

SEX OFFENDER MANAGEMENT BOARD (SOMB) MINUTES

Friday, September 20, 2024

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

SOMB MEMBERS

Amanda Retting
Carl Blake
Casey Ballinger
David Bourgeois
Hannah Pilla
Jason Lamprecht
Jeff Baker
Katie Abeyta
Kent Vance
Kimberly Kline
Lisa Mayer
Mike Knotek
Michelle Simmons
Nicole Feltz
Norma Aguilar-Dave
Priscilla Loew
Sarah Croog
Taber Powers
Theresa Weiss

SOMB GUESTS

Abi Olson
Amira Minazzi
Amy Rosengrants-Smith
Andrei Lobanov-Rostovsky
Carolina Frane
Conrad Gonzales
Gary Reser
Genie Connaghan
Holly Harris-Yanker
Jessica Meza
Justina
Kat Gatseos
Kristin Kubacki
Laurie Kepros
Laurin Rivas
Marsha Brewer
Melissa Madsen
Nathanya Aamed
Ruby Jaime Soto
Ryan Mosier
Sarah Marlow
Stephanie Reed
Victoria Halpern
Wendy Bieseimeier

Absent SOMB Members: Andrew Luxen, Jessica Dotter and Gregg Kildow

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

SOMB Meeting Begins: 9:05 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 and the Common Purpose Statement were read aloud.

Raechel Alderete (ODVSOM Staff) introduced herself.

Taylor Redding (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 Staff) introduced the Board members attending online.

The ODVSOM Staff introduced themselves.

The in-person guests introduced themselves, and Erin Austin (ODVSOM Staff) introduced the online guests.

FUTURE AGENDA ITEMS:

Board:

Audience:

ANNOUNCEMENTS:

Staff:

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

- The July Conference recordings will close on 11/7/24.
- Conference attendees should print their certificate of completion before the recordings close on 11/7. Please wait to print the certificates until all recordings have been viewed so that all trainings will be included on the Training Certificate.
- Please email Taylor Kriesel if an individual is having difficulty printing.
- There will be a Roundtable training on 9/27/24 in Colorado Springs which will be given by Erin Austin and Paige Brown.
- There will be a VASOR-SOTIPS 2-day training on 10/29 & 10/30/24.
- There will be a Roundtable training on 11/4/24 in Boulder.
- There will be a Half-Day Informed Supervision/Half-Day approved Supervision Training on 12/16/24 in Castle Rock at the Douglas County Fairgrounds given by Erin Austin and Paige Brown.
- This is a reminder of the Advanced Series training given by Dr. Carl Hansen on 11/14/24 with the morning session for all professionals and the afternoon session for providers and evaluators only. Board members can attend this training for free.

Dr. Rachael Collie (SOMB Data Analyst) gave context regarding Dr. Hansen's upcoming training.

Raechel Alderete (ODVSOM Staff) announced the following:

- The October 18th Board meeting is canceled due to several folks attending the ATSA conference in San Antonio, Texas.
- The next Board meeting will be 11/15/24.
- Michelle Simmons, Gregg Kildow, and Katie Abeyta have been reappointed for another 4-year term.
- The Colorado Department of Public Safety (CDPS) representative on the SOMB is vacant due to Jesse Hansen's appointment as Interim ODVSOM Program Manager.
- September is Suicide Prevention Month. She read some information and data from Safer Society.

Board Announcements:

Taber Powers (SOMB Member) asked providers and/or evaluators to attend the Treatment Modification workgroup and the Adult Standards Revisions Committee due to low attendance. He also noted they are working on the Use of an Interpreter section 3.00 of the Standards and that they will be working on Section 5.70 soon.

Audience Announcements:

None

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

Sarah Croog (SOMB Member) made a motion to approve the July 2024 SOMB Minutes as presented.

Carl Blake (SOMB Member) 2nd the motion.

Board Discussion:

None

Voting Session #008172

Motion to approve the July 2024 SOMB Minutes as presented: Sarah Croog; Carl Blake 2nd (Question #1)

15	Approve	0	Oppose	2	Abstain	Motion Passes
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APPROVE AGENDA

The agenda was approved by Consensus

SEX OFFENDER SURCHARGE ALLOCATION (Decision Item): (Attachment #2) Jesse Hansen, ODVSOM and Lisa Mayer, SOMB Board Member

Jesse Hansen (Interim ODVSOM Program Manager) introduced the Sex Offender Surcharge Allocation and presented background as to what the surcharge is and how it is used. He noted that the Division of Criminal Justice (DCJ), the Judicial Department (Probation), the Department of Corrections (Parole), and the Department of Human Services (DHS) use these funds for various operations within their divisions or departments as Legislatively mandated.

Jesse Hansen (Interim ODVSOM Program Manager) noted that the Sex Offender Surcharge Committee met on September 4th to review the fund balance for FY25-26. He reviewed the fund balance as of FY24 and the revenue collected.

Carl Blake (SOMB Member) noted that the Department of Youth Services has not been able to expend all the monies that were asked for due to spending authority limitations. He indicated that the allocation for FY25-26 was reduced from \$57,350 to \$38,250 based on what the Department will be able to spend. Carl Blake indicated that the hope is to increase the spending authority limitations in future years.

Jesse Hansen (Interim Program Manager) clarified the spending authority limitations within the State budget system. He then asked for a motion to approve the recommended Sex Offender Surcharge expenditures of \$846,681 for FY25-26. Jesse Hansen indicated that a supplemental request for additional funds may be requested later this fiscal year of approximately \$500,000 to be used for special projects for each of the agencies.

APPROVAL OF THE SEX OFFENDER SURCHARGE ALLOCATION:

Sarah Croog (SOMB Member) made a motion to approve the FY25-26 Sex Offender Surcharge Allocation Option #2 as presented. Jessica Dotter (SOMB Member) 2nd the motion.

Voting Session #001872

Motion to approve the FY25-26 Sex Offender Surcharge Allocation Option #2 as presented: Sarah Croog; Jessica Dotter 2nd (Question #2)

14	Approve	0	Oppose	4	Abstain	Motion Passes
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Priscilla Loew voted Yes in the chat.

POLICY BRIEF REGARDING COLORADO COURT OF APPEALS: PEOPLE V. SILVANIC (2023CA16) (Decision Item): (Attachment #3) Erin Austin, SOMB and Dr. Rachael Collie, SOMB

Erin Austin (SOMB Implementation Specialist) gave a brief overview of the People v. Silvanic court decision Policy Brief as follows:

“The Colorado Court of Appeals issued a decision that before imposing a condition that subjects a probationer to ‘ongoing, unfettered monitoring of their electronic devices and internet usage, the district court must’”

1. Make sufficient factual findings concerning the extent of the electronic monitoring necessary to accomplish the legitimate purposes of the probationary sentence, and
2. Evaluate whether less restrictive means are available to achieve those ends.”

Erin Austin (SOMB Implementation Specialist) noted that considering this decision, evaluators must determine how to best assist the Judge in making informed decisions on restrictions or monitoring of electronic and inter-capable devices. They must also provide recommendations to Community Supervision and multidisciplinary teams for risk management strategies based on the considerations

by the Court to determine if continuous monitoring is “necessary to accomplish the legitimate ends of the probation sentence and that no less restrictive options are available.

Erin Austin (SOMB Implementation Specialist) indicated that while this change does not directly impact the SOMB Standards, it will impact the stakeholders. She noted that this policy brief addresses not only the “what” but also the “why and the how.” She then went on to discuss how this case affects practices in the field, some standards that could be affected along with information regarding research and evidence-based practices.

Rachael Collie (SOMB Statistical Analyst) discussed the research, and literature reviewed that deal with use of electronic devices for those on Probation for providers to make evidence-based decisions with their clients. She indicated that internet use should be dependent upon an individual’s risk-needs-responsivity. She continued her discussion regarding juveniles and adults and the use of the internet and sexually stimulating materials and what the literature says regarding that usage.

Erin Austin (SOMB Implementation Specialist) discussed how some of the changes made by the courts could be risk-relevant to the client and that providers should be aware of that and use the paper for guidance in those situations. She went on to ask all to share this paper with their stakeholders and asked for input, and if the paper is clear and understandable. Erin Austin asked that all review the paper, provide feedback, bring it to their stakeholders, and prepare for upcoming discussion which will be at the November SOMB meeting.

Rachael Collie (SOMB Statistical Analyst) reminded all that while it is the Judicial Departments responsibility to set conditions regarding the use of the internet, electronic devices and applications, and indicated that any conditions should also be agreed to by the community supervision teams.

Erin Austin and Rachael Collie reiterated that this information is for clarification and will help in determining when a client needs special conditions placed on them due to possible risk relevancy.

Board Discussion:

Carl Blake (SOMB Member) asked what the potential is for this affecting case law for Juveniles. He noted there is a significant increase in internet use for education purposes with real time chat functions and the ability to use that for sexually explicit material (SEM.) Carl Blake suggested including the possible juvenile risks around increased internet usage for the dissemination of SEM in this paper. Erin Austin (SOMB Implementation Specialist) responded that this is addressed in the paper at the bottom of page 4. She noted the need to have this juvenile focused as well as adult. Erin Austin indicated that the recommendations are for both Probation officers and treatment providers. Carl Blake noted that if this paper moves forward, he indicated the need to include more guidance for juveniles whether in this paper or a separate paper for juveniles.

Jessica Dotter (SOMB Member) agreed with the purpose and need of this guidance document. She indicated that other people use these documents and noted that she added edits that are more revolving around the courts and the legal aspects of this case. She expressed concern with the 4th Bullet point “a graduated approach using less restrictive measures of monitoring of client’s internet capable devised as treatment progress is achieved” which does not guide the providers and that it seemed to step over them and go into case law. She noted that this case was a one-off where the judge needed to make this case due to a special need. Erin Austin (Implementation Specialist) noted that this is what the research says and lays out what could be considered. She indicated that if changes are needed, then they will be made. Kimberly Kline (SOMB Chair) noted that this guidance is due to a fast-changing world and that the Standards are trying to be proactive.

Audience Discussion:

Laurie Kepros (Audience Member) discussed some of the everyday circumstances where a client would be violating their supervision regarding the use of the internet and electronic devices. In other words, this needs to be on a case-by-case basis and that we are surrounded by electronics in all we do. She expressed this paper might be giving legal advice and to keep that in mind when finalizing this information.

Gary Reser (Audience Member) noted that these restrictions may be included in the client contract with the provider. He noted that his agency uses an individualized contract that is based on client risk, that sometimes may be in conflict with Supervision’s conditions.

An Audience Member questioned the terms and conditions for internet and cell phone use for clients in the Federal system. Erin Austin (SOMB Implementation Specialist) responded that the SOMB does not have purview over the Federal system because it is State based. and noted that the Federal system super cedes any areas where the State guidelines are in conflict. Erin Austin mentioned that the SOMB does not oversee provider contracts, or private businesses or agencies, and indicated that the Board needs to be careful to not overstep their purview.

It was noted to send any revisions or concerns to Erin Austin or Rachael Collie at the SOMB office.

IN RECOGNITION OF HISPANIC HERITAGE MONTH AND OCTOBER DOMESTIC VIOLENCE AWARENESS MONTH (Presentation): (1-hour Training Credit) Carolina Frane, DVOMB

Raechel Alderete (SOMB Program Coordinator) introduced Carolina Frane of the DVOMB. Carolina Frane (DVOMB Implementation Specialist) then gave a brief background of her experience and who she is. She then went on to present the following information in recognition of Hispanic Heritage Month (September) and Domestic Violence Awareness Month (October):

Why we Recognize Domestic Violence Awareness Month

- Raise Awareness about gender-based violence
- Honor those who have suffered and dies at the hands of their intimate partners
- Supporting survivors
- Providing Opportunities for offenders to make changes
- Mobilizing communities to take action

Why We Celebrate Hispanic Heritage Month (September 15th - October 15th)

- Recognize Contribution
- Honor trailblazers
- Celebrate culture
- Inspire action
- Coincides with the Independence Days of several Latin American Nations

Terminology (Hispanic, Latino, Latinx, Chican@)

Maps of Spanish speaking countries

Hispanic Clients in Forensic Treatment

- Cultural Humility
- Sensitivity and Flexibility
- Supporting Collaborative Care through MTTs/MDTs/CSTs
- Advocate for Legal Rights
- Language - Skip the slang!
- Culture
- Acculturation
- Laws and views in countries of origin
- Immigration
- Maintaining Cultural Identity vs. Assimilation
- Knowing your Privilege
- Seek to understand - Ask questions
- I'm not from here...; I'm not from there...

Machismo

Victim/Survivor Considerations

- Repeated trauma
- Religious beliefs
- Immigration fears
- Intergenerational and cultural engrained beliefs

Board Discussion:

Raechel Alderete (SOMB Program Coordinator) thanked Carolina Frane for the work that she does with Spanish speaking individuals and for this presentation.

Jesse Hansen (DVOMB Program Coordinator) noted that having Carolina Frane in the office has been incredibly helpful with her Spanish language skills and Hispanic background cultural sensitivity. He asked her if she faced problems immigrating to the United States and what were the barriers. Carolina Frane responded that her father was a student, so her family came to the U.S. on a student visa, and then she stayed using her own student visa. She noted she then was able stay due to the "optional practical training" which allows an individual to stay for a couple more years after graduation. Carolina Frane noted that she then married and obtained her "residency" and then her "citizenship." She indicated that at times she felt that she could not do anything wrong, or she would be deported, and noted that there is some fear even for those who were born here.

Carl Blake (SOMB Member) noted that the cultural piece is very important when working with undocumented individuals. He noted that sometimes there is hesitancy with families to receive treatment or services due to cultural considerations and fear of deportation. He reiterated that some clients who were born in the U.S. have no connection with their heritage and do things to stay in Denver Youth Services due to a fear of deportation. Carl Blake noted that this impacts the therapeutic process and that there are valid cultural reasons for not wanting to continue through the process.

Kent Vance (SOMB Member) noted that there are also a number central and south American indigenous individuals included in the Hispanic community. He asked how those folks are being addressed. Carolina Frane responded that she is not familiar with all the different indigenous people groups in the Hispanic countries. She indicated that this presentation was mainly for Spanish speaking people groups and offered to find a presenter that could give a presentation to the Board at a later date. Carolina Frane did indicate the indigenous peoples in Venezuela are considered a minority and noted that many of the Venezuelans are mixed with indigenous cultures.

Jessica Dotter (SOMB Member) asked what advice she can give her stakeholders when working with Hispanic defendants and victims. Carolina Frane (presenter) responded noted that there are so many levels of acculturation and many cultural differences between the Hispanic populations. She noted to give time to the clients and ask them lots of questions to help understand their culture and where they are coming from.

Audience Discussion:

Jessica Meza (Audience Member) expressed displeasure with how Hispanics were represented in the presentation and the negative cultural stereotypes noted. She indicated that this presentation did not follow D.E.I. Carolina Frane (presenter) responded that she did not intent to offend anyone or any population and was asked to give this presentation based on her experience with Hispanic populations. This was not a literature or research-based presentation.

LUNCH BREAK: 11:45 am - 12:15 pm

ADULT STANDARDS AND JUVENILE STANDARDS REVISIONS COMMITTEE PRESENTATION: UPCOMING REVISIONS (Presentation & Discussion): Erin Austin, SOMB; Taber Powers, ASR Chair; Paige Brown, SOMB; Theresa Weiss, ASR Chair

Erin Austin (SOMB Implementation Specialist) gave a brief overview of what to expect for 2024/2025 related to the Adult Standards and Juvenile Standards Revisions.

Erin Austin (SOMB Implementation Specialist) reviewed that training has been done for the revisions made that went into effect on 7/1/24. She noted that the implementation date for revisions to the Individualized Treatment Plans will go into effect on 7/1/2025. Erin Austin reviewed that previously the Standards revisions were published and the field started using them before they had been properly trained on how to implement them. She noted that now there is a new system for rolling out Standards where the providers have a period to review them and ask questions before implementing them. Erin Austin indicated that now any standards revisions published after 7/2/2024 have 365 days for implementation of them. She noted that most revisions made will have been researched to validate any major changes, and she indicated that there has been a lot of research done on risk-need-responsivity and individualized treatment plans. Erin Austin reviewed the following:

- Some revisions are based on case law where there is no research available, so best practices are reviewed in those instances. She indicated that the ASR and JSR committees are revising the Standards using available research, best practice standards, and actual data gather through the provider data management system (PDMS.)
- The ASR and JSR committees are using roundtable discussions to gather information that is repetitive to help inform best practices.
- The trends will be to incorporate provider data from the PDMS for upcoming standards revisions.

Paige Brown (Implementation Specialist) noted that anecdotal information gathered from roundtable discussions is qualitative information that can just as important as quantitative information. She invited all providers to participate in the roundtable discussions.

Erin Austin (Implementation Specialist) indicated that Probation and Parole have different policies and procedures and mentioned the need for coordinated discussion to inform revisions and best practices.

Taber Powers (SOMB Member) noted that all Standards are evidence informed and that the SOMB is using this information in the best way possible in the Standards.

Erin Austin (Implementation Specialist) discussed that Standards revisions and implementation are two different things. She explained the difference between dissemination (giving the information) and implementation (using the information to meet the goal.) She noted that the Committees are working on how to take evaluations to create individualized treatment plans.

Erin Austin (Implementations Specialist) reviewed the following:

- The Committees are using how to do treatment plans and how to take evaluations and are turning them into treatment plans (See Section 2.200.) She indicated they are looking at those domains and using the SONICS to conceptualize evaluations. This is also being implemented in Standards 100 and 101 training.
- Section 5.00 - The Committees are looking at RNR, team collaboration, and treatment matching.
- Technical training is being given for teams and how implement standards within teams, clarifying roles on the teams, and clarifying which standards apply to who.
- Technical assistance is also being done for Juvenile and Young Adult Modifications with new direct file changes.

Paige Brown (Implementation Specialist) clarified the new system of Standards changes and implementation and noted that disseminating information (out for public comment), and roundtable/technical training is now used for implementation.

Erin Austin (Implementation Specialist) noted that the reason for this discussion is to ask the Board members to review the revisions so that the Committees can understand how they impact each representative/agency on the Board to create Standards that work for everyone concerned.

Paige Brown (Implementation Specialist) gave a brief overview of the upcoming Juvenile Standards in the pipeline:

- Section 10.000
- Section 2.200 - Pre-Plea Evaluations revisions went out for public comment
- Section 3.151 - Treatment Plan timeframe - The Committee will review the adult revisions to see if any changes need to be made to the Juvenile Standards as well.
- Section 5.00 - MDT updates and adding "Diversion", updates to the DYS/DHS Supervising Agency and Probation Section.
- Appendix B - The workgroup is currently reorganizing the entire document.
- Reference Guide for School Personnel - The workgroup is meeting to update the 2015 document to see what is relevant and what schools need to know.

Carl Blake (SOMB Member) noted that Appendix B is the same for both sets of Standards, so the Juvenile and Adult Committees are reviewing this in conjunction with the Victim Advocacy Committees. She noted that for those who don't normally weigh in on the juvenile committees, this might be a time to attend the adult committee.

Erin Austin (Implementation Specialist) reviewed the following upcoming revisions to the Adult Standards:

- Section 3.500 - Acceptance of Accountability and Responsibility (formerly Denial) will be presented at the November meeting and urged all to read those revisions and be prepared for discussion.
- Use of Interpreters for Treatment Providers in the Treatment Section
- 3.160 - Core Treatment Competencies
- Risk-Needs-Responsivity
- Treatment Modifications

Paige Brown (Implementation Specialist) reviewed the following additional upcoming revisions to the Juvenile Standards:

- Direct File Cases/Non-purview cases
- Section 5.000 - Treatment matching and provider referrals
- Families First
- Outdated Appendices
- Appendix K - Additional Conditions of Supervision

Theresa Weiss (SOMB Member) agreed that there are outdated appendices.

Erin Austin (Implementation Specialist) reviewed the following additional upcoming revisions to the Adult Standards.

- Section 5.000 - Barriers and conflicts for providers
- Section 5.700 - Child Contact Screening instructions
- Levels of unsupervised contact and supervised contact
- Appendices - review for relevancy and accuracy

Erin Austin (Implementation Specialist) reiterated the need for Board members to be more engaged in committee meetings and the meeting minutes that are sent out monthly. She noted this ensures that Board members are informed when voting on revisions changes.

Erin Austin (Implementation Specialist) reviewed the various process when revising the Standards and the importance for Board members to participate so that all voices are heard. She noted that participation really helps all board member engage. She then noted that participation also clarifies the “why” the revisions are being made.

Paige Brown (Implementation Specialist) noted that the purpose of this discussion is to let everyone know what is coming down the pipeline and to encourage greater participation for richer discussions at the committee level.

Board Discussion:

Jessica Dotter (SOMB Member) thanked Erin Austin and Paige Brown for this review as this information was requested at the Board Retreat.

Erin Austin (Implementation Specialist) asked the Board if they want this information on a regular basis, or possibly present it in a condensed way.

Raechel Alderete (SOMB Program Coordinator) noted that there will be some heavy meetings with lots of policy and standards revisions.

Jesse Hansen (Acting ODVSOM Program Manager) noted the need for Board members to reach out to staff if they are feeling confused or want to be more engaged. He noted the need for all Board members to feel comfortable, having all the information they need, and knowing when to engage.

Erin Austin (Implementation Specialist) allowing more time to participate in revisions to standards and policy and help make better informed decisions.

Carl Blake (SOMB Member) noted that it is the responsibility of each board member to know what is coming up for voting. He noted that Board members need to read meeting minutes and correspondence that will enhance the decision process.

Lisa Mayer (SOMB Member) appreciated Carl Blake’s response and noted that she came to the staff to be more involved. She indicated that everyone is very busy, and it can be hard to attend all meetings. Lisa Mayer indicated that being part of the committee email change will be very helpful.

Jason Lamprecht (SOMB Member) he noted he will put his comments in the chat and will communicate with Raechel Alderete off-line due to audio issues.

Audience Discussion:

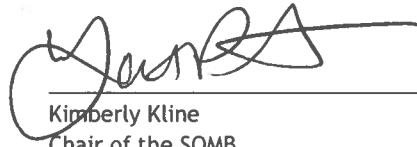
None

BOARD MEETING ADJOURNS: 12:17 pm

Respectfully,

Jill Trowbridge
Program Assistant

Date



Kimberly Kline
Chair of the SOMB

11/15/24

Date

Session Name: 9-20-2024 (Denver, GMT-06:00)

Date Created: (9/20/24, 9:23)

Questions: 2

Results Detail

Last Name	First Name	Q1 Motion to Approve the July 2024 Minutes as Presented	Q2 Motion to Approve the FY25-26 Sex Offender Surcharge Letter as Present
Abeyta	Katie	1	1
Aguilar-Dave	Norma	1	1
Baker	Jeff	*	*
Ballinger	Casey	1	1
Blake	Carl	1	3
Bourgeois	David	1	1
Croog	Sarah	1	1
Dotter	Jessica	3	1
Feltz	Nicole	1	3
Kline	Kim	1	1
Kildow	Gregg	Absent	Absent
Knotek	Mike	1	1
Pilla	Hannah	1	1
Mayer	Lisa	1	3
Lamprecht	Jason	1	1
Loew	Priscilla	*	*
Luxen	Andrew	Absent	Absent
Retting	Amanda	1	3
Powers	Taber	1	1
Simmons	Michelle	3	1
Weiss	Theresa	*	*
Vance	Kent	1	1
		15 - Yes	13 - Yes
		0 - No	0 - No
		2 - Abstain	4 - Abstain

Answer Key:

1 = Yes

2 = No

3 = Abstain

* = No vote recorded

