

**SEX OFFENDER MANAGEMENT BOARD (SOMB)  
MINUTES**

**Friday, March 16, 2018**

**SOMB Members**

**SOMB Guests**

Allison Boyd  
Amanda Gall  
Angel Weant  
Brie Franklin  
Carl Blake  
Jeff Shay  
Jesse Hansen  
Jessica Meza  
John Odenheimer  
Kandy Moore  
Korey Elger  
Leonard Woodson  
Marcelo Kopcow  
Mary Baydarian  
Merve Davies  
Missy Gursky  
Richard Bednarski  
Rick May  
Robin Singer  
Sharon Holbrook  
Tom Leversee

Adele Larrson	Judie Kunze
Amanda Najera	Justyna Madenska
Anne Schnacke	Kathy Gutierrez
Becky Lowe	Kendall Hemphill
Carol Spiroff	Laurie Kepros
Charles Churman	Lisa Nelson
Christine Rinke	Marsha Brewer
Colton McNutt	Mary Heathman
David Nahum	Myrna Cuevas
Deann Major	Nicole Leon
Debra Baty	Pat Harris
Dena McClung	Richard Kluckow
Evelyn Sullivan	Risk Ostring
Gale Page	Robert Kay
Gary Reser	Roger Kincade
Greg Hisscock	Sera Bennett
Hannah Pilla	Steve Huston
Jeff Geist	Susan Walker
Jodie Goter	Tami Floyd
John Fischer	Tanya Tyrrell
John Martinez	William Spiroff
Joseph Guerrieri	

**Absent SOMB Members:** Jeff Jenks, Norma Aguilar-Dave

**Staff:** Chris Lobanov-Rostovsky, Raechel Alderete, Michelle Geng, Marina Borysov, Kelly Hume, and Jill Trowbridge

**SOMB Meeting Begins: 9:07**

**INTRODUCTIONS:**

Introductions were made by all in attendance.

**FUTURE AGENDA ITEMS:**

None

**ANNOUNCEMENTS:**

Leonard Woodson mentioned that three Department of Corrections (DOC) submissions have been accepted to present at this year's Sex Offender Management Board (SOMB) Conference. He also indicated that the DOC will terminate the contract with the Colorado Circles of Support and Accountability (COSA) effective May 11, 2018.

Chris Lobanov-Rostovsky noted that the SOMB COSA Steering Committee will discontinue support of COSA due to organizational changes, and mentioned the Steering Committee will be discontinued.

Brie Franklin announced that April is Sexual Assault Awareness month, and mentioned two events taking place. She indicated that Wednesday, April 4<sup>th</sup> from 12:00 – 1:00 pm will be the kick-off ceremony at the State Capitol building, and noted that Wednesday, April 25<sup>th</sup> is Denim Day, which is in support of sexual assault survivors.

Chris Lobanov-Rostovsky mentioned that the SOMB is accepting nominations for the treatment provider representative on the SOMB, and noted these are due by April 6, 2018. He indicated that the Nominating Committee will determine the next steps when the nomination period has closed.

Korey Elger supplied information regarding Child Sex Trafficking from the Department of Human Services.

Susan Walker indicated that Colorado COSA will continue to be active with a number of other organizations throughout the state.

Marina Borysov announced the following:

She asked all to check out the training page on the SOMB website and highlighted the following trainings:

- Dr. Michael Seto will be training on the child sexual exploitation materials offender risk tool in June
- David Prescott will be training on Feedback Informed Treatment in September, and will also attend the SOMB meeting that month.

Marina discussed the upcoming SOMB Conference, and noted that 23 proposals have been selected for the breakout sessions. She indicated that registration will open in early April, and mentioned that vendor tables can be purchased for \$50, with only 15 tables available. She indicated that nominations are now open for the Senator Norma Anderson Excellence in Victim Advocacy Award and the Gary Burgin Sex Offender Management or Treatment Leadership Award.

Michelle Geng announced the Use of the Victim Representative on the CST training scheduled for March 22<sup>nd</sup>, given by Deb Baty, Anne Good, Michelle Heggen, and Missy Gursky.

Angel Weant announced that Judicial and the SOMB are offering Advanced Sex Offender training which includes 15 spots for individuals outside of Judicial. She noted that these trainings will begin in May, and indicated they will run through August. Angel mentioned that interested parties should check with her or Marina Borysov to register.

**Motion to approve the February minutes:** Jeff Shay; Korey Elger<sup>2nd</sup> (**Question #1**)

**15 Approve                      0 Oppose                      3 Abstain                      Motion Passes**

**APPROVE AGENDA:**

Approved by consensus

**LIFETIME SUPERVISION REPORT (Presentation) – Kelly Hume, Angel Weant, Lenny Woodson, and Richard Kluckow (Handout Provided)**

Leonard Woodson reviewed the Department of Corrections (DOC) data and statistics of the Lifetime Supervision Report which included the impact on prison and parole populations, parole hearings, SOTMP, and the cost of services.

Angel Weant reviewed the State Judicial data and statistics of the 2017 Lifetime Supervision Report which included population impact, discharges and revocations, and the cost of services.

Kelly Hume reviewed the SOMB data and statistics of approved providers, the number and location of providers, a map of provider availability, and the cost of services.

## **Board Discussion:**

Allison Boyd questions:

1. Allison asked Lenny Woodson who is on the global referral list. Lenny responded that it includes individuals who are within four years of their parole date, some who have never been in the treatment program, some who are returning to the program, and those not in denial who are willing to participate in the program and be willing to talk about their sex offending behavior.
2. Allison asked how many offenders under the DOC lifetime supervision started out on probation or community supervision. Erin Crites responded that they can get termination data and will break out the data by offense type.
3. Allison asked that based on Track 1 (low-moderate risk) and Track 2 (moderate to high risk) how risk is determined in DOC. Lenny responded that the DOC uses the Static 99-R upon intake, and once in treatment a full evaluation is done, and then the SOTIPS is used every 6 months.
4. Allison asked Angel Weant when if an individual is moving from SOISP to probation if victims are notified. Angel responded, yes this is a critical stage and indicated that victims are notified. Marcelo Kopcow asked what are the circumstances around an individual moving from SOISP to probation. Angel responded that they are supervised on a lower risk level. She reviewed the SOISP program which now supervises on risk-needs-responsivity, and indicated that it is a behaviorally-based program through three phases of treatment.

Tom Leverage asked Angel Weant for the sentencing breakdown of those not included in the SOISP presentation data. Erin Crites responded that she can get this information to him at a later date, and encouraged all to look at the full Lifetime Supervision Report. She mentioned that the report includes a graph that indicates the number eligible each year (within the indeterminate range), and noted that 59 received indeterminate sentence this year, which is trending down.

Merve Davies asked Angel Weant to include in next year's report the median time it takes for individuals to transition to the lower levels of supervision. Erin Crites responded that they can provide the median length of time from phase 1 to phase 2 and phase 2 to phase 3, and other transitions. Merve also asked to see the comparison since incorporating the use of the risk-needs-responsivity model. Angel noted that the success rates overall have vastly improved, and indicated that risk assessments have helped tremendously.

Carl Blake asked if the cost of services is for the entire DOC budget or the SOTMP program budget only. Leonard Woodson responded it is only for the SOTMP program. Carl suggested clarifying that information in the report.

Judge Sharon Holbrook asked regarding risk assessment if the offense specific evaluation is pre-plea or post-plea. Leonard Woodson responded that the evaluation team reviews this information, and noted that the static risk assessment comes from information based on the file, and indicated it will not change for pre or post-plea. He also mentioned that an individual being referred to SOTMP will be given a more comprehensive evaluation and face-to-face interview. Angel Weant noted that from a community corrections perspective that it does make a difference if it is pre-plea, and noted that there needs to be a request for an addendum. Missy Gursky also noted that the evaluation must include every aspect of risk for both the pre and post-plea. She mentioned that risk assessments are done continually, and indicated that risk is always changing.

Merve Davies mentioned that there is a lot more information supplied through pre-plea evaluations, and noted that he is always looking at the risk assessment. He indicated that most assessments include an addendum (with releases), and mentioned there can be a lag between pre-plea and actual sentencing, and indicated the need to update the evaluation.

John Odenheimer asked if the eligibility timing to get on the wait list is the same for offenders with indeterminate and determinate sentences. Leonard Woodson responded that they use the same eligibility timeframe for both.

Amanda Gall asked Angel Weant what the 18 technical violations were in the Judicial presentation. Angel responded that she will send Amanda that information.

**Audience Discussion:**

Dena McClung asked the following questions.

DOC:

1. Dena asked how many inmates started treatment in fiscal year 2017. Leonard Woodson responded that he will have this information available at the next SOMB meeting, and indicated that the number in treatment has increased each year.
2. Dena asked how many SOTMP treatment providers are employed by DOC compared to previous years. Leonard Woodson responded that there are approximately 45, which is the same as previous years.
3. Dena asked if the impact of lower polygraph spending has affected the number of offenders getting into treatment. Leonard Woodson responded that the funding is the same as the past few years, and indicated there is no backlog.

Probation: Dena asked by type of crimes what the 1 new felony and the 2 new misdemeanor crime are. Angel Weant responded that the 1 new felony was the possession of a weapon, and the misdemeanors were the violation of a protection order, and a new domestic violence offense.

An audience member asked how these statistics compare to other states in the U.S. Kelly Hume responded that she will check into that information, and will bring it back to the next SOMB meeting.

Dale Jenkins asked the following questions.

DOC:

1. Dale asked Leonard Woodson what the change in discretionary releases from the Parole Board was since 2016. Leonard responded that there was a decline in releases from 2016, and indicated that this information is in the full report.
2. Dale also asked who the two polygraph agencies were that were contracted with the DOC. Leonard responded that it was Accountability Polygraph and Amich & Jenks.

Probation:

Dale noted that the length of time an offender is under supervision would be useful information in future reports. Erin Crites responded that it is difficult to give the exact length of stay due to many factors.

Laurie Kepros posed the following questions:

1. Laurie suggested the SOMB, Probation, or Parole look at how long it takes an individual to meet the lifetime criteria, and to adjust the criteria according to research.
2. Laurie asked if an extended period of time under supervision actually increases risk.
3. Laurie asked Angel Weant if an individual can meet the criteria of lifetime supervision after completing Sex Offender Intensive Supervision Program (SOISP). Angel responded that they typically do not meet that criteria before the minimum term comes up, and noted that risk factors are looked at when being supervised under SOISP for more than 3 years.
4. Laurie suggested reporting on revocation rates cumulatively, reporting outcomes of individuals with U.S. Immigration and Customs Enforcement (ICE) detainers, those denied parole after meeting lifetime criteria, including the number of individuals who have exceeded the parole eligibility date, and information of juveniles being treated with regard to the Lifetime Supervision Act.
5. Laurie expressed confusion with Table 3 – Cumulative Releases for Parole regarding the incongruity of data between fiscal years. Richard Kluckow responded that some of the data changes after the report is published causing these differences.
6. Laurie asked for clarification of the data discrepancy of Parole granting releases which is stated at 250 while the table shows only 115. Richard Kluckow responded that there can be a time lag when an individual is granted parole and is actually released.

**GREG HISSCOCK (PROGRESSIVE THERAPY SYSTEMS) VARIANCE REQUEST (Decision Item) – Carl Blake, ARC**

Carl Blake outlined the nature of the variance request being presented. He indicated that it deviates from the Standards group ratio of 1:8 to adjust to 1:14, due to the fact that the treatment provider is in a rural area (Sterling, CO). Carl indicated that the Application Review Committee (ARC) does not support this variance request, and noted there are other ways to accommodate this variance request.

Greg Hisscock discussed the situation regarding this request, noting that it is not feasible for the treatment agency to expand the number of groups due to limited resources.

**Board Discussion:**

Merve Davies expressed concern that a quality therapist cannot manage 14 individuals in a single group, and noted the need to attend to a lot of behaviors in a short amount of time. He also expressed his opposition to granting this variance, and noted that the bottom line is about the quality of service.

Carl Blake mentioned the need to consider group size in rural areas, and if the therapist is aware of the individual behavior needs and the dynamics of the group. He also noted that research is not definitive concerning group size, and suggested using this as an opportunity to see how group size affects treatment (data collection).

Tom Leverage asked Carl Blake if a temporary approval for a short period of time with parameters (6 months) with monthly reports to ARC would be a viable option. There was discussion regarding what happens to the dynamics when someone else joins the group, and it was suggested to provide the therapist with specific criteria that must be met.

Rick May expressed concern that with a large number in a group, that an experienced treatment provider can manage the group, but noted the difficulty in actually addressing effective therapy. He noted that it takes one therapist to handle the process and/or issues of the group, and one therapist to manage the therapy content when working with large groups.

Allison Boyd asked if this is a closed group or if it is open to new members. She noted concerns about compromising community safety from a victim perspective.

Jesse Hansen agrees that the therapeutic alliance is very important, and noted the size could affect that. He indicated that while he understands the rural nature of this request and the number of therapists available, it might be best to recruit another treatment provider while in the 6-month trial period.

Missy Gursky asked Greg Hisscock if there are currently 2 groups of 14 (with a co-facilitator) with a total client count of 28. Greg responded, yes that is correct.

Judge Kopcow expressed concern of the unintended consequences of approving this variance. He asked if approving this variance will open the door for many more group size variance requests. Carl Blake responded that there may possibly be additional requests, but noted that it would depend on each individual group specifics. He mentioned the need to be able to be more flexible in many rural areas.

Greg Hisscock responded to all questions. He indicated that he is trying to keep continuity of care for his clients, and noted that the current groups are a mix of probationers and parolees.

Jessica Meza made a motion to approve the variance on a temporary basis with a 6-month ARC review, and the recruitment of another treatment provider. After discussion with Carl Blake, Jessica amended the motion to remove the additional recruitment of another treatment provider. Sharon Holbrook asked Jessica Meza to amend the motion to include monthly reporting for the purposes of data collection. Jessica Meza amended motion to

include monthly reporting. The final motion reads: motion to approve the variance on a temporary basis with a 6-month ARC review, and monthly reporting for data collection purposes.

**Motion to approved variance as amended: Jessica Meza; Richard Bednarski<sup>2nd</sup> (Question #2)**

**8 Approve                      10 Oppose                      1 Abstain                      Motion Fails**

**UPDATE ON SOMB DATA COLLECTION (Action Item) – Chris Lobanov-Rostovsky**

Chris Lobanov-Rostovsky mentioned that the SOMB data collection plan was included in the 2016 Legislative Report, and indicated that there was no funding to implement the plan at that time. He noted that the Joint Budget Committee (JBC) expressed interest in funding data collection and identified both state and Sex Offender Surcharge funding to fund this data collection plan. Chris indicated that this will be added to the Department of Public Safety (DPS) budget, but noted that the SOMB may be asked to amend the previous sex offender surcharge allocation. He mentioned that the Sex Offender Surcharge current balance is \$300,000, and \$200,000 would be used towards this data collection system. He indicated funds will be needed to build the database to collect this information, and hire a staff member to train providers, collect data, and do reporting. Chris mentioned that this funding will still need to go through the House and the Senate for final approval.

**BREAK: 11:07 – 11:23**

**SOMB OPEN FORUM (Presentation) – Various**

1. Susan Walker introduced Mary Heathman and Tami Floyd, who are on the Board of the Coalition for Sexual Offense Restoration (CSOR). Susan’s presentation suggested the inclusion of the “support person” earlier in the process to positively affect treatment, supervision, and ultimately community safety. She also mentioned her desire to include the support person more regularly in CST meetings, whenever possible, who can provide valuable client information and feedback.
2. Angel Weant and Heather Garwood presented Strategies for Behavior Change (SBC) of the State Court Administrators office. Heather indicated that SBC is an evidence-informed process with long-term goals of improving public safety through behavior change. She indicated this initiative includes reinforcement vs punishment and stressed the need for both to encourage change. Heather went on to mention that positive reinforcement is more effective than negative reinforcement or sanctions. She reviewed the Behavior Response Grid, the Behavior Change Principles, and the Goals of the SBC, and noted this program promotes positive behavior change and collaborative case management.

Jessica Meza asked if this program has this been used in juvenile courts or probation and specialty courts. Heather responded that it has been designed to be used with all populations on probation and specialty court teams.

Tom Leverage asked for clarification of the serious/meritorious descriptors on the behavioral grid.

Chris Lobanov-Rostovsky asked if there are ways to incorporate this into the Standards and Guidelines. Angel Weant responded that the re-write of the Standards does include the components and spirit of this program. She indicated that the implementation process follows implementation science protocols, which includes skill building and coaching. Angel mentioned that the adherence to this program has been remarkable with significant changes in behaviors.

Justyna Madenska noted that clients have a fear of probation officers and their use of a more negative approach. She asked how the probation officers/departments are going to be trained in this new program. Heather responded that the State Court Administrator’s Office is still working on rolling out the program. She noted that implementation begins with training and coaching of the local implementation team before rolling out to the rest of the staff. The local implementation team is comprised of officers and managers who receive more intensive training and coaching.

3. Marsha Brewer of Advocates for Change (AFC) noted that in El Paso County some of the treatment providers are not aware of or are using the recent changes to the Standards. She asked the SOMB for the intended implementation plan of the changes to the Standards, and how to make the treatment providers more accountable. She also asked if the Standards are standards or guidelines.

Rick May responded that the Standards are both, and indicated that at a minimum the Standards need to be followed. He noted that the guidelines are incorporated to help with best practice recommendations.

Tom Leversee responded that at times the true implications of changes are not understood in the field, and noted the need to better communicate and implement these changes with clarity, continuity and accountability.

Chris Lobanov-Rostovsky noted that implementation of the Standards revisions was discussed at last month's SOMB meeting, and indicated that the SOMB is currently working on the best ways to carry through with implementation.

Carl Blake suggested the SOMB have an effective date for changes so the field can understand when to start with new processes and procedures. He also noted the need to be more cognizant of how to communicate changes.

Missy Gursky noted that the difference between the Standards and Guidelines is that the Standards are for treatment providers, and they are guidelines for Probation and Parole. She indicated that the Standards are the minimum to be followed, but noted that treatment providers often do more based on the risk and needs of the client. Missy mentioned that grievances are filed against an individual treatment provider and not the entire agency, and noted that the SOMB does not have purview over all grievances. She indicated that some cases are filed directly with DORA, who have found a number of providers violating their ethics.

4. Rick May discussed the circumstance when individuals who are on appeal are not getting treatment services. He indicated that he has used the variance process in order to provide non-sex offense specific treatment. Rick mentioned that his agency has created a treatment group for these individuals, and has seen some growth even though they cannot speak about their offense while on appeal. He indicated the group has an interesting dynamic and taken the responsibility of helping others through support, empathy of the process, and ultimately providing community safety. Rick noted that this might be a good future agenda item to discuss with the SOMB for a possible solution to these situations. He also mentioned that his agency has gathered various statistics on these groups and individuals which is available, if requested.

Jessica Meza asked if there are other providers that have groups like these, if Probation endorses these groups, and also asked if the clients travel from far away. Rick responded that there is currently one from El Paso County, and noted that the rest are from the Denver Metro area. He noted that Probation has not endorsed these groups yet, but indicated that he is trying to educate them on the purpose of these groups, what type of treatment is offered, and that collaboration with Probation would benefit all involved. Rick mentioned that he is not aware of any other agencies currently doing this.

Judge Kopcow asked that when the conviction is affirmed, how these individuals catch up with sex offense specific treatment. Rick responded that these individuals have already made progress in many other areas of treatment. He noted that his agency uses a workbook that outlines where these individuals are in the treatment process. Rick stated that this workbook can then be given to new treatment providers who can assess what the best treatment will be for the specific offense.

Susan Walker asked how these individuals are referred to this treatment, and asked who pays for this treatment. Rick responded that these individuals are referred by Probation, but noted that it is voluntary.

He indicated that the individual pays for this treatment if they can afford it, and noted that Probation will pay for those in financial need. Angel Weant confirmed what Rick mentioned regarding Probation, and noted that the structure and therapeutic treatment is beneficial.

A member of the audience asked if this is extended to an individual on a revocation hearing, and if the process has changed. He indicated that while he was in that situation, he was informed that he needed a referral from Probation, but finally got a judge to order treatment. Rick responded that this treatment has not been offered yet to those going through a revocation. Rick noted that a referral from Probation is always required for treatment.

Judge Kopcow noted for all to send any questions or other issues for future strategic plan items to the SOMB.

**SOMB Meeting Adjourned: 12:25 pm**

**LUNCH: 12:30 – 1:00 pm**

**BOARD MEMBER TRAINING (No Business Conducted) – Chris Lobanov-Rostovsky and Marcelo Kopcow**

Session Name: New Session 3-16-2018 11-02 AM

Date Created: 3/16/2018 8:28:30 AM Active Participants: 19 of 24

Average Score: 0.00%

Questions: 2

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## Results By Question

### 1.) Motion to approve February minutes (Multiple Choice)

Responses		
	Percent	Count
Yes	83%	15
No	0%	0
Abstain	17%	3
<b>Totals</b>	<b>100%</b>	<b>18</b>

### 2.) Motion to approve for 6 months (Multiple Choice)

Responses		
	Percent	Count
Yes	42%	8
No	53%	10
Abstain	5%	1
<b>Totals</b>	<b>100%</b>	<b>19</b>

Average Score: 0.00%

Questions: 2

## Results Detail

Name	Q1	Q2	Total Points	Score
<b>Answer Key</b>	-	-	0.00	-
Franklin, Brie	3	1	0.00	-
Bednarski, Rick	-	1	0.00	-
Blake, Carl	3	1	0.00	-
Boyd, Allison	1	2	0.00	-
Holbrook, Sharon	1	1	0.00	-
Davies, Merve	1	2	0.00	-
Elger, Korey	1	1	0.00	-
Gall, Amanda	1	2	0.00	-
Gursky, Missy	1	3	0.00	-
Hansen, Jesse	1	1	0.00	-
Leversee, Tom	1	2	0.00	-
May, Rick	1	2	0.00	-
Meza, Jessica	1	1	0.00	-
Moore, Kandy	1	2	0.00	-
Odenheimer, John	1	2	0.00	-
Shay, Jeff	1	2	0.00	-
Singer, Robin	1	2	0.00	-
Weant, Angel	1	1	0.00	-
Woodson III, Lenny	3	2	0.00	-
<b>Participant List Averages</b>	-	-	0.00	-