VIDEO CONFERENCING

SOMB MEMBERS

Amanda Retting
Andrew Luxen
Carl Blake
David Bourgeois
Gregg Kildow
Hannah Pilla
Jason Lamprecht
Jeff Baker
Jesse Hansen
Jessica Dotter
Katie Abeyta
Kent Vance
Kimberly Kline
Lisa Mayer
Mike Knotek
Nicole Feltz
Norma Aguilar-Dave
Priscilla Loew
Sarah Croog
Taber Powers
Theresa Weiss

SOMB GUESTS

Abi Olson
Andrei Lobanov-Rostovsky
Ashley Charbonneau
Avery Simmons
Conrad Gonzales
Holly Harris
Janira Pacheco
Kathryn Heffron
Kristin Kubacki
Laurie Kepros
Mable Banks
Marsha Brewer
Melissa Madsen
Pat Harris
Rick Anglund
Rick Ostring
Samantha Duvall
Stephanie Reed
Stephen Scippio
Tami Floyd
Tanya Ahamed
Veronica Sanches

Absent SOMB Members: Casey Ballinger and Michelle Simmons

Staff Present: Chris Lobanov-Rostovsky, Erin Austin, Jesse Hansen, Jill Trowbridge, Paige Brown, Rachael Collie, Rachel Morton, Raechel Alderete, Taylor Kries, and Yuanting Zhang

SOMB Meeting Begins: 9:06 am

This meeting was recorded.

INTRODUCTIONS/ATTENDANCE:

Kimberly Kline (SOMB Chair) introduced herself and welcomed the SOMB members in attendance along with the members of the public.

The meeting rules and expectations were read aloud.

Raechel Alderete (SOMB Program Coordinator) introduced herself.

Taylor Kriesel (ODVSOM Staff) introduced herself, reviewed the aspects of the WebEx components of the meeting, and indicated how the meeting will be conducted. She asked all to state their names for clarity in the minutes.

The SOMB in-person members introduced themselves, and Raechel Alderete (SOMB Program Coordinator) introduced the Board members attending online.

The ODVSOM Staff introduced themselves.

The in-person guests introduced themselves, and Erin Austin (SOMB Implementation Specialist) introduced the online guests.

FUTURE AGENDA ITEMS:

Board:

None

Audience:

None

ANNOUNCEMENTS:

Staff:

Taylor Redding (ODVSOM Staff) announced the following ODVSOM Conference and training updates:

- SOMB 100 Training on 9/11/24 in Grand Junction which is open to all professionals and public
- SONICS Training on 9/12/24 in Grand Junction with the morning session as a general overview and the 4-hour afternoon session will be for evaluators only.
- Roundtable on 9/27/24 in Colorado Springs
- Lunch & Learn on 10/10/24 for providers only

- Post-Conference Updates:
 - All recordings have been uploaded and are available until 11/7/24 at 11:59 pm. She indicated to watch all recordings and then print one certificate at the end.
 - She noted that next year's ODVSOM Conference will be held from 7/8/2025 - 7/11/2025.

Raechel Alderete (ODVSOM Staff) announced the following:

- Board members Dr. Carl Blake and Norma Aguilar-Dave have been reappointed for another 4-year term.
- Read for Rachael - The Lifetime Supervision and Legislative Reports info - Survey. 8/1 - 8/19 - 1 provider response for each agency.
- The Annual Legislative Reports are due the end of January 2025 and should be ready by the end of November 2024. She asked for further suggestions or inclusions from Board members.
- The October Board meeting is canceled due to a number of folks attending the ATSA conference in San Antonio, Texas.
- Raechel Alderete congratulated Chris Lobanov-Rostovsky on becoming the new Deputy Director of the Department of Criminal Justice (DCJ) and asked all in attendance to join after this meeting to congratulate Chris.

Jesse Hansen (Acting ODVSOM Program Manager)

- The 2026/2027 Sex Offender Surcharge Cash Fund Request Form will be going out soon and the Committee members should be on the lookout for an email regarding this.
- Jesse Hansen announced that he will be the Interim Program Manager of the ODVSOM. He noted that he has resigned his DCJ representative seat on the SOMB.

- He noted to be on the lookout for the Sex Offender Surcharge letter from Jesse Hansen.

Erin Austin (Implementation Specialist)

- Acknowledged the passing of Charla Thorstad (clinical director of SOS).

Board Announcements:

Kimberly Kline (SOMB Chair) read through the Brenna Tindall litigation statement from the Attorney General’s office.

Audience Announcements:

None

APPROVAL OF THE APRIL 2024 SOMB MINUTES (Decision Item): (Attachment #1)

Carl Blake (SOMB Member) made a motion to approve the April 2024 SOMB Minutes as presented.

Taber Powers (SOMB Member) 2nd the motion.

Board Discussion:

None

Voting Session #182176

Motion to approve the April 2024 SOMB Minutes as presented: Carl Blake; Taber Powers 2nd (Question #1)

15	Approve	0	Oppose	3	Abstain	Motion Passes
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Norma Aguilar-Dave voted Yes verbally

Kent Vance voted Yes verbally

Amanda Retting voted Yes verbally

APPROVAL OF THE MAY 2024 SOMB MINUTES (Decision Item): (Attachment #2)

Taber Powers (SOMB Member) made a motion to approve the May 2024 SOMB Minutes as presented.

Nicole Feltz (SOMB Member) 2nd the motion.

Board Discussion:

None

Voting Session #182176

Motion to approve the May 2024 SOMB Minutes as presented: Taber Powers; Nicole Feltz 2nd (Question #2)

15	Approve	0	Oppose	3	Abstain	Motion Passes
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Norma Aguilar-Dave voted Yes verbally

Amanda Retting voted Yes verbally

Lisa Mayer voted Yes verbally

APPROVAL OF THE AUGUST AGENDA

Approved by consensus

SOMB ONBOARDING AND COMMON PURPOSE STATEMENT (Decision Item) - (Attachment #3) Chris Lobanov-Rostovsky

Chris Lobanov-Rostovsky (SOMB Program Manager) indicated the following discussion will identify the New SOMB Members Onboarding process and the expectations of each board member which was requested at the SOMB Board retreat.

Chris Lobanov-Rostovsky (SOMB Program Manager) noted that at the SOMB Board retreat, it was decided that the SOMB should have a common purpose statement. He noted that this was presented previously to the Board and asked that approval of this is requested at this time.

Board Discussion:

Carl Blake (SOMB Member) noted to change Division of Youth Corrections to Division of Youth Services in Appendix A of the SOMB Standard Operating Procedure policy.

Audience Discussion:

None

Gregg Kildow (SOMB Member) made a motion to approve Onboarding SOP and Common Purpose Statement as presented.

Jeff Baker (SOMB Member) 2nd the motion.

Board Discussion:

None

Voting Session #182176

Motion to approve the Onboarding SOP and Common Purpose Statement as presented: Gregg Kildow; Jeff Baker 2nd (Question #3)

18	Approve	0	Oppose	0	Abstain	Motion Passes
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Norma Aguilar-Dave voted Yes verbally

Lisa Mayer voted Yes verbally

ADULT STANDARDS REVISIONS COMMITTEE - TREATMENT PLANS (Decision Item): (Attachment #4) - Erin Austin, SOMB and Taber Powers, Board Member

Erin Austin (SOMB Implementation Specialist) reviewed the process of the current revisions to the Treatment Plans after going out for public comment and to the Best Practices Committee. She reviewed the concerns with 3.160 B - 7 H. and 7 L.

Taber Powers (SOMB Member) clarified the public comment requests and the revisions made as follows:

H. Changed language to *“Support victim impact, empathy, and clarification goals. (See Section 9.000 for guidance.)”*

L. Changed language to *“Be provided to the referral source when initially created, whenever revised, and at a minimum of every 6 months.”*

Taber Powers (SOMB Member) then reviewed the public comments regarding timing of when the treatment plan needs to be submitted, and the overlapping of monthly reports.

Board Discussion:

Carl Blake (SOMB member) noted that there is a lingering question in item L. whether to use Supervising Officer or Supervising Agency. Taber Powers (SOMB Member) suggested changing the language to *“and/or Supervising officer and or supervising agency.”*

Jeff Baker (SOMB Member) asked what is a “valid” release of information and if it is this a specific document. He indicated with this language if it is normal operating procedure and follow HIPPA laws. There was general discussion regarding this. Taber Powers (SOMB Member) suggested inserting a Citation for this that clarifies this is in accordance with HIPPA laws. Raechel Alderete (SOMB Program Coordinator) noted that information is already in Section 3.000. Taber Powers noted to “crosswalk” this to Section 3.315 of the Standards.

Audience Discussion:

None

Nicole Feltz (SOMB Member) made a motion to approve the Treatment Plans Section as presented and amended. Sarah Croog (SOMB Member) 2nd the motion.

Board Discussion:

None

Voting Session #182176

Motion to approve the Revisions to approved the Treatment Plans Section as presented and amended: Nicole Feltz; Sarah Croog 2nd (Question #4)

18	Approve	0	Oppose	0	Abstain	Motion Passes
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Lisa Mayer voted yes verbally

Norma Aguilar-Dave voted yes verbally

BREAK: 9:58 - 10:24

JUVENILE STANDARDS REVISIONS COMMITTEE - SECTION 10 AND APPENDIX K (Decision Item): (Attachment #5 & #6)

Paige Brown and Theresa Weiss

Paige Brown (SOMB) introduced Theresa Weiss (SOMB Member) who reviewed the most recent changes to Section 10.000 of the Juvenile Standards and Appendix K.

Theresa Weiss (SOMB Member) reviewed the reasoning for these changes to Section 10.000 and the removal of Appendix K due to new conditions of supervision.

Raechel Alderete (SOMB Program Coordinator) clarified that these revisions went through the Juvenile Standards Revisions and Best Practices committees and noted that a new appendix may be introduced at a later date. She indicated that the ask is for approval of the current revisions and to send out for public comment. Raechel Alderete indicated that after public comment is received, then the various committees will review the comments and make recommendations based on those.

Board Discussion:

None

Audience Discussion:

Laurie Kepros (Audience Member) noted to keep the first sentence and the last sentence revisions and suggested deleting all language or revisions in between due to the fact that those have no statutory direction or legal basis. She indicated that the conditions of supervision are on a case by case basis. Carl Blake (SOMB Member) responded that the Committee was trying to capture her points and suggested that the Committee could re-work the wording to clarify better.

Taber Powers (SOMB Member) agreed that the Committee should review the revisions and agreed to change “Should” to “Shall” refer to the supervising officer for terms and conditions.

Taber Powers (SOMB Member) made a motion to table current revisions until the Juvenile Standards Revisions Section 10.0 can rework the language in the Standards Section 10.000 as suggested.

Sarah Croog (SOMB Member) 2nd the motion.

Board Discussion:

Carl Blake (SOMB Member) asked that revisions should also be made to Appendix K as it is outdated.

Raechel Alderete (SOMB Program Coordinator) asked the Board to decide to delete Appendix K from the Standards. She indicated that this would be done in a separate process.

Voting Session #182176

Motion to approve the Revisions to table the Juvenile Standards Revisions Section 10.000 for revisions as discussed: Taber Powers; Sarah Croog 2nd (Question #5)

17	Approve	0	Oppose	0	Abstain	Motion Passes
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Lisa Mayer voted Yes verbally

REVISIONS TO SECTION 2.210 (Decision Item)

Theresa Weiss (SOMB Member) reviewed the changes made to Section 2.210 regarding pre-plea evaluations.

Paige Brown (SOMB Implementation Specialist) noted that there was a formatting change and noted that the compliance statement is consistent with the Adult Standards language.

(SOMB Member) made a motion to send out the Revisions to Section 2.210 Pre-Plea/Pre-Adjudication Evaluations as presented.

(SOMB Member) 2nd the motion.

Board Discussion:

Sarah Croog (SOMB Member) suggested changing “least reliable” to a “less informative” evaluation pre-plea adjudication or pre-plea evaluation. Raechel Alderete (SOMB Program Coordinator) noted that this is legacy language in this Section and was not part of the current revisions.

Carl Blake (SOMB Member) noted that the language says that the evaluation may not include all the required components per the Standards, and suggested removing “consider” and change “least reliable to “may be less reliable”. Theresa Weiss (SOMB Member) clarified that some assessments include qualified results within a pre-plea evaluation.

Erin Austin (SOMB Implementation Specialist) noted that these revisions will go out for public comment and there will be opportunities to discuss the language further before finalizing them.

Taber Powers (SOMB Member) expressed concern that there are is a “Shall” even though the evaluation is not under the purview of the Board. Carl Blake (SOMB Member) noted that it is up to the evaluator to clarify when and how the evaluation may or may not be under the purview of the Board. He indicated that the Board does have purview over the provider and not the actual evaluation. Taber Powers mentioned the need for the evaluator to state when and how the evaluation complies with the Standards.

Erin Austin (SOMB Implementation Specialist) noted that the intent of this language is the same for both the Adult and Juvenile Standards and noted that the impact may be different. Carl Blake (SOMB Member) read the Adult Standard that requires an evaluator to make a statement whether the evaluation complies with all areas of the Standards. He noted that when the evaluation is silent, that will affect the client especially when going to court. Carl Blake suggested that a statement be made regarding this for Juvenile evaluations.

Raechel Alderete (SOMB Program Coordinator) noted that Standards training will need to be done regarding this information if this change is made. She noted that this can be a gray area where training will help.

Carl Blake (SOMB Member) suggested leaving revisions as is and send out for public comment to further tease out any areas of concern. He noted to leave the wording as “Shall” which can be discussed and/or clarified with a discussion point later.

*Taber Powers (SOMB Member) made a motion to send out Section 2.210 for public comment with the changes to as currently presented with Carl Blake’s revision suggestion.
Hannah Pilla (SOMB Member) 2nd the amended motion.*

Carl Blake (SOMB Member) suggested removing “consider” and change “least reliable to “may be less reliable” in Section 2.210 A. as previously noted before sending them out for public comment.

Voting Session #182176

Motion to approve the Revisions to Juvenile Standards 2.210 as amended for public comment: Taber Powers; Hannah Pilla 2nd (Question #6)

19	Approve	0	Oppose	0	Abstain	Motion Passes
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Norma Aguilar-Dave voted Yes verbally
Lisa Mayer voted Yes verbally

APPLICATION REVIEW COMMITTEE - REVISIONS TO SECTION 4.0 POLYGRAPH EXAMINERS (Decision Item): (Attachment #7) Raechel Alderete and Carl Blake

Raechel Alderete (SOMB Program Coordinator) noted that the revisions presented due to changes mandated from the Sunset Bill that all polygraph examiners have a 4-year degree. She noted that a polygraph is not “required” for juveniles, but “can” be used. She noted that in section 4.900 revisions were made by the Polygraph Workgroup, the Application Review Committee and the Best Practices Committee all reviewed the current revisions.

Raechel Alderete (SOMB Program Coordinator) reviewed all the areas in Section 4.900 that were revised.

Carl Blake (SOMB Member) clarified the removal of the 10-year in good standing requirement at the associate level prior to June 5th,2023. He noted that the 10-year requirement in good standing (4.590) still applies for full-operating polygraph examiners. Carl Blake indicated that the 10-year requirement was kept in Section 4.900 A., 4.950, 4.960, and 4.970 for approved full operating examiners. He mentioned that the 10-year requirement was removed in all areas of the Associate Level Provider Standards for clarification. Carl Blake noted that those who were approved prior to June 5th, 2023 are grandfathered under the old Standards and will their operating level will not be changed.

Board Discussion:

Sarah Croog (SOMB Member) asked if the revisions will make it harder to become a polygraph examiner. Carl Blake (SOMB Member) responded yes and that the revisions make it harder as they now need to have a 4-year bachelor’s degree and full operating examiners must still have good standing for 10-years.

Carl Blake (SOMB Member) noted that the 10-year Associate Level in good standing requirement was removed from the Associate Level qualifications and added the 4-year bachelor’s degree for Associate level.

Taber Powers (SOMB Member) what about those who were working toward their Full Operating Level before June 5th, 2023 and if they need the 4-year degree or if they just need thee 10-year good standing requirement. Carl Blake (SOMB Member) noted that the 10-year good standing requirement was inadvertently removed from the Associate Level to Full Level requirements, and indicated if they do not have a 4-year degree, then the 10-year good standing requirement still applies.

Audience Discussion:

None

Carl Blake (SOMB Member) made a motion to send out the Revisions to Section 4.0 Polygraph Examiners as presented for public comment.

Gregg Kildow (SOMB Member) 2nd the motion.

Board Discussion:

None

Voting Session #182176

Motion to send out the Revisions for public comment to Section 4.0 Polygraph Examiners as presented for public comment: Carl Blake; Gregg Kildow 2nd (Question #7)

18	Approve	0	Oppose	0	Abstain	Motion Passes
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Lisa Mayer voted Yes verbally

Norma Aguilar-Dave voted Yes verbally

REVIEW OF SUNSET BILL / STATUS UPDATE (Presentation/Discussion): Raechel Alderete and Kimberly Kline

Raechel Alderete (SOMB Program Coordinator) reviewed the progress of completion as mandated by the Sunset bill and follows:

- Appendix E
- Juvenile Direct File Matters
- Provider specialties added to provider listing
- Accessibility Changes
- Standards Compliance Reviews
- Provider Choice (Section 3 and the Provider List)
- Supervising Officers - (MOU's, Complaint Process on website, working on complaints in other languages)
- DOC (Subcommittee work and report)
- DOC Changes:
 - Global Referral List (GRL) - changes in tracks help get clients in SOTMP and help with parole eligibility
 - Parole still has final decision on parole matters (whether successfully completed treatment or not)
 - Shortened Low Risk treatment time
 - Updated Administrative Regulations and Clinical Standards
 - How DOC responds to the GRL and their PED (Parole Eligibility Date) - now puts them in a range on the GRL

Erin Austin (SOMB Implementation Specialist) noted that the SOTMP is not a completion of treatment and indicated that treatment will continue in the community and continuity of care and that the Standards will reflect this.

Erin Austin (SOMB Implementation Specialist) indicated that the Provider Data Management System (PDMS) will include data on successful completion in DOC and successful completion in the community.

Board Discussion:

None

Audience Discussion:

Laurie Kepros (Audience Member) noted regarding retroactivity is a very technical area of law, and indicated that clients may be subject to court orders that do not necessarily align with the Attorney General's advice. Raechel Alderete (SOMB Program Coordinator) responded that is the guidance that the SOMB has at this time and noted discussion on these cases will continue.

Raechel Alderete (SOMB Program Coordinator) thanked Chris Lobanov-Rostovsky for his assistance during the Sunset bill process and changes, to include outcomes shown in the Legislative Report. Chris Lobanov-Rostovsky indicated that the SOMB staff will collaborate with the DOC and Judicial to address all the requests of the Sunset bill/Legislature and report on the status.

Marsha Brewer (Audience Member) noted that they are seeing those individuals being released from DOC who are not being given the full provider list. She also asked for clarification of an approved provider who are under contract with

the SOMB. Raechel Alderete (SOMB Program Coordinator) responded that the SOMB has a process to list of approved providers who may or may not have a contract with Probation or Parole. She indicated that she will discuss this further with Marsha if she do desires.

Erin Austin (SOMB Implementation Specialist) noted that there are times when a client needs a provider with a specialty listing (i.e., DD/ID) should not be given the entire provider list. She indicated that they are currently reviewing that language in the Standards.

12:00 - 12:10 Lunch Break

SOMB COMMITTEE PLANNING (Discussion): Erin Austin and Paige Brown, SOMB Implementation Specialists

Erin Austin and Paige Brown (SOMB Implementations Specialists) reviewed the SOMB committees and their functions as follows:

- Bylaws: Committees and Workgroups
 - Executive Committee (EC)
 - Best Practice Committee (BP)
 - Adult Standards Revisions Committee (ASR)
 - Juvenile Standards Revisions Committee (JSR)
 - Training Committee (TC)
 - Victim Advocacy Committee (VAC)
 - Application Review Committee (ARC)
- Committee Work Connections
- Board Member Roles
- Committees and Board Members

Board Discussion:

None

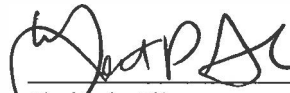
Audience Discussion:

None

BOARD MEETING ADJOURNS: 12:39 pm

Respectfully,

Jill Trowbridge Date
Program Assistant



Kimberly Kline
Chair of the SOMB

11/15/24
Date

Session Name: 5-19-2023 (Denver, GMT-06:00)

Date Created: (5/19/2023, 9:31)

Questions: 5

Results Detail

Last Name	First Name	Q1 Motion to Approve the April 2024 Minutes as Presented	Q2 Motion to Approve the May 2024 Minutes as Presented	Q3 Motion to Approve the Onboard SOP and Common Purpose Statement as Presented	Q4 Motion to Approve the Treatment Plans Section as Amended	Q5 Motion to Approve Table the Juvenile Standards Revisions Section 10.000	Q5 Motion to Send out for Public Comment Revisions to Juvenile Standards Section 2.210
Abeyta	Katie	1	3	1	1	1	1
Aguilar-Dave	Norma	1 - Verbally	1 - Verbally	1 - Verbally	1	1	1
Baker	Jeff	1	1	1	1	1	1
Ballinger	Casey	Absent	Absent	Absent	Absent	Absent	Absent
Blake	Carl	1	1	1	1	1	1
Bourgeois	David	1	1	1	1	1	1
Croog	Sarah	1	1	1	1	1	1
Dotter	Jessica	1	1	1	Not Present	Not Present	Not Presnet
Feltz	Nicole	3	1	1	1	1	1
Kline	Kim	1	1	1	1	1	1
Kildow	Gregg	3	3	1	1	1	1
Knotek	Mike	1	1	1	1	1	1
Pilla	Hannah	1	1	1	1	1	1
Mayer	Lisa	1	1 - Verbally	1 Verbally	1	1 - Verbally	1 - Verbally
Lamprecht	Jason	Not Present	Not Present	1	1	Not Present	Not Presnet
Loew	Priscilla	Not Present	Not Present	Not Present	Not Present	1	1
Luxen	Andrew	3	3	1	1	1	1
Retting	Amanda	1 - Verbally	1 - Verbally	1	1	Not Present	Not Presnet
Powers	Taber	1	1	1	1	1	1
Simmons	Michelle	Absent	Absent	Absent	Absent	Absent	Absent
Weiss	Theresa	1	1	1	1	1	1
Vance	Kent	1 - Verbally	1	1	1	1	1
		15 - Yes	15 - Yes	19 - Yes	18 - Yes	18 - Yes	17 - Yes
		0 - No	0 - No	0 - No	0 - No	0 - No	0 - No
		3 - Abstain	3 - Abstain	0 - Abstain	0 - Abstain	0 - Abstain	0 - Abstain

Answer Key:

1 = Yes

2 = No

3 = Abstain