

COLORADO DOMESTIC VIOLENCE OFFENDER MANAGEMENT BOARD

MEETING MINUTES

November 3, 2023

Attendance:

Domestic Violence Board Members Present:

Andrea Bradbury, Honorable Bradley Burbach, Erin Gazelka, Glory McDaniel, Jackie List, Jennifer Parker, Jessica Fann, Karen Morgenthaler, Lori Griffith, Michelle Hunter, Nicole Collins, Raechel Alderete, Sandra Campanella, Tracey Martinez, Yolanda Arredondo

Domestic Violence Board Members Absent:

Jeanette Barich, Nil Buckley, Stephanie Fritts, Tally Zuckerman

Staff Present:

Chris Lobanov-Rostovsky, Jess McBrayer, Jesse Hansen, Jill Trowbridge, Taylor Redding, and Yuanting Zhang

Guests:

Gail Prim, Jamie-Lynn Steltzer, Kaye, Kristin Davidson, Kristina Carrera, Patricia Murphy, Philippe Marquis, Rrussha Knauer, Sandra Merrow, Shay White, Shon McDonald, Wendy Bieseimer

Introductions:

The meeting was held at the Colorado Gives Foundation, 5855 Wadsworth Bypass, Arvada, CO

The meeting convened at 9:13 AM.

Michelle Hunter (DVOMB Vice-Chair) introduced herself and welcomed the Board and guests.

Jesse Hansen (ODVSOM Staff) introduced himself and noted that Taylor Redding will control the WebEx portion of the meeting. Jesse Hansen asked all attendees to sign-in if they haven't already done so, and noted that this meeting was being recorded.

The in-person DVOMB members introduced themselves.

The online DVOMB members were introduced by Taylor Redding

The DVOMB staff and in-person guests introduced themselves.

Jesse Hansen (ODVSOM Staff) indicated to Michelle Hunter (DVOMB Vice-Chair) that a quorum was present.

Michelle Hunter (DVOMB Vice-Chair) asked if there was consensus to approve the November agenda.

There was consensus from the DVOMB members to approve the November agenda.

THE OCTOBER MINUTES WERE NOT READY, SO THEY WILL BE TABLED UNTIL JANUARY.

ANNOUNCEMENTS:

Staff Announcements:

Jesse Hansen (ODVSOM Staff) Announced:

- The DVOMB will not be meeting in December.
- HB23-1178 – which states that before reunification happens that a DVOMB approved provider will verify a client’s contact behavior related to domestic violence. He noted that they are waiting for clarification of this bill from the Attorney General’s office. He noted that they received information from the AG’s office and will discuss that in more detail at the January meeting.
- DVOMB Sunset – due to a new requirement that Provider Standards Compliance reviews are done on 10% of the DVOMB approved providers, the Application Review Committee (ARC) recommended to focus on the following:
 - The new teletherapy treatment requirements
 - Evaluating summaries
 - Treatment reviews
 - Discharges
 - Number of absences
 - MTT rationale for non-compliance
- This weekend is Daylight Savings Time begins

Erin Gazelka (DVOMB Member) arrived at 9:22 am

Taylor Redding (ODVSOM Staff) Announced:

- Training Events:
 - 2023 Training Calendar:
 - Core Training
 - DV101 – 1/29/24
 - DV102 – 2/20/24
 - DV103 – 3/4/24
 - DV200 – Roundtable in Boulder – 12/11/23 for professionals in the 20th Judicial District
 - Lunch and Learns
 - Case Conceptualization – given by Karen Morgenthaler – scheduled for 12/6/2023 for providers only
 - ODVSOM Conference – 7/9 – 7/12/24 in Breckenridge, CO – the call for papers will go out in mid-December

Board Announcements

None

Public Announcements

None

FUTURE AGENDA ITEMS:

None

Board Discussion:

None

Public Discussion:

None

RECOMMENDATIONS FOR THE 2024 ANNUAL LEGISLATIVE REPORT – (Discussion & Consensus):

(Attachment #2) – Jesse Hanse, DVOMB Staff

Jesse Hansen (DVOMB Staff) reviewed the annual legislative report recommendations section as follows:

- Section 1 – Research & Evidence-Based Practices – Dr. Rachael Collie (ODVSOM Statistical Analyst) is finalizing this section.
 - Client level data from January to June 2023 will be included in this year’s report in order to align with a fiscal year format for outyears. come into line.
- Section 3 – Board Accomplishments includes:
 - Will include all the Board accomplishments related to the Legislative mandates including provider approvals, committee work, and special projects.
- Section 2 – Policy Recommendations:
 - Research around the interaction and impact of cannabis with domestic violence offenders
 - Public Safety Considerations and Policy implications with Restorative Justice in Domestic Violence Cases

Jesse Hansen (DVOMB Staff) reviewed the most recent research and data available for these recommendation. Jesse shared some of the recent literature related to cannabis use. He noted:

- He noted the need to review this data and to present the findings to the Legislature regarding marijuana use and intimate partner violence
- Greater quantity and frequency of cannabis use significantly associated with greater physical abuse.
- Jesse asked if the Board would for consensus for this to be the policy recommendation included in the report: Require the DVOMB to commission a study on examining how the use of cannabis by domestic violence offenders is associated with DV offender treatment participation, compliance, outcomes, and victim safety

Yolanda Arredondo arrived at 9:33 am

Board Discussion:

Nicole Collins (DVOMB Member) asked if this is the primary choice of use of marijuana. Jesse Hansen (DVOMB Staff) responded that the studies include individuals who use marijuana exclusively, those who use it in conjunction with other substances, and those with severe substance abuse which includes marijuana.

Nicole Collins (DVOMB Member) noted the need to study those individuals whose primary use is cannabis and not poly-substance usage. Jesse Hansen (DVOMB Staff) responded they can figure out the parameters before recommending this to the Legislature.

Public Discussion:

None

There was consensus to move forward with this recommendation to the Legislature.

REVISIONS TO SECTION 5.08 REGARDING OFFENDER CORE COMPETENCIES (Discussion & Vote):

(Attachment #3) – Erin Gazelka (DVOMB Member), and Jeanette Barich (DVOMB Member)

Erin Gazelka (DVOMB Member) indicated that this was presented at last month’s DVOMB meeting. She noted that the Standards Revisions Committee was looking at reducing the Core Competencies in Section 5.08 to 11 from 18 competencies. Jesse Hansen (DVOMB Staff) indicated that some of these recommended changes are corresponding to future changes with the DVRNA.

Erin Gazelka (DVOMB Member) noted that some competencies were redundant and noted the need to tie the competencies more closely to how risk is measured in the DVRNA. She noted that this will help providers to individualize target treatment needs to individuals.

Erin Gazelka (DVOMB Member) then reviewed the following:

- Four required competencies related to domestic violence and general criminality:
 - Define all types of domestic violence and abusive behavior
 - Identify the history of current and former patterns of domestic violence-behaviors and thoughts regarding onset, frequency, and persistence.
 - Identify and challenge cognitive distortions and belief systems that plays a negative or unhealthy role in the client's thoughts, emotions, and behaviors.
 - Recognize and manage dynamic risk factors and adaptive skills to mitigate those risk factors.
- Three required competencies related to Self-Regulation and Self-Care:
 - Demonstrate and implement self-regulation skills to include but not limited to emotion regulations, stress management, communication skills, anger management, conflict resolution, problem solving, delayed gratification, parental and financial responsibility, etc.
 - Demonstrate the ability to discuss past experiences and how any unresolved trauma may impact offending behavior as a way to adopt effective coping strategies.
 - Develop and maintain prosocial activities and networks to include but not limited to completing educations, maintaining employment, obtaining stable housing, life skills, recreational and social activities, etc.
- Four required competencies related to Survivor Impact and Community Safety:
 - Cooperate with supervision requirements, court orders, and the terms and conditions
 - Support Safety measures, and demonstrate insight about the impact of their domestic violence offense on all individuals
 - Increase understanding of how intergenerational patters of family, peer group, community, and culture can normalize domestic violence and foster attitudes and responses that condone and tolerate domestic violence
 - Develop and implement safety plans to address risk factors and potentially high-risk situations

Board Discussion:

Nicole Collins (DVOMB Member) expressed appreciation for the work that went into creating these competencies.

Karen Morgenthaler (DVOMB Member) noted the big changes to the core competencies.

Audience Discussion:

Philippe Marquis (Audience Member) indicated that this is a much more functional list.

Dr. Rachael Collie (ODVSOM Statistical Analyst) thanked all for the great conceptual ideas that will be useful for the practitioners and the clients.

Jesse Hansen (DVOMB Staff) asked for input from those in the Probation or Parole Departments, and he asked if these competencies will help. Jessica Fann (DVOMB Member) responded yes these will definitely help and expressed appreciation for all the work done in creating these changes.

Jesse Hansen (DVOMB Staff) noted that these revisions will go out for public comment for 30 days, and will be brought back for final ratification at the January 2024 meeting.

Jessica Fann made a motion to approve the revisions to Section 5.08 for public comment as presented. Raechel Alderete seconded the motion.

Michelle Hunter (DVOMB Vice-Chair) asked Jesse Hansen (ODVSOM Staff) to prepare the vote.

Discussion

None

The motion passed with 13 votes to approve the revisions to Section 5.08 as presented, 0 votes to object, and 0 votes to abstain.

Responses	
Percent	Count
Yes	100.0%
No	00.0%
Abstain	00.0%
Totals	100%

REVISIONS REGARDING LANGUAGE AND INTERPRETATION SERVICES: (Attachment #4) Jennifer Parker (DVOMB Member), and Raechel Alderete (DVOMB Member)

Jennifer Parker (DVOMB Member) read the current language in Section 5.04 VI. and reviewed the possible language revision as follows:

“At the time of the referral and before conducting the offender evaluation, Approved Providers shall assess the need for interpretation services including foreign languages, specific dialects, and sign language. An Approved Provider should communicate in the client’s preferred language to the extent that it supports and improves the client-provider relationship.

The client or the Approved Provider may request an interpreter at any time. If such a request is made, the Approved Provider shall:

- *Inform the client of the request and the potential impacts of an interpreter;*
- *Document the request or recommendation for a language interpreter, by the client, referral source, or Court, and if the client accepts or rejects interpreter services;*
- *Notify and coordinate with the referral source and allow for an interpreter to be present. The Approved Provider should use an approved court or certified interpreter when possible; and*
- *Assess if an interpreter is appropriate for maintaining client confidentiality and able to support the domestic violence offender evaluation and treatment process. Interpreters are encouraged to take the DV100 training course to learn more about the DVOMB Standards and requirement.*

Discussion Point: *Approved Providers who speak languages other than English are identified on the DVOMB Approved Provider list. The referral source should review the Approved Provider List prior to making a referral when the client’s preferred language is other than English. Such clients may benefit from teletherapy in their preferred language or teletherapy in combination with other appropriate modalities.*

In the event that neither an Approved Provider or an interpreter are available to accommodate the client’s preferred language, the client may continue to participate if the can speak English sufficiently to engage in the treatment process. If not, the client may also be referred back to the presiding court or parole board with a recommendation for an alternative disposition that is reasonable related to the rehabilitation of the offender and protection of the victim.”

Raechel Alderete (DVOMB Member) indicated that this language is guidance for providers without being too prescriptive to ensure Risk-Need-Responsivity and treatment matching are being followed if an interpreter is actually needed. She noted the need to engage interpretation services so that they are educated in the process and terminology when working with DV clients. Raechel Alderete mentioned the need to find out the best way to engage and utilize interpreters.

Jennifer Parker (DVOMB Member) indicated the need to recruit providers who are proficient in other languages.

Board Discussion:

Yolanda Arredondo (DVOMB Member) asked how the need for translation is determined. Jennifer Parker (DVOMB Member) responded that the Committee has not made that determination yet. She noted that currently it is up to the client. Yolanda Arredondo indicated that clients in child welfare feel that the use of a translator may have a negative impact on their case or services. Jennifer Parker responded that she will take this information back to the Committee for consideration.

Nicole Collins (DVOMB Member) expressed concern with who is bearing the cost of interpretation services, and noted that the client will not advocate for the use of an interpreter if they have to pay for this. Raechel Alderete (DVOMB Member) responded that many providers are picking up the cost of interpretation, and she indicated that she is not sure that Section 5.04 is the best place in the Standards to add this. Raechel Alderete mentioned that payment for client services might be better addressed in technical training discussions. Nicole Collins also mentioned that the cost for services may depend on if translation is court ordered or if it is a Probation Department cost. There was continued discussion regarding the cost of interpretation services.

Jesse Hansen (DVOMB Staff) noted that the Standards are for providers and not created for Probation or clients. He indicated that there are things that providers can do to be creative with this, and mentioned not to endorse a higher bar that may not be sustainable. Jesse Hansen suggested creating an appendix that teases out best practice and techniques to use for these situations and provide more information.

Jesse Hansen (DVOMB Staff) mentioned that the Asian Cultural Development Center is one outlet to use to find interpretation services. He indicated that the DVOMB Provider list indicates secondary languages which also helps with referrals.

Jesse Hansen (DVOMB Staff) indicated that the proposed language is currently in Section 5 about half-way through the Treatment Standards and suggested that this language be moved to Section 4 (point of referral) when the MTT is making translation decisions and referral. Raechel Alderete (DVOMB Member) responded that that makes the most sense and noted the need to crosswalk the language to Section 5 (for providers.)

Judge Burback left the meeting at 10:19 am.

Jesse Hansen (DVOMB Staff) indicated to vote at this meeting is for the language to go out for 30-day public comment, brought back to the DEIB Committee, and ultimately to the Board for final approval in January 2024.

Public Discussion:

None

Further Discussion:

None

Jessica Fann made a motion to approve the revisions to Languages and Interpretation Services for public comment as presented.

Erin Gazelka seconded the motion

Michelle Hunter (DVOMB Vice-Chair) asked Jesse Hansen (ODVSOM Staff) to prepare the vote.

Discussion

None

The motion passed with 12 votes to approve the revisions to approve Languages and Interpretation Services as presented, 0 votes to object, and 0 votes to abstain.

Responses	
Percent	Count
Yes	100.0%
No	00.0%
Abstain	00.0%
Totals	100%

BREAK: 10:21 – 10:31 am

EVALUATOR LISTING STATUS PERTAINING TO CIVIL EVALUATIONS PER 14-10-124 C.R.S. (Discussion & Review): (Attachment #5) Jesse Hansen (DVOMB Staff) and Jennifer Parker (DVOMB Member)

Jesse Hansen (DVOMB Staff) reviewed that those convicted of civil crimes are outside of the purview of the DVOMB. He described a scenario where an approved provider wants to do civil court evaluations, and indicated that when the provider renews their status, they should document that they are working with criminal clients and maintaining compliance with the DVOMB Standards. Jesse Hansen asked how individuals can keep their listing status and what the reapplication process will be. He indicated that this could be another listing designation for civil court cases and noted that it may be an additional specialty in the database but not something that the DVOMB would regulate. Jennifer Parker (DVOMB Member) responded that many times DV providers are sought out due to their expertise in the civil arena.

Nicole Collins (DVOMB Member) asked to add a designation on the provider listing for these situations. Jesse Hansen (DVOMB Staff) responded that “specialties” are not currently listed so that it is clear the DVOMB does not have regulatory oversight over those providers. He noted that adding a designation may look like the DVOMB has purview over that specialty area. Jesse Hansen also mentioned that when a provider is “not currently practicing,” it looks like they are misrepresenting themselves. Nicole Collins suggested creating another list that could be used apart from the DVOMB provider list.

Dr. Rachael Collie (ODVSOM Statistical Analyst) asked what the reason is when a provider is taken off the provider list when they are “not currently practicing” and not having their status publicly available. Jesse Hansen (DVOMB Staff) clarified that they are not actively providing DV services.

Board Discussion:

Jessica Fann (DVOMB Member) noted that she liked the idea of having the providers identifying themselves as civil providers, but noted that those who work with civil clients do not require the use of a treatment victim advocate (TVA.) She suggested adding an advocate component to those working with civil cases. Jesse Hansen (DVOMB Staff) responded that through a Statutory perspective, this is giving guidance where the DVOMB does not have purview. Jessica Fann then asked if guidance for civil providers will be created. Jesse Hansen responded that this is something that should come through the Colorado Department of Human Services (CDHS.) Jessica

Fann noted that following best practice would include the use of a TVA in some way, and by putting the civil court referral Discussion Point language in Section 4.03 IV., this indicates that further provider guidance may be needed. She indicated that those guidelines should be created before any kind of list is posted with providers versed in the civil arena.

Jesse Hansen (DVOMB Staff) noted that the DVOMB will continue to assist those when asked about providers with civil case experience and suggested creating a workgroup to start drafting guidelines for providers working with those clients. Jessica Fann, Erin Gazelka, and Yolanda Arredondo (DVOMB Members) agreed to be on this workgroup. Yolanda Arredondo noted the need to collaborate with CDHS to be consistent with how they approach civil treatment orders and evaluations when crafting these guidelines. She indicated that she would meet with Jesse Hansen to hash this out in further detail. Jessica Fann (DVOMB Member) thanked Yolanda Arredondo for her interest and dedication to this issue.

Public Discussion:

None

Adjourn

The meeting adjourned at 10:51 pm

Respectfully submitted by,

APPROVED



VOTES

Question #1

MOTION TO APPROVE REVISIONS TO SECTION 5.08 TO GO OUT FOR PUBLIC COMMENT

The motion passed with 13 votes to approve revisions to Section 5.08 as presented, 0 votes to object, and 0 votes to abstain

Responses		
Percent	Count	
Yes	100.00%	13
No	0.00%	0
Abstain	0.00%	0
Totals	100%	13

Question #2

MOTION TO APPROVE REVISIONS TO LANGUAGES AND INTERPRETATION SERVICES FOR PUBLIC COMMENT AS PRESENTED

The motion passed with 12 votes to approve the revision to Languages and Interpretation Services as presented, 0 votes to object, and 0 votes to abstain

Responses		
Percent	Count	
Yes	100.00%	12
No	0.00%	0
Abstain	0.00%	0
Totals	100%	12

APPROVED