

20260223_133213-Meeting Recording

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AI-generated content may be incorrect

Good afternoon, everyone.

Thank you for being here. I'm going to call the meeting to order today at 1:32.

I'm going to turn it over to staff to begin the roll call.

Thank you. Jenna Mitchell DPS.

Thank you for your patience everyone.

It's we.

Had to take some adjustments prior to the meeting, so I appreciate your patience and.

I just want to go over a few procedural reminders and changes that were going to be implementing as we prepare for the hybrid virtual meeting option. So beginning this month, rather than using an all in favor of some voice vote, we will use a roll call vote.

So each Members vote is fairly recorded for record, when it's time to vote.

I Call each members name and then move on with yes, no or abstain.

A few additional reminders, please direct your comments through the chairwoman and we need to be recognized before speaking.

And please turn on your microphone and get as close as possible to like when you're speaking.

This ensures not only that the recording is clear and accurate, but it's also for the members of the public that are here with us today.

I'll start with the roll call and please say present when call your name.

Chairwoman Beth Goulden, present. Miss Amanda Adkins, present.

Mr. Blake Barney. present

Doctor Brecken Blades. Present.

Ms. Colette Chapman present.

Detective Ben cook. Present.

Ben Galarneau, present. Doctor Steven Gray, present.

Mr. Jim Hanratty. present

Mr. Joseph Kelroy, present.

Miss Katie Krejci. Present. Doctor Farah Lokey, present supervisor Jeff McClure, present

Doctor Sheridan Miller present.

Doctor Peter Morey, present, Missy Musick present.

Mr. Scott Naegele present, Mr. Shane Neil, present, Miss Meloney Opheim, present Mr.

Nicholas Pawlowski. present

The honorable Anna Young present.

21 board members present.

Excused are Ms. Jamie Balson.

The honorable Suzanne Cohen, supervisor John Fanning, Major Frank Griego, Ms Karolyn Kozowski and representative Kyle Powell.

Thank you. To start things off today, I'm going to address 2 items that were recently raised by the public as it is imperative that we clear up all misconceptions.

1st at No Point has this board indicated that absolutely no recommendations will be made to the legislature during this legislative session.

The matter discussed at our last meeting was with regard to making no recommendation on a specific general fund issue. That distinction is borne out by the reporting of that meeting and transcript posted for the public review.

Second, I speak to the legislature in two capacities as chair of this board.

One articulating positions of the board has formally adopted.

And secondly, as a professional with more than 25 years of experience working in this field.

Those roles are distinct and I have been careful to maintain that distinction. To be clear, as of right now, the board has taken no formal positions on pending legislation.

Thank you.

I'm going to turn it over to staff now, call to Public.

Thank you, ma'am, for members of the public before beginning your public comment, please state your name and your organization full for the record for both. Public comment will be limited to three minutes. A timer will sound to help speakers manage their time when the time indicates that your.

Time has expired.

Speakers are expected to promptly conclude their remarks.

First up today is Tori Reeves.

here.

Next is Suzanne Dodson, followed by Charles Dodson, followed by Sonya Jennings.

Last month I shared my frustration that outside the courtroom, no one would distinguish between negligence and.

My son accepted his probation for negligent child abuse as he admitted to having consensual sex with a girl, all while unaware he was committed a crime.

He was evaluated.

He found no substance of these issues for the last five years.

It's not only maintained employment.

Building new career the previous probation teams kept telling him that he's boring.

And that's something that they're concerned about. The last team gave him permission to socialize with his friends, even go out and have a couple beers.

Just don't get in any trouble.

He had no problem following their rules. The opportunity to gather with his friends did wonders for his mental health, which is not surprising because during COVID we all learned about the damage.

They do a better job and moving to the other side of town. He was given a new.

They probably removed the permission to socialize for the same reasons the other two teams said that he was still ribs.

He's been a very nice function and not as nice.

The state says that you're not a sex offender, but they also insist that the attendee weekly sex offender treatment meetings, please recall last month when I told you that he tries to talk in therapy about his guilt and feelings that if he'd known their age, this would never.

Have happened and he's reprimanded for not taking responsibility or learning.

His lesson is Abel, another assessment found 0 pedophile tendencies.

These were done by Doctor Paul Simpson.

Expert in his field with testimony for state and federal and military cases.

How can you treat?

A problem that doesn't exist.

It has been found that no pendines.

In my research I found that court order therapy should have goals. Their criteria for advancement, progress discussions. In short, you should know where you stand.

That's not what's happening in this case.

He has never been given a progress report.

He has never been told what it looks like. He has no idea.

Yeah. Or if his therapist even thinks that he's making any progress, he has no idea.

In his new assignment, he's told to write 10 diary entries from the point of view of his victim, but all he knows about her is that she stole a bottle of gin and pretending to be 18 years old as a college freshman.

When he questioned his therapist about the diary entries, he was told to make something up.

Being told to write lies for six months is not fair.

The psychological damage goes beyond shame and loss of trust in the entire system.

I hope that you all know and can see that there are legal and ethical risks to this.

This is the limit to this file.

Yes.

Thank you.

Could ask the public please silence your phones cell phone's with you, please.

Next is Charles Dodson, followed by Sonia Jennings, followed by Patricia Borden.

Good afternoon.

My name is Charles Dodson.

That's my mom on to summary question.

I was when I was 18, I was a freshman, had sexual contact with a underage girl that herself.

I was charged in criminal language and some child abuse, and I sentenced to 10 years supervised probation with sex offender terms.

One of these terms is to attend these mandatory, you know, treatment meetings offered through a private treatment provider.

And on influence, I'm sure you mentioned it, but I have noticed a decent amount of inconsistencies in just observation that are possibly troubling to me.

You know, being that there is a, you know, preset curriculum that we are following in treatment. We're not made aware of what the Lesson plan is, where we stand you know how far we are moving through treatment.

I'm in my 4th year right now and it has to mention that there's an MSI test offer that the beginning in the middle and at the end of treatment.

After four years in treatment, I still have not received a no middle treatment MSI, nor have I made aware of when that's going to be.

I was told by information team that with my own time credit on probation for, you know, being boring my my termination date would be in 2028 as long as I'm completely done with my treatment.

So if the treatment takes four more years and said I, although I've been following the rules, still will not have the opportunity to be offered probation in two years.

Provider is also administered these tests after insisting that the preliminary tests that with Doctor Samsung was not valid and on request to see the results of my insight enabled, I was declined. Said no.

Some assignments where I am asked to answer questions about how I justify my offense or discuss my business point of view. I am told to make something up when it does not apply to my offense and that does come out as a lie, which then goes into my.

File and then there's a non truth in my in my file.

Also, I'd like to believe that when I mention anything about being under the impression that my victim was an adult, or about the fact that I was unaware that I was submitting a crime that I'm victim shaming, I'm shifting responsibility and this is like me once again having.

To, you know, make things up just to make it seem like I am proving what they're really was not much.

I just want to understand how this program is really designed to help. I can understand that for some offenders that can make a difference.

However, for people who you know ended up in this.

People ended up in this we don't have tendencies for that failure. Seems like it's having the reverse effect.

Thank you.

Thank you.

Next is Sonya Jennings, followed by Patricia Bordon, followed by Fred Haddad.

Hi, can you hear me?

My name is Sonya, Jennings. I am a .

About 150 houses sex offenders housing, which is completely regular.

So I'd like to say that I'm a big peaceful here.

I'm from California and I came here and you know, we have.

We have so many different topics.

I didn't shoot with probably.

The social work that social work background.

So this story that I just heard about something that I hear from, I'm here kindly to talk about what HB 2870.

The homelessness and I've been a frontline person for a very long time.

I've been doing this work for over 24 years.

Re. Acclimation re-entry for the prison system. I mean, if we were all judged by the state that we made and if that not judge. But if we were to find by that one decision.

I think we were probably.

So that gives me like more confidence to meet each person where they are.

It's not a cookie cutter session.

I can't change the laws.

I can work as a pivotal person to help empower my community and help those affected by the loss. Also working hand in hand with Department of Public Services.

We work with the sex offender registration, probation and parole department, so we have a very structured.

Out there's counted. There's high accountability.

I do not see success. A lot of success and there is isolation. Then talking from a person on the outside looking in, but also someone looking up close. If these guys do not have support they have this problem that they don't have the support. There's so much is.

If we all support the encouragement.

You know, the encouragement to go into treatment.

To be honest, to be transparent, treatment heals incarceration functions. So with treatment I'm pro treatment and we can do that in a structured environment as being a piece of the puzzle and plus coming together. And really, you know, seeing what is what is what is the solution to.

This problem or how can we help?

I'd like to say that I've made an impact.

HB 2870 is gonna put a lot of people close to 9000 people homeless.

I have older men that have done 25 30 years.

Family has died off. They're on ventilators.

There is no one. If I wasn't there, they'd be on the street with me.

Definitely would not sit on.

So that's my stance on this.

I didn't know that they have these meetings monthly.

Thank God for Patricia and the ladies that I've talked to. You know, I'm glad to be a part of something and come up with some community awareness.

So thank you.

Thank you.

Patricia Borden followed by Fred Haddad and Doctor Gary Hardy.

Good afternoon.

I'm Patricia Borden, founder and director of Arizona's Rational Sex offense laws.

I'm happy to say that my eyes are better so I can read my statement unlike last time.

We share the same values as the board.

Public safety prevents sexual offences and evidence based policy.

In that spirit that we are here today.

We want to bring something to the board's attention.

SP1585 as our chairwoman mention was heard before the Senate Judiciary Committee on February 18th.

It is not on your agenda today.

And yet the legislation falls squarely between your mission.

We believe it is important to this board to know that that at that hearing testimony was given in support of this however all 20 people registered their opposition through the requested to speak.

The public.

Spoke clearly.

This boy deserves to know that.

And deserves the opportunity to formally formally, I say weigh in with your established board and your established process.

Senators on the committee.

Also raise questions about whether this board had officially officially waited.

This is a fair question.

And the answer is that you have not had this opportunity.

We also ask the board receives \$400,000.

In annual appropriations.

What is the justification for an additional \$200,000?

Surcharge to collect from court workers for people that don't have the money to pay.

Several of the states.

Run their sex offenders Management Board on appropriations not on the money from people on the registry.

We are asking you today.

To write to legislature and the governor.

That SB1585 be held until the board as formally reviewed it and provided your official recommendation through your established processes. The public has spoken.

you.

Thank you.

Thank you.

Next is Fred Haddad, followed by Doctor Garry Hardy.

Then Jennifer Hammer. Good afternoon.

Spell Haddad.

So I'm probably one of the largest private investors that.

houses S.

Here to discuss how important it is for HB 2870 to come to light in front of this board and this board to be a little louder in front of the legislature and regards to denying such a bill.

To come to the next fold.

As a as a housing provider now I don't do any of these.

I would I lease out the properties to structured housing for sex offenders I'm not involved in the structure itself, but I can tell you the difference as this bill is presented that they want sex offenders to all live individually.

Persistent I believe that would create a chaos.

In all cities.

All districts that many people are uneducated about and don't realize what will happen.

In my experience between providing.

Housing for individuals and housing for structured houses.

I believe that I am more content in providing House providing opportunity for those houses in your living much more than single. I personally walk away from every property that has a single sex offender living in there.

Concerned and worried about what can happen.

If this person had not having an oversight by any other person not having an oversight in his living domain by a House manager by other sex offenders that are doing their best to make it through, like what can happen by this person living alone, there's a lot of.

Mischief.

That can occur while they're being alone.

They have no oversight, but you know, housing does you have?

House managers, you have curfews. You have.

You have as soon as someone does not come home. You have house managers contacting parole officers, probation officers, even even the managers of the structured housing itself.

Where is this person?

What time is what time is coming home?

Is he at work?

If he did not, let's find out where it is. So this HB 2870 does not.

Is this year to eliminate communal housing and focus on single housing for individuals, and I believe that this board needs to have a louder vote.

We've been contacted, some of the representatives and they just told us that.

None. Nobody's approached them regarding Spanish, so please thank you.

Next is Doctor Gary Hardy, followed by Jennifer Hammer and then Erica, P.

Madam Chairman, members of the board, my name is Gary Hardy. I am currently supervised.

I'm one supervised in Arizona.

I serve 17 years in the Arizona Department of Corrections, where I worked as a literacy tutor.

A GED tutor and worked in the sex offender education treatment program for six years. While I was in there, I also became a certified paralegal, finished my master's degree, PhD and .

My time was well spent in custody.

I'm coming today to express my opposition to HB 2870. As other people have.

This bill, today's agenda makes it unlawful for level 2 or Level 3 registrar a supervised release to reside with any other registered individual, unless related by blood marriage or adoption.

While I understand the intent, there may be public safety, the likely effect is exactly the opposite. First of all, housing stability is one of the strongest predictions of successful supervision.

Any probation officer will tell me about.

Every evidence based correctional framework, including risk based risk, need responsibility and assistance.

Research identify stable housing as a core protective factor.

Individuals who are stably housed are easier to monitor, more likely to engage, remain compliant, and less likely .

Registered individuals already face extraordinary housing barriers, geographic exclusion zones, land or refusal, zoning overlays, overlays and financial limitations.

Shared housing is often the only local realistic option available.

Removing that option will increase homeowners and transients.

Homeless individuals are hardly supervised or monitor and more likely to incur technical violations.

That does not enhance public safety if we can't. Second, Arizona, already classified in regulations based on risk and assigns notification levels accordingly, as Mr. Cook's going to talk about here in a little bit.

Probation office already have already have authority to deny unsafe housing arrangements.

If two specific individuals living together present a legitimate, legitimate risk, supervisors can address that.

On a case by case basis.

HB2870 replaces individualized professional judgment with a blanket prohibition.

Evidence based supervision depends on individual assessment, not categorical grammar.

If this bill is applied to individuals, are we unsupervised?

Release it raises serious constitutional concerns.

It would criminalize living arrangements that are lawful in time of sentencing and impose new disabilities retroactively.

That invites litigation under expose factual principles and increase the cost of the state.

Thank you.

Thank you for your time. Thank you.

Next is Jennifer Hammer, followed by Eric P and then Marina Fleetwood.

Good afternoon, Madam Chairman and members of the board.

My name is Jennifer Hammer.

I'm the mother of someone on the registry and discerned person regarding HB 2870. I would like to highlight several reasons why this bill would become a problem for the citizens of Arizona and for people under registry.

There's already extremely difficult finding a place to live when a person is required to register due to the many restrictions they have.

This bill would devastate and create homelessness for thousands of Arizonans who are working hard to rebuild their lives.

It would close burden problems that can be the last resort for countless people before they even homeless.

A long term ramifications will be severe far reaching unleashing thousands of people into unknown living situations and neighborhoods.

People on the registry who are under supervision receive regular, unannounced visits from their officers, so they are closely monitored.

Registered people under supervision need to take regular polygraphs tests and consistently pass them.

They have mandatory counseling sessions if you want to reach in prison, that will be much harder to monitor. If they are living on the streets with our adequate transportation or accountability.

Homelessness creates despair and the loss of hope could increase crime.

This directly goes against Kaite Hobbs 2030 plan.

It is in place to help people released from prison successfully integrate into society.

This could cause strong concerns for the people of Arizona as they watch thousands of registered people go on the streets and into various areas.

My son, Co owns this home with one of his roommates and we are both on a deed.

The three of them who live there have stable employment at the same company, maintain their home and pride, and get along well with their neighbors.

They met at a Christian group home and lived clean and vibes passing. This bill would mean that two of them would have to leave and become homeless.

HB 2870 would create chaos and uncertainty with thousands of people.

And create a huge burden on the people who supervise them. Thank you. Thank you.

Next is Erica .

Marina Fleetwood followed by Daren Stanley.

Good afternoon.

My name is Maria Fleetwood.

I need to be concerned about the direction of so-called reform in Arizona.

Reform that increasingly means more restrictions, so they will regulatory rather than punitive for those living under these policies.

Believe me, it's punitive. This legislative session alone, numerous bills have been introduced

and expand restrictions rather than promote stability, rehabilitation of public safety. HB 2870, which limits multiple registrants in one household, is a clearing sample. Support for this bill has been driven by political moment, as most are by representative running for Chandler mayor and motivated by fear, not evidence. If an affidavit will force registrants into homelessness when people lose stable housing, they lose jobs. And when someone's in crisis over where they.

Sleep, even when the reporting deadlines can be missed and is a failure to register. That leads us to SB1239, which would eliminate the statute of limitations for failure to register charges. Register is often pertinent as an outstanding.

But in most cases it involved technical or administrative issues.

Clerical delays.

Timing errors when asked directly, Senator Schaf confirmed the measure was recommended by this board at the request of DPS, despite already extensive reporting requirements. If that wasn't enough, HB 2413 proposes GPS monitoring for those registrants who are now homeless.

And how are we going to fund all of this?

Well, that takes us to SB1585.

Expanding the funding for monitoring by increasing the financial penalties for sexual abuse convictions.

Heavier verdicts on people who already may be homeless, unemployed or in spare distress. Together, these proposals mean more restrictions, more surveillance, fewer pass to rehabilitation cost estate millions and offer little but brutal public safety.

Arizona has become an outlier in sex offense policy. New requirements create more opportunities for technical violations, more public fear, and more instability.

My husband is 80 years old with an old conviction born, attempted, dacac events, service sentence have been fully compliant for the last 40 years as a Level 1 research shows it's likely, but it reinventing at his age is less than 1%, the same as any male on.

This board, if a person could live for 40 years and still be treated as if nothing has changed.

And what's the purpose of rehabilitation if punishment never ends? Can we call it justice? 40 years of compliance.

40 years of proving day after day that people can change, grow and live longer. And yet every legislative session we hold our breath.

What new restrictions will be added?

Yes, or challenges the state of these restrictions are not punitive yet.

Senator Schumer said that her goal is to make every sex offender's life a living nightmare.

Isn't that punitive? In 40 years of doing everything right, still not enough?

Then this system is not about public safety or rehabilitation.

It's about permanent punishment.

Thank you.

Thank you.

Next Darren Stanley.

And.

Unfortunately, today I underdressed that I usually appear and unprepared as well.

I had meetings this morning.

I just wanted to mostly bring up SB1092, which is.

Where if you were a DCAC, we'll never give up probation.

So I don't understand where we're going with this.

It's just what I do. Everything that I'm supposed to do, go to the therapy, complete my therapy.

I never missed a single day of therapy and completed it in about 22 months.

I just don't understand why everything needs to be changed all the time.

1404 pass SB 1404 pass.

Level one, they do have a DCAC and end by sentencing.

It clearly says not dangerous.

It could not repetitive.

So I think this label is overused many many times and 1404 I was after November 28th I was got my flyer in the mail and all my neighbors got my flyer. I was.

I won't say popular in my neighborhood, but I'm pretty handy guy and my neighbors would borrow my truck, ask to use a tool.

Some you know, always say hello and since November 28th.

That one single neighbor has really been has to borrow anything or.

Had anything to do with my sister's? Lived in that old set 22 years.

Thank God I have my sister back.

Yeah, all of a sudden they're talking about housing.

I have my sister and I'm so grateful for that and I have a great tray of a Union electrician and I can always consign the books and go to work and I don't have to worry about that either.

But most of the people I'm around, people that I know that are level 1 DCAC same thing, not dangerous, not repetitive, but yet we're constantly being targeted.

So thank you for your time.

Thank you for listening to this again.

I apologize for not being prepared.

I had any resolved above.

Because one of my terms of my reinstatement probation that I did 3 1/2 years wrongfully and released from me, a felony court was probation, did not want me to have any computer access.

And I was still 3 1/2.

Years to that now since Thanks giving , for your time.

Thank you.

I also just want to address. Please no clapping or cheering from the audience.

You will be asked to leave.

Thank you.

We call Tori Reeves.

A few people come in since I call her.

And Erica P?

That concludes the call to public here.

Do I have a motion to go into execut session?

I need to move that enter meeting Executive Session.

Do I have a second?

Amanda Adkins 2nd.

Thank you. At this time, we'll we we will convene into the exact session. If anyone from the public can go into the hallway, we will come get you at the time.

Be great to be.

Thank you. And please take all your belongings.

● **Ashlesha Naik** stopped transcription

Do I have a motion to return for the Executive session?

Peter Morey. 2nd

Oh, I'm so motion sorry, Peter Morey. Motion to return 2nd.

I'd like to call for a vote on motion before us to return.

I got a verbal and all those in favor.

Aye.

Any any opposed?

Any abstain? the motion of passes.

We're returning for the execut. session.

Major Mitchell, can you give us a virtual meeting update please?

I'm trying to remember this.

We will be offering a virtual meeting option in March, the March meeting.

For board members, if you'll be participating virtually we ask let staff know we did it at AZSOMB email as soon as possible. You will receive an individual team premium meeting invite with the link and unique for each board member and used on to 3 devices for.

You to sign in.

So then on the day of the meeting in which to locate that link sign in, either through the team's app or through a web browser, I would ask that you log in 10 to 15 minutes early just to work through the issues that you might have of.

connectivity problems and if you have difficulties with my cell phone number in the meeting invite, I'll be here doing with all the things in this room as well. But just following on on cell phone and phone to get you to staff to help you walk through the log.

We requested during the meeting.

We'll send instructions out when we send you the virtual link, but we would ask that you

keep your camera on during the meeting.

Yeah. And we'll be able to do it. Unmute yourself as board members.

Who would ask the raise your hand to request to speak?

Call upon you and make sure you unmute.

So that we can hear you. There will be no chat for the public, for board members, that chat will be turned off.

the link on the meeting agenda is for the public.

They have different access.

Their cameras cannot be turned on.

Cannot unmute unless you follow on them to start call to the public.

So we would encourage you not to use that.

Problems.

And then I already talked about procedural changes that we need to make so sure that board members that are they virtually have those that are in person are their votes are accurate accounted for.

That is the update.

I know we have.

Looking forward to that virtual.

Option and please let us know ahead of time so that we can manage the virtual.

As well add I will be here in person.

I do encourage as many board members as possible on if you're able to attend.

Thank you and thank you for working with.

Next, we're gonna move into subcommittee reports. Doctor Blades.

Do you wanna start with the adult subcommittee?

So the adult subcommittee has met two times.

Since last larger board meeting and.

Essentially, we decided to sort of begin chronologically with the presentence time frame as we thought.

That was kind of the first touch point. So we're gonna get some research to capture what other full SOMB boards are to meet and other states that that early stage where they're potentially initially looking at treatment needs risks kind of evaluating individuals. So we, we began planting.

During that information with each other, we have another meeting scheduled in March. And So what kind of shift into assessing how that information then is rolled into our processes in Arizona?

And so it's formally leaving next from there.

Thank you, Mr. Naegele, with the Juvenile subcommittee update, please.

Thank you.

Pardon. Similarly to the adult subcommittee.

We've had two meetings as well.

We like they started to review other states protocols for presentence, part of the process that it was to process.

Also talk about continuing to gather on additional information from other States and also from our brothers and sisters. More to border things that have done.

Immense amount of research, that being Canadian, we've done an amazing amount of research on with respect to these issues.

In assessment capacity, treatment capacity and supervision capacity, we have lively discussion last time.

Things came up.

Check for around use of polygraph and Juveniles and we'll have a whole bunch more to say about that.

As we move forward.

Thank you.

Next on the agenda is the legislative budget recommendation update.

That was the letter that I signed from the board that you would not be making any recommendations on the budget at this time for this session moving into.

Pending legislation, this is the time for the Board to vote on whether or not we're going to discuss the three bills listed on the agenda.

Do I have a motion?

I motion that we vote as to whether we should discuss the bills this year.

Do I have a second?

Second, that.

Can I call a vote?

Actually this is not a completely discussion on my motion, but I'm so just to be clear, I'm at this point the statute that put forward together.

It's we're not tasked with.

Providing pending legislation and I would right to that.

So this would.

The event of having this conversation and voting would be to alter what the legislature's house is looking as a break as of today.

That's correct.

And right now though, there is a bill pending.

That would be.

Asking us to weigh the legislation the pending bill is 1585 and it makes it.

It actually adds a sentence or two.

That makes it very clear when asked this.

board will weigh in on any legislation, but again, that is not the law as it stands at this moment.

And did anyone learn the legislation of intent on statute, recognizing this board to see

whether there was any conversation about?

I did look pretty brief.

I didn't find much, but I'm not sure if you'd like to be in legislative intent.

I would like to weigh on legislative intent.

I think the legislature intended to hear from the sex offender management board on.

Sex offender related issues.

My concern is not weighing in as a Board, even though I know we are tasked with.

Large amount of things to do, but concern would be bills with unintended consequences.

Being passed.

And then just work having to possibly go back and undo redo.

And some of the.

Boards today have serious implications.

For people and and their a lot of styles, that's what I can.

I'd just like to make a comment on.

Hearing this, I think if if given more time and maybe another time, I can give you guys examples of numerous laws dealing with sex offenders that were poorly written.

So our opportunity to voice now would save a lot of trouble if we stopped buying.

It's I deal it every day.

Peter Morey also.

Oh, really important. And part of what I'm concerned about with all of this is confidence, really fast. And I think we don't.

I think we don't comment.

For the vote on it.

Now, with things coming at us and at least taking in and analyzing and give some comment on it, we risk becoming more as more and more self passing us by. So I think from.

A speaking point.

We were proposed and legislatively intended to be almost never duty to take in and consider these.

And the rereading this statue I did come across, it's it is number 12 and I just came across this.

And I will say I'm working on this legislation over the past few years.

I will reiterate Arizona currently has no uniform standards for anything that we do and they're starting to close position.

There are bills every year that might have.

good intent behind them but they? But how they are practically applicated for the people that do the work.

It does not work so #12 and I don't know what subsection number.

This board is tasked with research, analyze, and make recommendations that reflect the best practices for living arrangements for and the location of adult sex centers within the community.

Including shared living arrangements.

At a minimum, the Board shall consider the safety issues raised by the location of adult sex by the residences, especially in proximity to public or private schools and childcare facilities and public notification of the location of adult sex offender residences.

The Board shall make recommendations for the adoption and revision as appropriate of the guidelines as it deems appropriate regarding the living arrangements for and location of adult sex offenders and adult sex offenders housing.

So I do want to point out the board has been tasked to look at housing.

And I believe it's our duty to take on these issues and I do support discussing that today.

We also made our decision.

I have further comments as well.

I you know, I support the recommendation from the chairwoman that we should discuss these bills.

I know not everyone is up to speed on the bills being relatively new board, but I think even the proposed legislation.

We're we're only gonna be tasked with kind of consulting and making recommendations on proposed legislation.

It doesn't allow us to necessarily propose legislation, so these bill passed that we otherwise would not support and have consequences. And and we are award made-up of many professionals who work in this area.

We don't make a recommendation.

There's not really a mechanism for us to undo potentially bad law.

At this time, I'd.

Call for a vote.

The motion did pass.

It was the 1st.

Who was the 1st and then who was the 2nd?

Peter Morey 2nd.

I was asking who already you? It was Scott.

Scott, OK.

That's what I got.

Right. So now we'll do the roll call voting Chairwoman Golden. Yes

That's I just wanted you to repeat the motion to so you know exactly.

We are the voting on whether or not the board is going to discuss the bills on the agenda today.

Miss Adkins.

Yes, Mr. Barney.

Yes, doctor Blades. Yes.

Miss Chapman.

Yes, detective Cook.

Yes, Mr. Galarneau.

Yes, Doctor Gray.

Yes, Jim. Hanratty Abstain.

Mr. Kelroy Abstain. Miss Krejci. Yes

Doctor Loki Abstains.

Supervisor McClure. Yes. Doctor Miller. Yes

Doctor Morey, Yes Miss Musick. Yes

Mr. Naegele. Yes

Mr. Neil. Yes

Miss Opheim? Yes

Mr. Pawlowski. Abstains

Judge young. Abstains

Abstains

That's 16 yeses, no nays.

And five Abstains.

Motion passes.

Thank you, Maj. Mitchell.

The first bill we're gonna. I'm gonna open it up for discussion on is HB 2870.

staff passed out

Some guidelines for how we're going to do.

Manage the section.

Can I read the proposed legislation right now while we pass it out?

Would that be OK to do?

Because I have not read the proposed legislation, does that mean I section?

And ARS 133727.

Which is related to unlawful resident the person convicted of criminal offenses.

adding a paragraph is unlawful for a person who's retired to register pursuant to section 13

Dash 3821, who is classified as level two or three offender pursuant to section 133825 and

who's on probation or community supervision to reside with one another.

With another person.

Excuse me, who is required to register a pursuit pursuant to section 13?

dash 21.

This subsection does not apply if a person are legally related by blood marriage or adoption.

Maj. Mitchell Did you want to go over what we.

Yes Madam chair.

What we passed out is our proposed recommendation for how the board of the discussions on the legislation.

Is the Board should ensure an fair structure and efficient discussion of the proposed legislation.

We don't have.

A lot of time period.

So our recommendation is that round one have an initial deliberation of 15 minutes.

Whichever you prefer to the bill.

Provide an overview and then board members can have discussion.

At the conclusion of the 15 minutes that we recommend that the chair would then call for a vote on that first vote on the Members who vote on one of the following petitions, I'd support the bill opposed the bill or take no action, and that decision would be.

Based on a simple majority of the members.

If a majority is not reached, we would recommend that we have around two of the new additional 15 minutes of the deliberation.

And then a second round of discussions.

Focusing on the unresolved concerns or clarifications with an attempt to reach consensus at the conclusion of that second period of discussion, the Chair will call for a second vote.

Again, the voting would be support oppose majority would be required. If it's still not reached after the two vote.

The two rounds of discussion.

Recommended development table and then it could be reconsidered at the next scheduled meeting as long as it's placed on the next meetings agenda.

No, I do not.

At this time, I'll open the for discussion amongst ourselves.

I would recommend for HB 2870 that we oppose this legislation making people who will live in the same residence As for a retired register not be left over the same residence.

So we've heard members of the public tell us about these shared living spaces. In my professional experience, as well as a public defender, these are often the only housing arrangement that people can.

Reside in after registered and.

That the consequences of people being unhoused the collateral consequences of that that potentially increases the risk to the people.

Madam Chair.

Provided.

I want to understand why this was bad.

Qualitative people like that long, I get that.

But I'm trying to understand why someone would put that in there and what what purpose is it serve where it's trying to solve.

Solve all the.

Thank you for.

Procedurally, I believe we to vote on this, so I don't need to run up this question, but can I have a motion to to adopt the rules?

I motion. Brecken Blades

To adopt the do I have a second? Peter Morey 2nd. All those in favor, please say Aye.

Aye, any opposed.

Any abstaining.

Thank you.

Thank you.

I also think it'd be useful.

Maybe Mr. Neil can help with us on a background on residency and housing issues, especially Maricopa County, so.

Because I think the historical part of So what your time?

Has shown for downtown used to allow those items to see or almost.

Registered sex crimes to look there and that was lost many years ago in East Valley.

There was east all events center that would house individuals that were out of prison or sometimes attempting to get back on their feet and find the job, and that was eliminated as well.

Apartments are typically crime free housing.

So apartments.

Anyone who registers to stop typically permitted to rent to their apartments.

When you're out of prison or you just begin probation, you're typically not allowed to live with your family members, so family members are also off the table because oftentimes there are minors that in there.

A number of years ago there were individuals that were purchasing old family homes and and turn them into transitional houses. For those getting out of prison or who were displaced because they cannot live with their minor children.

So it is my opinion that continuing to make further restrictions.

Does not benefit public safety, nor does it speak to rehabilitation. And I don't, Mr. Neil, if you want to chime in, if I forgot any anything.

But I do think that history of this is really important in continuing to.

To have restrictions I'm concerned with.

Yes, I mean, first I would say.

In my comments in here always gonna be victim first.

But that being said, for people to rehabilitate, housing is one of the first things that probation parole should have anybody focuses on to to begin stable and focus on everything else.

So if you don't have the basic stuff, you can't do anything treatment wise or anything so.

Housing was one of the first things that we worked on.

And as she just outlined, there are, there's always been limited resources, but nowadays they're even less because even if you're in downtown Phoenix, places that used to be low income housing, it would take balance where, you know, people could back rents or whatever.

But the places they're all gone.

They're all high rises now, so those places are gone. All the shelters, including ebmc and

tasks and.

To keep their federal funding, as those are not options.

Either so different individuals that probation has a good relationship with us, that's parole for different transitional housing, so re-entry.

Generically, I mean should should take a lot of sex offenders reside together forever. You know, transitionally absolutely.

So the the plan in a lot of cases was fixed period of time till they get stable save up money to get their apartment, maybe buy a house just like everybody else.

There are even guys on fixed income that are very elderly or veterans because usually at the VA they they can't even open houses either.

They can go there for services.

Same with CAS, but they can't actually reside there. And also I think it's noteworthy that this is statewide legislation. So I feel like.

What the original purpose brought forward was born from was, you know, some bad situation, a specific house.

Specific neighborhoods, specific city and that can be handled at the local level.

So I would say either you know, city ordinances that are coming down coordinates have expired, but Phoenix have done some stuff, you know, Maricopa County to county can do stuff and different counties and cities have different needs. So.

They can handle that at the local level.

Where? So if we here in Phoenix are making decisions, you know, I don't think we're always thinking about a rural county or an outlying county.

Where, you know, maybe somebody has 20 acres and they have three guys within little out buildings and they're, you know, working in the crops or something like that.

So, but they have the same address.

So even in that scenario, they wouldn't be able to retrieve the other.

So there are definitely reasons why.

They should really be left to because it's outline. These people are already on probation or parole, some type of supervision, so it's already in their probation conditions to approve or disapprove of residence.

So they do that every day and there are times when it's appropriate and there's times when it's not appropriate.

So the supervising PEO or even their supervisor if you feel it out, never they make those decisions all the time.

So there are guys that are healthy that are doing well in treatment and and are are good influence on each other.

And sometimes there's, you know, they ask to rely on somebody that's not doing well and will just tell them no. That person's not doing well.

They will drag you down so.

It should just be a case by case basis.

It doesn't need to be a statewide thing, and it should be at a local level. So if it was born out of the city of Chandler and they have an issue with Chandler, then you know that there's way zoning or even HOA is where they can cover all.

That stuff.

Good luck.

Peter Morey.

I'm probably gonna say the obvious, so I'm gonna do that.

So if I want to pretty much agree with everything that the way it said in the observations that I.

'M finding treatment and effective programs.

Or sex offenders that chance to do one of the major pillars in any treatment program we look at is home.

And so this is working.

Against what we are trying to accomplish here, so it may, as I said earlier about definitely should talk about it.

I think that we should also oppose it and.

I encourage all of you so that we see.

Madam Chair Scott Naegele here.

My brain's going about 5 different planes right now, but I think the most important two are by the following. The first one is and I would be remiss if I didn't say this out loud.

These laws came into effect not driven by research in the 1st place. It came into effect because of some really heinous and ugly cases that happened around the country.

And we've been trying to figure out how to implement them in a in a way that does convincing, improve Community safety.

But they didn't.

They weren't born because we had we we we had research driving the need for them, you know, research and whether or not they actually do take the community safer, I wonder fest to be an expert in what the research says about Community notification. But as I understand it.

We don't have any.

Research that suggests that it actually makes the community safer, except for the highest risk guys.

Seems that there's something to be said for the highest risk guys and knowing who they are and where they are and what they're doing probably has relevance, but there's still to my belief that if you know if somebody knows something that I don't, I definitely want to hear.

It and there's still very little research on whether or not the implementation of the registration laws is actually increased Community safety.

That's the first thing.

And given that I'm the chair of the juvenile subcommittee, I would also be remiss if I did not articulate that this has implications for juveniles that have to register.

Juveniles who we know collectively as a group that go through treatment and are successful in treatment.

Commit sex offenses at very low rates after they've successfully completed treatment.

This has implications for those juveniles that are required to register, but if I go back to the other issue about whether or not registration actually makes the Community safer, and now we're having juveniles register and the majority of them are are are probably not going to precipitate most.

Of the long term studies that I've seen shows for recidivism and rates were successfully juveniles in treatment for less than 10%.

So I think that the data tells us some really important things about.

About all of what we're having the discussion about.

Sergeant Cook.

Sorry, I just went.

I pick up going the same direction everybody else is, but I can give actual knowledge first.

Only about 1/3 of the people on the registry are on probation.

The other 2/3 have no regulation. I do have multiple house.

Multiple vendors in the same residence and what I've seen is that they actually work together, encourage each other and remain more compliant than that, won't register in.

Overall, the ones that we've seen have been 100%.

They give each other rides and encourage each other to stay with each other.

So just my thought.

Thank you, Amanda.

In my experience working with clients who are releasing from present, we have faced a lot of very early over time. I will note that Maricopa County used to have a cluster requirements that they were more represent houses and I feel like that that has been effective they would.

Have kept that policy.

I think this has a lot of unintended consequences.

I think it's.

I just wanna add to that that we're talking about.

That we are focused on support and on top of that people.

I focus on that every day at the IDT funding as part of our.

That this would have a negative effect on those who need extra support.

Living in compounds and so on, they may be living together and need that extra support because of their issues.

Around.

And just touching base on the Juvenile perspective too.

When?

Floor off pending and juveniles, and the decision about whether or not to have them registered sexually. There's a long time is made very closely proximity there.

Each of them, they're going to be off probation and I can tell you that out of the 13 years that

I've been on juvenile cases.

A lot of those kids have not been convicted.

Believe that's their only option as far as possible.

Madam Chair.

Yes, I just wanted to address one of the concerns regarding the unintended consequences of this of this legislation that that only effects group homes, potential pathway houses, parole and assistive living facilities.

I don't think those were taken into consideration with our aging populations.

And regard.

Sheridan Miller.

J Kelroy coming from Illinois with the third year. They are currently in the juvenile side trying to figure out.

What?

So I I do agree with everything that they said here so far.

I think that would be.

We have states this country that have.

Support.

Sorry, can I speak one more time and I'll get into it?

Juveniles are supposed to be excluded from the system.

They should not be able to.

I had a board that before I asked my motion for approval.

Yes, Brecken Blades I would just add, as we've all said that housing and stable residents as we know is related to risk of recidivism and this portion of the bill represents a really significant reduction in viable housing options.

For individuals.

Scott Naegele can I pose a question, perhaps Ms Krejci?

I'm listening to what Sergeant Cook said regarding juveniles and being required to register.

Operationally.

Not not sure whether that's accurate or not.

This is Katie Krejci I.

Do I think maybe they're not supposed to?

They have the notification, let me say, but I definitely have clients set up and if it's not set up as well, two or three.

Scott Naegele , thank you for that clarification.

That concludes our 15 minutes of discussion. At this time, I'd like to ask for a motion to vote.

This is Katie Krejci.

I would move that we oppose HB 2870. Do I have a second?

Yep. Jeff McClure 2nd

I'd like to ask for. A roll call votes.

Chairman Goulden.

Yeah.
Yes, thank you.
Adkins, oppose.
Mr. Barney. I vote to oppose
Dr Blades oppose yes oppose
Miss Chapman.
Yes.
Detective cook.
Yes, Mr. Galarneau.
Yes, Doctor Gray, yes.
Mr. Hanratty.
Abstain.
Mr. Kelroy.
Yes, Miss Krejci.
Yes, doctor Lokey.
Yes, supervisor McClure.
Yes, doctor Miller.
Yeah, Mr. Morey.
Yes, Miss Musick, yes.
Mr. Naegele.
Yes, Mr. Neil.
Yes, Miss Opheim. Yes, Mr. Pawlowski.
Abstain. Judge Young, yes.
Madam Chair the Motion passes with 19 yeses, no nays, and two abstain.
Thank you.
Moving on to the next two bills, which I think are very similar in nature as the 1829 and 1829
HB 2966.
Before we move in those.
Ms Baldner to discuss.
What a dangerous crime against children 13,007.
You're welcome, Madam Chair.
I'm ready to give you a quick word and I'm reading from.
What the Senate facts sheet?
Is this?
Dangerous crimes against children, also known as DCAC, include various crimes and sex
offenses committed against a minor who was under 15 years old, including second degree
murder, aggravated assault, sexual assault.
Sexual conduct with a minor sexual abuse, sex trafficking.
luring of a minor for sexual exploitation and aggravated warrant sexual exploitation.
That is not the entire list.

But it's group that pops up most often.

When you hear DCAC, the first thing that should pop into your mind is if the victim was younger than 15.

So I understand the way Maricopa County and admittedly the AGs Office prepares, their police, we always include a reference, assuming it's true to non dangerous, non repetitive offense.

That should not be conflated.

Did with.

Whether the plea includes a DCAC tail, non dangerous, non repetitive refers to 13704 and 13703.

So on its face, it's a little confusing.

But DCAC.

Is a sentence enhancer. In a nutshell, I think.

I think that covers that Madam Chair.

Should I ask for questions or?

The reason?

It's relevant.

Is these two remaining bills are focusing on those people who do have a DCAC designation in their pleading works.

Finding their guilt after child.

Before I ask the questions, the Bills in question are a line the court may not terminate the period of probation or intensive creation earlier than that really imposed if the defendant was convicted of a dangerous crime.

Against children as defining in section 13705.

There's also.

Align your related to earn time credits.

That I'm. Yeah. I just want to build a build.

That's if you're on probation for a dangerous crime against children. You may not be able for earned time.

Credit, however, that's already in the statute because #4 of subsection.

D are you? If you're required to register pursuant to 133821, which all these DCAC cases are already excluded from, ECC.

But it's within the bill, so.

Are there questions for Miss Baldner related to 13 dash 705 at this time?

At this time, I'm going to open up with a statement related to early termination.

Of probation.

When I served nearly 25 years with the Maricopa County Adult Probation Department, most of my time was in the secondary division as well.

I was tasked with meeting the development of criteria to guide whether the department could support an individual in probation for a sex offense in petitioning the Court for early

termination.

That work was not done lightly and was not done alone.

The committee included a judicial officer who presided over.

Psychologist, victim advocates, defense attorneys, prosecutors, probation leadership and recognized experts similar to this board.

Every every perspective had a seat at the table.

The criteria we developed were rigorous. Individuals are required to undergo a comprehensive assessment, including effect specific evaluations, sex history polygraphs, which sometimes uncovered previously undisclosed. Any behavior when sex offenders treatment is delivered correctly, it addresses the sexual arousal of present.

Sexual misbehavior patterns, cognitive distortions, accountability, and risk factors. We also examine performance on supervision, compliance, behavioral stability, internalization of treatment concepts, polygraph results over time, and demonstrated offence free living in the community, just to name a few.

The criteria specifically considers empirically supported predictors of sex offence sexual reoffends, including deviant sexual interests and psychopathy.

These are serious evidence based risk at the same at the same time, every case is different in my career across thousands of cases known to individuals as a role.

The criteria for early termination should not be secret from victims, individuals on supervision, their families or the public and transparency builds trust decisions that impacts public safety deserve clarity and accountability.

The process was challenging and it should be committing to sex events and later requesting review from supervision as a serious matter.

However, we must also acknowledge that supervision itself should be appropriately structured and evidence driven.

In some cases, supervision should be more intensive than others. Continued lifetime monitoring without review may not enhance public safety.

Excluding individuals from early termination based solely on a single statutory enhancement.

That implies that other serious elements of sexual offending are somehow less grave.

And that is simply not accurate.

Each case must be evaluated on its merits.

Merits based on risk behavior over time and validated factors, not a single legal label.

So far, in Arizona, there has been limited transparency around how these cases are prosecuted and supervised victims, individuals beginning probation and families often do not understand the process.

At times, systematic issues have been avoided rather than addressed.

I'm also concerned about eliminating judicial discretion.

Judges are charged with weighing facts, evidence and risks in individual cases.

We used also account for developmentally delayed individuals, the elderly and those who may become mentally or medically incapacitated.

There are cases where individuals are bedridden or must relocate for full time care.

Public safety resources are finite.

We should direct intensive supervision toward individuals who continue to present measurable risks rather than adopting blanket policies that not distinguish between levels of danger.

This board has been in place only a few months and I am deeply proud of the commitment that I see, especially from our subcommittees, which are working diligently and thoughtfully. I stand by the seriousness and reader of the criteria.

Through the years of collaboration and multidisciplinary efforts, I do have full confidence that this board will make the deliberate evidence based recommendation to legislature regarding early termination and one that carefully balances risk assessments, victim safety, judicial oversight and responsible stewardess, stewardship of supervision resources.

Our judges need the best and most current information possible.

The decisions.

They make affect public safety, but potential future victims, individuals under supervision and the integrity of our system. And with that, I'm going to open it up to the board for comments on this bill.

Yes. I I just wanna add that on those two bills, there is a difference between them. One of them says under the age of 18.

So there is a distinction between the two.

I don't know if that's important to anybody, but one says it gives no exceptions.

The other one does for for an offense that was committed prior.

This is actually going to be probably the second assignment. I do believe that's covered under our ARH Statute too, that juveniles are covering that statute. But thank you for that clarification. Also, Miss Krejci, did you have your?

Katie Krejci, I'm looking at these bills.

I know there's one pending website and I don't remember if it's one of these facts excludes from the 13923. It also doesn't allow those children to petition to get off early.

Don't think that's either.

Oh yes.

HB 2956 would also prevent some of the words a minor at the time of their events under 13923, from terminating their probation earlier than originally proposed. When we're talking about earlier than practically talking about people who are going on, so if they.

Were to vote for a lifetime. There would be no early termination for those.

And just for clarification, are we discussing both of them together?

Did you want to do 1?

Peter Morey.

For inner city treatment programs.

Early termination huge incentive to get buy in from the and so we're getting some essential.

That's why between plans and rehabilitation partners maybe let's say.

And.

Give people.

Less reason to not offend when they're being that frustrated.

I don't carry more than give up.

That's that's huge area.

I think that's a harder.

Madam Chair Colette And I would like to know again or have haven't read what a dangerous crime against children is defined as in 13705 because it it includes trafficking.

And so I would like to have that read again.

Victoria Baldner

Madam Chair, the blue white red is the taken from the fact sheet. If you want me to read all of 13705, we could probably take half an hour.

Madam Chair, I actually have a whole other front of me. If we read probably the the very first part of it, I think that applies.

If you don't mind.

And so it says a dangerous crime against children means any of the following that is committed against a minor who is under 15 years of age.

Or against a person posing as a minor if the defendant knew or had reason to know the report of minor was under 15 years of age and it goes into the Elizabeth Warren's analysis.

Actual charges are so really as Victoria said, it's she was the victim or the was under the age of 15 or the defendant believed that.

And Peter Morey.

Again, I just want to.

Clarify the subtext of my God.

My issue with this post legislation is that it's just too broad and that it's too.

Ironclad.

For situation and how that works.

There is a rigorous process in some areas called deductive service, so it's not bad.

It happens in that field before I just barely.

I think there's a social link.

Amanda Adkins, it's I think vital information that's not actually probation.

Scott Naegele.

Not entirely sure of the group of people were that were involved in crafting the provision for people petition to get offline information, but they had their arms around this concept that that Peter Moore is talking about and that is motivation and hope. Something to look forward to and.

Something to embrace.

And there's lots and lots and lots of research.

On what happens to people.

They are buzzing and don't have hope.

And all it would be difficult to predict the untoward effects of of some of this and will be in toward that.

It will be on the front of some of the document risk factors being increased, not really.

Placed itself out.

Well, it's a question here just.

Say.

Blake Barney.

So I think that.

The provisions or the introduction of these bills is more based off of.

Heinous crimes that have taken place, and there's a lot of emotion behind it and I feel like the emotion is lacking logic and so it it's not always the best thing to do, but politics are loud emotions. So I get it there. The other part of this is.

People are up for they go up for early termination hearings all the time and they get denied on a very regular basis.

It's not one of those.

Hey, I'm you know, I'm trying to get off the probation and the judge says, oh, OK, what have we done?

And they say, oh, I've done this, this and this and OK, you're good to go.

You're obstinate.

That does not happen.

That is a very rare thing, and the fact that guys are wrong.

Lifetime probation.

Typically they have this understanding of after seven years.

They're eligible to use the petition to get off of life time probation, and that is something that attorneys are telling these guys.

Let take their plea deals and I feel like when we're doing it this service by calling it lifetime probation, if we're going to.

Really. Say it's lifetime probation.

But then attorneys are telling these guys before they sign that plea.

That's not really lifetime. After seven years, you can petition to get off, and then this says

Nope. If you sign for lifetime.

It's lifetime. If you're 23, it doesn't matter 50 years later if you're 83, you're still on probation.

That's a waste of resources, state resources and you know, I think it has a board.

It's our duty to make sure that we're providing logic to.

The emotional legislation that's being provided.

And introduced and nothing really is gained, but when it's lost in the introduction.

Uh of both these bills?

This is Katie Krejci.

So to kind of piggyback on that, what we heard from doctor Blades at an earlier session was about risk, manage responsivity and that we should be supervising the highest risk people, the

people that I see that are petitioning that the court is letting off are the lowest risk. Individuals and this makes it an offence based instead of risk based there could be someone that doesn't have a DCAC.

That's a higher risk and that should remain on probation and there could also be someone oftentimes with the DCAC younger or we see younger individuals.

Maybe they're in 1819 with someone who was, you know, 14, who represented themselves to be 18.

That person shouldn't necessarily be on lifetime probation based on, you know, when they go through treatment for the rest of their life until they're 8090 years old.

So this is not risk based, which is what we're tasked with.

It doesn't make the community safer.

Thank you.

So I agree for the most part. I mean, I think the intent of course is to keep the most dangerous people.

On probation as long as possible.

The problem is that DCA C is just a legal term.

It's just a sentencing enhancement, so it doesn't actually capture who the most dangerous people are.

That's done in other ways, and it doesn't speak to the facts of the case at all.

So it speaks to maybe how good your attorney is or you know what kind of goods he's got, but it doesn't speak to the facts of the case.

So it also kind of implies that those that don't have a DCAC case are better.

They might be a better candid.

I mean, realistically.

In probation, standard practice, if it's a non sex offense case is people for the most part get off at halftime.

So if you if you have three years for the bow charge, you normally get off in a year and a half, ETC. Cut that down to a year.

But what will happen really is if this was in effect.

You just see please, for 99 years it wouldn't change anything.

And then they'd be eligible for halftime early termination at 45 years.

So there's just gonna be it just it's have an intended consequence as well, because there's gonna be just work arounds to that.

So it's just a legal term and honestly, I don't think it's worded very well in general.

I mean, talking about, you know, the intensive probation can be terminated early.

That's not how IPS works.

IPS is normally just for a year or so at the beginning of probation and then modified to standard as they progress on.

So you can't leave somebody off.

It's a probation for, you know, 100 years and even the etc conversation.

I get the point, but it is definitely captured above. Any DCAC is going to be either lifetime class two or three and more required registers.

So it's repetitive and I just, I don't think it's worded very well.

Thank you all any last minute.

I think it works fine.

Motion to adopt her will be before we go.

Blake Baney motions for vote .

Which one

SB 1829.

First, yes, motion for vote.

OK.

We'll do HB 2966 first.

Do I have a second,

Mr. Barney,

But we have your motion be to either oppose or support, we have to say one way or another what your motion is doing. Thank you.

My motion for item opposition for the bill, HB 2966.

For a vote to.

Yes, it's 2996 2966 2966.

I just want to make sure the record is clear on which one, HB 2966 OK.

Thank you. And that.

So Mr Barney your calling, for a vote to have the board opposed the legislation, OK, do I have a second?

Katie Krejci 2nd that.

May I ask roll call vote.

Can I ask you a clarification?

Shane Neil

Are we voting it as written?

Yes.

Opposed as written.

In current form.

Roll call vote

Chairwoman Goulden. Yes,

Miss Adkins.

Yes, Mr. Barney.

Yes, doctor Blades.

Yes, Miss Chapman Abstain.

Detective cook? Yes, Mr. Galarneau.

Yes,

Doctor Gray, yes.

Mr. Hanratty.

Abstain

Mr. Kelroy. Yes.

Miss Krejci. Yes

Doctor Lokey. Yes

Supervisor McClure, Yes

Doctor Miller. Yes

Doctor Morey. Yes Miss Musick

Yes,

Mr. Naegele Yes

Mr. Neal. Yes, miss Opheim.

Yes, Mr. Pawlowski. Abstain

Judge Young yes?

Motion passes with 18 yes and 0 No s, and three Abstain.

Thank you.

Do I have a motion?

For SB1829.

This Katie Krejci, I would make a motion that we oppose SB1829.

Do I have a second?

2nd that.

Madam Chair clarification, but I really hear to be the SB. I just want to make sure we're actually something that's actually

yes, the first one is SB and the other two are house bills. Thank you.

We have second correct.

Can I get a roll call please?

I I did not catch second was.

I think it was Katie.

Thank you.

Chairwoman Goulden? yes. Miss Adkins? Yes.

Mr. Barney.

Yes, Doctor Blades.

Yes, Miss Chapman. Abstain

Detective Cook. No.

Mr. Galarneau.

Yes, Doctor Gray.

Yes, Mr. Hanratty. Abstain

Mr. Kelroy abstained.

Miss Krejci. Yes. Doctor Lokey? Yes.

Supervisor McClure.

Yes, doctor Miller.

Yes, doctor Mori.

Yes, Musick, yes.

Mr. Naegele, yes.

Mr. Neil? Yes.

Miss Opheim.

Yes, Mr. Pawlowski. Abstain

Judge Young. Yes.

Madam Chair, the motion passes with 16. Yes, one, no, 4 Abstain

Thank you. For clarification.

Will staff be preparing letters or how will this that it's current written form? These bills will not are not by board

To.

Discussion for.

Madam Chair may be heard

please.

Considering the way that the first communication with the legislature was conducted, as long as everybody's fine with it being put in letter form, I think there should be a letter for each bill.

And then you sign it.

Is that I mean you can put it to discussion, but if you feel like what we did the first time works.

I'm fine with the first.

Is anybody else have any?

OK.

I I have a comment.

Just I think that's fine to do the letter but Miss Goulden get calls about them.

She can also inform the representative to make maybe call in right.

That would be right.

All this public record.

So it is.

So I guess anyone, board including Miss Goulden, someone who has that just in case.

Or e-mail us.

For instance, if you get a call tonight, hope you don't.

You can let the caller know we are preparing a letter.

In no support.

That's fine.

Thank you. Sure.

Moving on to G Umm,

actually Madam Chair motion.

Yes,

Anna Young.

I move that.

The authorized the chairwoman to sign a letter.

To the legislature, meaning that this board has opposed.

Do I have a second in there also, and the governor's office yet.

You're asking.

I'll amend my motion to also add that we will have the governor's office on the.

Thank you.

Do I have a second, second that and then all those in favor.

I'd like to disappoint just.

As well, very mentioned that we don't support it.

I would actually propose to say if it's.

So that's not just.

Actually, staying in our opposition,

I think I'd like to to clarify our position. Was that oppose in current form? Yes.

So,.

I wasn't expecting motions to come across the way they did.

We had planned to do.

Vote to support do not support abstain, but the way that the the the motions were proposed, they all were fashioned.

In the same way, which was we were voting on whether to oppose period, we'll make sure the letter says what the motion was.

Does that make sense? Yes. OK.

All those in favor say. Aye

Aye,

any opposed.

Any abstaining?

Thank you, Mr. thank you.

Cook?

Do you need a break?

Yes, OK.

So let's take a 7 minute break. Thank you.

● stopped transcription

Thank you, Mr. Sergeant. Or detective Cook with the County Sheriff's Office.

Who's going to give us presentation on the Community notification assessments?

That will turn it over to thank you.

1st I'm I'm OK with Sergeant and talk to the sheriff when we're done here.

Gentlemen, make sure it happened.

I'm going to reference sometimes to my colleagues, which is Sergeant Patina and investigator Patina. We're here.

They both work in my office as well.

Introduction. My name is Ben Cook detective with the Sheriff's Office.

I have 32 years of law enforcement, 30 years with Pinal County.

Our sole job between me and and investigator Patina is sex offenders registration.

So it cut my you guys be happy to know they cut my presentation in half.

So with the limited time to get started all nighter.

That's OK. You'll be back next month to.

Yeah. Thank you so much. If you guys are open.

Please.

So let's go.

We'll go right into it.

We'll go straight to the next one who? That's go ahead.

And there we go, talking about who gets notified.

Remember, we talked about statutes and how they're written.

The first statute tells us this is within 133825, which is the Community notification. Statute guides us on how to do notifications and who to notify. Our first one says that we have to notify the surrounding neighborhood that is specific as it gets.

So when I first came in it was it was governed by money.

We can only spend.

That for \$100 to notify the community as far ordinarily as that got, we've now changed that to where we notified pretty much countywide to 1000 feet it it's not governed in statute. We pick up the rules on that. So I know there are some agencies.

That just do the minimum \$35 for the notification and whatever that goes to, that's what gets notified.

So this is where we don't have any clarification or where where a statute was written where we didn't have any input to know what it meant.

Area schools as well.

So if you're working from a county level, what is an area school?

What schools are in that community, whether it's?

Whatever kind of school charter schools, those schools, that that aren't non existent owls versus school districts and that we've struggled with that, we're still working on trying to get our wrap around of all the schools that are in our areas.

We we have come to on a county level, we put out a notification if there's a notification required, we notify all schools in our county because we don't know where school bus stops are.

I know some of the charter schools crossover and the long distance system to get to, so we notify all schools about those that are a notification level and then appropriate community groups.

Really, we have no idea what appropriate community groups mean we notify.

Prospective employers, we have no idea what that means.

You know, we could notify all the employers within the county if their perspective.

If you never know where a person's gonna work, and then the last one is, is the latest new that we had. If the offender has legal custody of a child, the child's school legal custody is defined as the right to possess a child. So we we.

Have no idea what to do with that definition.

It is not any any definition that.

You would think for legal custody. It's if you can possess a child.

So as a neighbor, if I run this the the van pool as a sex offender, he doesn't have.

Does he have to disclose that he has possession of those children legally?

He should be disclosing that grandparents, aunts, uncles, neighbors, friends, boyfriend, girlfriend if they have the right to possess a child, they should be disclosing that it's a Class 4 felony.

To not disclose those children.

You have no idea where to go.

We've been working on this.

This was in that last revision of.

The notification level, which we'll talk about here a little bit that that's one of those where we should have had time to discuss it and it went all the way through.

It's become law.

And now there's, you know, what can we do about it?

I I'm not sure what the intent of it was tonight.

I think I know that they want these schools to know when there are children.

In there that have parents as sex offenders. But that's not the way it's written.

So this is what I was talking about earlier on the levels that are assigned, which we're gonna go over this assessment level, levels one through three are known, three being the most at risk, the the highest risk, one being the lowest risk. But there's a 4th, 4th category.

That most people don't know about.

We call it DPS and through the state as an L&M, which is the statute 133825 L&M.

That L is what I was talking about earlier.

The section does not apply to persons who are subject to the registration requirements as a result of offenses adjudicated by a juvenile court, unless it's ordered by the court. So unless the court specifically orders that that juvenile.

Otherwise, they're going to be in this subcategory of a level which would be an L&M, and that is for the duration of their registration, which should be for 10 years because at age 25 they would be removed from.

The registration as the current statute tells us.

And talks about the older.

The older offenses prior to 1996 were the current model that we're using.

Prior to that, they would be or can be.

It's a may can be ruled as an L&M. Our county right now is doing at L&M.

There are some that are not doing the L&M that they are doing an assessment on every offender.

Well, the the biggest problem is getting paperwork and and being just to a person whose conviction was prior to 1996.

We have in our state we have four that were convicted prior to 1965.

We have four people on the registry with a conviction that will we're not going to get those papers. We're not going to get the conviction paperwork or police reports which are required for our assessment.

That's the biggest reason why we have this May is because of the age of it.

It's more difficult paperwork.

And I that last paragraph, that's what should have been there. But go ahead, no.

Sorry, go back to the other one level one. This is who gets the notification level one when the DCAC we went over the DCAC charge to dangerous crime against children.

So if you're level one, you have a DCAC conviction, or you're a level 2 or Level 3, there's going to be a notification.

Our problem lies in the fact that whether or not your conviction was out of state in Pinal County, we have about 1000 sex offenders, 400 of them come from out of state convictions.

Which means I have to go to those states, gather the conviction at the Europe conviction, translate that to an Arizona conviction.

Find out if there was a minor that was involved in that which would make it DCAC charge, and then determine whether or not they're going to be DCAC in Arizona.

The judge decides whether or not their DCAC is very simple.

I just look at the conviction.

It's 1375. Is there or dangerous crimes against children is determined the way it's written right now. Those 400, I have to decide where my office has to decide whether or not they're they fall within the DCAC statutes.

Fair enough. Not Fair. I don't know.

But that that's what we're stuck with, with the way that the law was written.

You have to do that.

That that interpretation.

And then for level ones with the non DCAC and the L&M status there, there's not a notification. I'll give one exception.

And and a change to. This is the online.

Notification process. That's done.

That's done by DPS.

DPS is responsible that that's 3827. Their criteria for DCAC is under the age of 12.

So if the victim was under the age of 12, they appear on the website. If they don't fit into those categories. So that bottom one where it's level one, if the victim was under 12, that person could still end up on the website. The only exception to that.

And we went over this.

So I don't need to spend much time on it.

My DCAC is under the age of 15. If they are 14 years of age or under.

They fit my criteria for the level 1 DCAC they would get the notification by that statute.

I'm trying to.

I know you guys are on, so I don't unless you guys have questions. If you have something, let me know.

Otherwise, I'm just gonna see it to where we get to that assessment part.

Community notifications have to include the following information.

This is done through our Offender watch program. For the most part, we can go through the program and DPS runs, which is a Offender Watch.

Regulates and maintains the records of all our sex offenders. We can ask them to mail Flyers to an address and we put in what the radius is.

We put in 1000 feet radius and they mail them to that community for us.

There are exceptions.

Arizona City within our county.

We cannot do that.

It's a post office driven community. We have to go out, we go out and deliver those door to door.

They have to be paper.

They cannot be electronic.

So we go.

Hopefully.

Maybe not in summer. If it is in summer wear out there like 3 in the morning.

Not that bad. After 6:30 in the morning, we're out going door to door, putting Flyers on doors to maintain. We have three different areas in our county that we have to do that.

So door to door for that part.

This is the information that's required on those Flyers.

Those Flyers go out and then it's given to print media as well.

You can advance.

That's what the flyer would look like.

That's the one that's generated by a offender watch.
We have our own that we make gets a little bit differently, but this is like a postcard size.
It just gives the general information of the offender.
There would be a photograph in that in that top right corner that gives a picture of what the offender looks like.
It's a black and white picture and then a phone number for our offices included on there.
We have to go in and put the level on there.
There's not an area designated for the level, so we make sure to put it in two places, one up in the comment and 2nd down on the on.
Those aren't designated areas.
That's where my county does it.
So all of them may not do it that same way. I'm not sure what the other ones do.
This is where we're going to start getting into the community.
Notification the the risk assessment we have once a person moves into my county or comes to register with me for the first time, I have 45 days to complete an assessment.
So the assessment that we're about to go over, I have to complete before we can do that, we have to obtain.
The court documents the police report.
prison records.
Any any information that you're gonna see on this assessment as we go through it, we try to do our best to have it in writing. We want some documentation.
We don't wanna make anything up.
We don't take the word of the person that's on the registry.
We want things in writing as best as we can. If we cannot get all the information we're required to put them as a level 2.
So if I can't find a police report, some agencies don't maintain them that long.
Around the state, if I can't find the police report, I can't do a legitimate assessment. I have to put it as a level 2.
They get the community notification and and so on from that from that level.
So it's important to be able to get those. And now states are on the same page as we are.
We're about to go into the assessment and if you guys want, I printed up 20 copies.
So I have copies. If you guys would like them.
I'm just going to set those.
While Cooks passing those on.
I just wanna remind the board that it is in statute that we're looking at this assessment at some point, so I appreciate you.
So what you guys, what you have to understand is we're Cops.
We're we're not doctors, we're not counselors. And sorry.
We have no experience in why this assessment is what it is.
We can read the assessment and do what the assessment tells us. Our county, the way that we

do it and we've encouraged our the city agencies within our county will assist them in doing this.

Is we form a committee?

So my Sergeant will be there. My entire office will be there and any other agencies that are involved will be inside there and we will discuss.

The assessment as a group to make a determination as to.

As to each question, as we go through it, so you'll see on there each question gets. I'm sure you guys have seen this stuff before, if you know what we're talking about, I do want to note that if you look at the top of that assessment the year.

For this is 2002.

That's when this assessment was developed and implemented.

We've been using it since.

Yes, Scott Naegele questions it when you use the 2002 date is that when the replication study of the instrument was done?

When the first version of the study was done.

Refer that to chairwoman Goulden.

So what?

I know.

Is that this is a DOC.

Assessment and maybe Mr. Neil remembers.

Because when we trained on this assessment, we met with TSP multiple times, so I'm not.

I do know.

They say it's a valid assessment.

I don't know details other than that.

I can tell you that the Statute does not regulate what assessment we use. This statute says that the state assessment is what we have.

It tells us that we have to use the assessment determined by the state, so I believe it's within this board's view to change this if it's

Scott Naegele there any way we can seek to track down.

And I know there was a replication that there was a study done.

On the instrument to to to validate that the instrument at some point in time, but not care about whether or not that was 2002 date or continuing later than that.

Thank you, Mr. Naegele.

That's a good point, I wonder.

Mitchell, is that possible? Have staff contact.

Roger Cornell's office and they their community notification team. Which?

Mr. Moore used to work with.

Frequently, so I know that maybe they'd be able to help us that question.

Oh please.

That was the end. I want to make sure the rest of.

So anyone?

Thank you. The Community notification team at GSP.

Whoever's been target, that should be able to get information.

That'll be great.

Just maybe an opportunity together. Thank you.

Specifically, Mr. Naegele repeat again.

Validation study. Is that correct?

So there's been one validation study of the original instrument.

There may have been another one since then that I'm not aware of, but it's been in the 15 or 20 years since I heard about that could well be your 2002 date is accurate.

I I don't know.

I have a copy of it somewhere in it.

Thank you.

I know that there's a study on there.

I saw the original at one time from back in 2001 when when it was discussed within 2013. I I think one of the key things that I want to to stress with you guys when we're when we're discussing this is this is prior to.

The current problem we're having with social media and online problems, this is 2002 prior to what?

Were the explosion that we're in now?

Now and we see it on our end, we see that this assessment does not address that whatsoever. Or at sometimes you could put it into places, but it it really lacks the the inclusion of social media and some of the problems that we're having with with online crimes and things like Internet crimes against children and such.

So let's jump right into this.

You guys have more expertise than I do, but this is the first question.

There are 19.

Then we have to go over as we go through this assessment.

The first one talks about the number of convictions.

I can let you guys read that, but but for the public for the total number of formal legal convictions for sex and sex related offenses, including the current offense scoreboard, felony and misdemeanor convictions, as well as any juvenile convictions, adjudications if several counts occurred in one trial count.

Those as one conviction separate trials indicate separate convictions.

This this task has been has been a problem.

I have an offender came from California.

He spent two months going from hotel to hotel, looking for open doors and committing sexual assaults. When he found open doors.

Two months where it was taken into one one trial. It was one conviction, so I can't show the fact that for two months he was making it an everyday thing for him to go out and commit.

That sexual assault I had to put it into one offense, and that's just one example that I could bring up the top of my head there.

Multiple problems with that. Now you guys again this is.

This is, you know, cop guy talking to doctors and and such.

So that's the problem that we face when we come into our committee is how. How is this doing justice to that type of situation?

So again, if it's one is, the points are 0.

If it's two, they get the the, the S score and the G score, which if you guys aren't familiar, there's a sex offense score, which is the the crime itself. The G score is the general recidivism, the likelihood of reoffending those two scores.

Throughout this process, and I hope most of you guys know that, but some may not through that process, you're going to have two score at the end, one for the the S score G score.

OK.

Number of convictions for felony offenses.

This is not sex related offenses.

This is any felony offenses within their past criminal history.

Again, you're going to get the S score in the G score for this.

So another thing that we're going to do is go through and bring up a criminal history.

Look at it.

Complete background of a person. #3 is gonna talk about offenses for which they weren't convicted.

This is not including. If it was all grouped into one conviction.

We can't score it here as a non convicted.

It's gotta be something a separate offense outside of that trial.

So this number three, which is sex offenses that were not convicted.

I also want to add per ARS for our 1321 a failure to register is a sex offense.

So if you have a failure to register question number one is going to have at least two your original offense and a failure to register accounts as a sex offense.

So now you would have two convictions for sex offenses.

So if we go back maybe 10 or whatever we're doing it, I'm going to show you in 3821 the offenses that that get you on there telling you to register as one of them.

Whether it's a misdemeanor in another state or conviction in Arizona, it's going to be a second civil the age first conviction.

For some of you guys, that makes sense.

Through us, we score based on it.

We don't understand it, but we score based on what it says.

So if it's a 23 years of age or younger, they're going to get points.

I know you guys are, like, chomping to talk, so.

No other time.

Unless anybody had a clarifying question about the way, I think some of our psychologists

feel the why if they want to improve the.

Anybody I've got to. I just want to add that at some point, if we decide to change or to keep this, it's important that the people who are doing the assessment understand why we're why we're scoring the way we are, because we sit in a room and discuss.

This and we're discussed it by some of the questions as to why we're doing it and it motivates us to opinion based.

Change that assessment based on this. This is ridiculous.

Don't understand it.

We we need to understand why we're doing what and we don't other than you know here and there, we get opinions.

So Mr. Naegele, go ahead.

Just gonna make 2 comments. I found the name of the original researcher named Darrell Fisher that need to be, and perhaps with Darrell Fisher's name attached to it.

Phd Darrell Fisher tracks research studies.

The age issue is is morphed across time.

That really boils down to more the younger you are, the more impulsive you are.

Risky you are.

The age in in the static instruments.

Is once defined a certain way has been redefined in recent years.

To suggest that whatever person is.

And I'll I'll add another thing just for awareness is we do this one time.

When they come to our county, we're going to do this one time and they could be in our county for 20-30 years.

It won't be done again.

It's it's they're going to get the assessment and then there's nothing in statute that tells us to do it. If you're in Maricopa County, you have 10,000 people on the registry.

You don't have the ability to just when they desire it for you to do another assessment.

It's not feasible.

Pinal County, we have 1000.

That would be and I'd have to do almost just less than three a day in order to keep up.

If if they wanted unchanged, so this is done one time when they first come in and then that level sticks with them.

Throughout eternity.

Doctor Miller.

So it's not redone, it's not redone if they commit a new offense.

If we know of the re offense, yes, that can sometimes be difficult because we may not get told.

We may not know if they've re offended it.

It's a difficult thing because again, I would have to start doing criminal.

Histories on 1000 sex offenders per year to know when to keep up with.

I mean, if they're, if I've done the conviction and I put it through the process of my office, we're gonna know.

But oftentimes I may not know if the city's done it or if another county within the state has convicted. I may not know.

And doctor Miller again, just to your point, you know you guys are feeding those assessment not quite understanding where some of these questions are coming from.

Just a quick glance.

A lot of these look like they're tied to the static 99 R 799, which is an actual risk assessment. I don't know if they're always aware of that connection, or if that might help.

That test I'm from what I understand is those assessments are done like every six months or or more often.

And that was again done more often.

We do it one time.

So this is going to be a long standing score that I'm giving this guy to.

Is this the right thing for us to do? Is to question that we have.

Often we're doing this because it's going to live with that type forever.

Well, Farah Lokey, the one thing that outstanding obviously it's actually is static because I don't understand that. I mean I understand age of first conviction was younger than 23 than more impulsive but.

What if you're doing this and it's in your county?

They're 40, so you're you're.

Missing the whole timeline here.

First conviction that that's something that doesn't make quite a lot of sense to me.

I would say.

Yes, the end of the assessment, which I know about, gets to when someone completes treatment.

Yeah, I know that people on probation, we used to have a call, but the notification system, if they would change their score when they completed treatment successfully because if people were on the verge of a level that that was a big deal. If we were one or two and.

The change that's for like the dot, it's just.

It will just touch that and that would be another missing piece if that's not even.

How is that really in this assessment?

Scott Naegele. Commentary you raise a really good issue.

This instrument has had no work done on it in at least 20 years, and in that 20 year period there hasn't been any work done on this instrument.

Is when all the work on SOTIPS and the stable and all of these dynamic skills come into existence. And so this doesn't speak to any of that stuff, which is of concern for sure.

I can tell you it is very rare for someone on the registry to call me and tell me that they've completed counseling.

It's it's very rare.

Most of the time, you're gonna if you'll see this at the end, you're gonna get three points taken away from your assessment. If you've completed sex offender treatment, you're gonna lose a total of three points. Most of the time, that's not gonna do anything.

But they still don't.

We don't get any notification.

It's rare we we reach. We are trying to let these guys know more about what's going on.

We try to keep them informed. We've been getting a few more lately, but it's it's getting miss.

We rarely get anything.

OK.

Brecken Blades.

Do you know how it's determined the point values that sound used to determine, like for example you said you get -3 points in complete treatment, so why?

How do we write it?

Three, it's the the scores are right there.

That's. That's all I know. The scores are given to me on that sheet.

Scott Naegele comment about that.

They're they're they're. They're waited from the original research that the instruments created.

And then since we validate so statistical analysis was done on which items get more weight than other ones.

So if we get the research potential that will be in there, it wouldn't be in there I guess.

But yeah, that answer. OK, use of weapon in the sex related offense.

So if there was a weapon used, and then again, they're gonna they they give us definition in there. So it says that.

A weapon is defined as a object or implemented with a.

Legal injury. The term includes a firearm implied as well, so we look at this.

This is where that police report's important.

We need to know the details.

Sometimes we're able to complete it with the with the probation report that they give to the courts. If there was one at that time sometimes.

In order to answer this question, we have to have that police report or we have to have that pre sentence report. If we don't have it, we can't answer the question and we we generally throw this towards that level 2.

That because we can't answer the question we've got to we've got to do with the statute itself.

And so this guy, if we don't have that, they would go towards that level 2 automatically.

Total number of victims in all sex offenses.

This is where we start to look at things like child pornography and the downloading of photographs.

Because you can have thousands of pictures.

So those guys are going to get scored maximum points because we have thousands of victims in the downloaded child pornography Those guys often get this higher level because of what

we do is look at the report.

How many pictures were mentioned in the report?

That for this score comes from if they only downloaded one photograph, which is almost never, then they're gonna start to get the scores here.

Which will lead us into another one later on this one. If they're downloading child pornography Normally it tells us if it was both sexes and they're gonna get those points as well.

This is another one that chapped.

I had to call my sheriff down when he went over this because of this question.

He said.

Why don't females count when we're doing an assessment?

And I have to tell him, I don't know.

That's an erroneous assumption by the females again.

Well, their scores 0.

So I did find the research on this that's promised to me or so though.

So the research shows that offenders who have offended against male children or male adult varsity at a higher rate compared to those who do not have male victims.

Having male victims is correlated with measures of sexual deviance.

And it's seen as an indication of increased sexual deviance. And then the researchers posted.

So just that is where that comes from.

And then we we have the question of how current is this this question still and and you guys would have the answer. You know, I don't know the data that you're bringing up, but our question would still be you know is this the current philosophy, is this still?

The way that things are done 25 years after this assessment.

And I I see some head shaking, so maybe it is still.

It is still a relevant question.

Uh, but again?

The the ability to for us to be able to explain this. You know, I meet with my with my city agencies within my county on a regular basis and I can answer questions for them.

But I have to have the answers 1st.

Missy Musick?

Yeah, just curiosity is about research for both male and female.

Just a male.

Males, so it does not let us exchange it if the if the offender is female, we still have to support the same way. You can see that within the within the question here as well. And I have had a similar question. So maybe one of the psychologists could.

Answer This so we talked about this seems to be based on like the static 99. R is the static 99 R an assessment that's used on people to prevent child pornal.

Sorry, my name is Katie Krejci.

Umm, static 99 R instead of 2002.

Or not be used for children pornography event. Now they have a offending history and even the rest of their children are. Repeat that instrument again.

If they only have child sexual exploitation.

So let's go relationship offender to victim.

We have the family acquaintance and stranger. We use this same criteria.

We we use the criteria of known versus not known when we're doing the Community notification. We don't put the words family on the Community notification, but we also want the public to know if that stranger category is in there.

We're doing the notification, so as we write that public notification statute, we don't say a family.

We will say acquaintance or stranger, known or unknown to that for the offender.

But those are important ones as well.

I'm sure that you guys understand the the the relevance of the family versus stranger versus the acquaintance.

We've also developed our our if you can go back one, I think it does kind of define the difference between family and acquaintance. We have as a group decided that family is any family member that lives in the home.

It is a family member that does not live in the home. We classify them as an acquaintance just because they're they're not within that family structure.

Not sure if that was the gist of the question, but that's how we've come to score this category as it is our account.

No thoughts and good for me.

Jim Hanratty?

Just go back one slide.

Sexual and general sex.

So it's an acquaintance on a non sex crime to get scored and get a hit.

A big a big number.

They don't get anything.

That's that's right.

You're talking if it's family.

Yeah. Well, is there a question?

I'm not sure what your question. Well, the question is a 0 score on the right?

That's that's exactly what it says there.

So it's zero, there's.

Correct. I'm gonna. I'm gonna escort yes.

Scott Naegele

These are all statistically determined. OK, sometimes statistics don't make sense to.

So where I'm looking for that six months.

Yeah, that's that's what's playing itself out here in Sterling.

And yeah, this is Katie Krejci.

Another point of clarification.

So we talk about the sex offense score at the end you get a score for sex offense and you get a score for general. So if they're like high risk for general recidivism, they're still scored a little, two or three percent under.

It's not necessarily to be able to play against that for a non sex offense 10/5.

It's all based on their.

Sex offense history.

They get a sex score in a general score. You score all the sex scores, you score all the general scores.

You get a total combined stats with that recidivism total recidivism rate.

In both, there's certain categories that assess the evidence.

What makes someone a lot cheaper?

And then the date rate question. So if if they knew them under 24 hours.

Stranger, which makes them higher risk.

At least for them, I can read that this is longer, but a victim is considered a stranger. If the victim did not know the offender 24 hours before the event.

Contacted over the Internet are not normally considered strangers unless the meeting was planned where the crime lasted 24 hours.

I know we want to keep moving longer, but the definitions of these categories are probably outlined in the manual for this instrument. The definitions for these categories and other instruments may not match up with the definition of the categories, since that's really important to understand.

OK.

So use of force is one that I'm going to spend a little time on use of force within the offense that occurred in this next one.

So use of force is talking about.

Maybe that's OK.

We'll talk about this first use of force.

So the greatest degree of force used during the offense.

So we're looking at whether physical force like you, like the person was physically restrained by some kind of violence or bodily harm, whether there was a meeting that occurred during the offense, that kind of thing is what we're looking at.

And it can.

It can kind of go if you hit the next left, it can kind of blend.

In my in my thoughts with this one, which is other characteristics of it?

So we see the we see the last category victim torture.

Mutilated, we see victim tied up, handcuffed or bound. These two can kind of be put together.

One of the things that we were looking at and have come across in many cases is I had one where the victim showed up to.

The suspect's business.

The offender's business and while she was there, she complained of being ill he gave her something to drink. Knocked her out.

He's been raped her while she was unconscious.

Does that fit into being bound or tied up?

He made her unconscious at that time.

Uh, the same thing can be found when you're dealing with alcohol, when you have people at a party, alcohol is involved. You know that person is getting intoxicated and becomes intoxicated to the point where they're no longer conscious.

Does that fit within the victim, tied up, handcuffed or bound in our agency has been scoring that those circumstances as tied up and cuff or bound.

We've been giving those because we feel that that is.

An overact on the side of the offender.

To bound to bind that person and to keep them from moving and going away.

So what I'm hearing is you guys are doing your very best to score as truth possible.

But you just have to make quite a few judgments, correct? Correct. We are making calls and

The thing is is when we make these calls, we the understanding that this score that we're getting, this person should be for life.

So we're weighing that as we decide that we're going to give them the points on this.

We know that potentially that score is going to stay with that offender as long as they're living in my county and in my jurisdiction. That score will probably never change once they move to another jurisdiction, there is potential for that other jurisdiction to reassess. They don't always do.

It I I would say a lot of times they're not doing a reassessment on the offender.

They're maintaining the one that currently exists.

So this seems like sorry.

So then what I'm hearing, if you guys are making more judgment calls, what people will be honest, then they would go somewhere else and they're also going to make their way, right.

Yeah, that could trigger a reassessment.

Not necessarily, but it can trigger a reassessment for a person if they were to just move to a different jurisdiction.

So I can tell you Missy from our experience and probation that oftentimes someone can move from Phoenix to another city.

And they they will be a different level if that's your question or point. That was the points I'm asking.

We did have agencies and jurisdictions that have policy that.

Were restrictive when it came to level threes, and so it was motivated to not make that person a Level 3.

And so you would.

We would see it actually.

Our probation was motivated to not have them as a Level 3 and so I know of an occasion where I assess when he became A Level 3 the next day he was a Level 2 and we had no idea why would stop that.

It doesn't happen anymore, but it was motivated because then they have to have the ankle monitor by probation and there were other rules. So we go through this, we're responsible for this. We stop probation from doing those assessments.

There was a motivation to do change it and we can't afford that.

Anyways, so those are the other characteristics.

You can only have one of those offenses, so you cannot have multiple within this one question. The the Max score is a three in a set.

Length of sexual offense history.

You know, this is this is pretty easy if it's, if their offense history again though.

Remember that failure register is a sex offense.

And so if they've done it beyond the five years, they're going to get the five points for admitting a sex offense, which is not carrying a driver's license on potentially.

So if you didn't carry your driver's license, you were convicted of failure to register, you're going to get points in both that top category, the number one, and in this number 11, you're going to get points just because of the carrier ID.

Alcohol or drug usage, we refer back to the police.

This report specifically to see if there was drug or alcohol in mention in the report. We also refer to the criminal history to see what violations were occurring at the same time as the events to see if this was looked to be some kind of interference at the.

Time of the offense and then that score would be assessed as well.

This is one I don't know.

I I think we had it one time where we were able to determine whether this applied, but this is talking about a mental or cognitive impairment of the defender.

We don't get this information.

This is not, and we're not allowed to use. What the?

The the the registry, that person.

What he tells us we're not allowed to use it specifically tells us do not credit self-reports diagnosis. We don't get doctors information.

We don't get this problem from anyone, so this question is pretty much ignored as we go through it.

It it never occurs.

Like I said, we did have one and I believe we got that report from probation. Got a probation report and whether it was supposed to be or not, it was there.

So we use it.

OK. Question. Jim Hanratty,

Yes, jus on the top of your head, no hand to fire.

But how many juvenile registered sex offenders do you have?

I'm refer to Andrew to see because I know we ran through these, OK.

Let me say this.

There are 5 offenders in Arizona that were convicted in 2008.

Two of those offenders are under 18 and they will turn 18 this year, one in November, 1 in March.

Otherwise everyone is over 18, that is, and I checked the registry for this.

Now if you're asking.

How many were convicted as a juvenile?

That's different.

I don't know those numbers off the top of my head, but I can tell you we have 5 in Arizona convicted in 2008.

And of those, only two of them are right now under 18.

They're 17 years old, going to be 18 this year.

So I did run that number.

It's the same the the other end,

so I just wanted to just to say that the fact that the that number 13 that you don't get that information is such a disservice to the development of disabled and those who have who are IB population, who don't even know.

You can't get that information that's putting them so much more vulnerable.

We go out of our way to give this to we don't hide this assessment from anybody if they want the assessment, we give it to them.

They're able to see each of the questions and they're able to determine.

I can ask for for medical records and things like that so.

We we give them this assessment.

That's the best I can do.

And then the point was made that if they did that, it would increase the risk. But that again, that seems opposite to me.

'Cause we would want to know that that person does have some kind of barrier to understanding or anything like that.

So that's that's really.

OK.

We'll move on employment history.

So.

This is another one that is is really there.

There's Gray area here, so if they don't have a job, we give them a score.

We also have to determine whether or not they have stable employment when we're doing this assessment. So as a group, we had to decide what is stable employment and we judge that stable employment is 6 months of the same job.

So if we give them a score for having unstable employment, we tell them you are getting a score here, this four and eight because you don't have a job when you get the job in six

months, come back.

And we make sure that we clarify that with them.

We did have one occasion where there was a person who had two jobs and both of them were like 3 months and four months, but they were maintaining the two jobs we we decided that that added to more than six months. We gave them the stable employment for.

Having two jobs at a record 6 months.

So, I mean, we're we're trying to do our best here.

But where we as a group come up with our own definitions on some of these terms?

This is Katie Krejci.

There's jurisdiction that will define this as whether or not the person was employed at the time of the event, and there's no ability to change it.

You may remember at the time that last line I really wanted to JU and I think it's 10 to make me just to measure the good faith report.

But it's been here that the offender has been made his or her time productive response and never had anything.

I mean, how did you determine that?

I from some hearing problems which I have no idea what you said,

I apologies just wanted to make a comment there about that last line, but.

good faith effort of the offender that's made in his or her time productively responsibly?

Then ask the .

Remember, we I I have two in the entire state that are under the age 18.

We're not.

We don't do assessments. The Statute tells us that a a person who is a juvenile or convicted is a juvenile, becomes that L&M and they're not going to get an assessment.

So it tells my county if if they're getting a level.

I would mention the Statute.

I think that says the patient and I I can give you that statute.

It's 3825 L Jim Hanaratty.

Just kind of stayed in the obvious here.

That seems to one thing was.

Perfect. OK.

OK.

Yeah, this is what we're talking about.

The juvenile offenders were talking about juvenile that went through juvenile court, correct.

Does that also include juveniles who were charged as adults, or so? That's that.

So that says that they were adjudicated in juvenile.

So you're you're right. If we saw that as a difference that that's saying that they were

convicted in juvenile court versus adult court, if you have a juvenile that has gone through

adult court and gets conviction, that's a conviction, not the adjudication which the statute tells us.

And so that may be why the people that you guys referenced as having the levels are there because they weren't adjudicated that way. And in our mind that that's important determination that they're adult, that they've been convicted as an adult.

OK.

I'm trying to keep up my mind, so this is now.

The 15 talks about the characteristics. If you guys want to look at the the rules that we have in there and the way that it's, it's guiding us.

If you can call it that, it says avoid and overly broad interpretation which we don't know whether we're getting overly broad or not. We do our best.

Again, this is by our committee. When we come together.

But I can't talk to all the agencies when they've used, remember that.

The assessment is done by the Agency of jurisdiction, so when you come, you come to the county to register.

You have to come to the sheriff of each county 15 counties.

You have to go to that sheriff to register. Once you're done registering that registration is now turned over to the agency of jurisdiction. If you live in the city, that city will do your assessment. If you live in the county, I'll be your assessment in my county.

Each county is responsible the same way, so we have two jobs here.

We we fulfill the city role in the unincorporated areas and then the city does the rest.

Post registration this assessment and then upkeep after that so we can move on to the next one.

That's going to start to talk about these behaviors that we have to mark it and I'll skip ahead a little bit that we have to have three of these before we get a score.

So one or two isn't going to count.

We have to have three to get them all.

You guys can see those on the papers in front of you.

We go through to see whether or not we're gonna get three of them understanding this is very important when we're going through there. This is the one time where you're gonna see child pornography mentioned within this within this.

Assessment right here under the hebophilia.

You'll see viewing of child pornography can be included.

That's the one spot where you're gonna see it in this full assessment mentioned. Otherwise it's not.

It's not talked about.

Any questions on those?

We can only score a three and a zero. If you can't get anymore, it doesn't matter how many exes you get. If it goes beyond three, you're still only gonna get three points. If it's under 3, there's no points.

Do you have something?

Yeah, Amanda Adkins.

For the section hebophilia, it's essential contacting the male and female 14 and under, and then we're using for pornography

Are we including symptoms in the pornography
pornography isn't it?

We included in any child pornography

And I believe that they're they're doing. But when when they're convicting on the child
pornography they're looking for for.

The the prepubescent.

So this is really gonna hit that category because if you go back one slide.

You have the hebophilia here.

You have the pedophilia at the top, which is also gonna talk about it, but you can't.

I don't think we we can't do both.

So you'll get one or the other depending on what that what that photograph reveals.

Oh.

I made those this morning.

I wasn't sure if everybody was gonna have it.

I thought it was good to have it in your hands.

So you know what those top two are?

OK, we can move forward.

Let's get some questions.

OK, felony committed upon previous release from prison, jail or juvenile facility treatment
center.

Again, we're addressing juveniles, but I'll tell you that if it's it's when they're incarcerated.

This is juveniles . If you get some of this behavior. Not that we're assessing juveniles.

So I think this is actually self-explanatory. We can move to 17 discipline history while into
jail. This is talking about major reports. So we allow the prison system itself to determine
whether or not it was a major report that reflects a major report that we're going to.

Classify it that way.

We do our best when they're incarcerated out of out of Arizona.

To get those prison reports, it's not an easy thing to get, but we do our best to get it, we.

Let this take them into the level 2 category. If we can't get this information, we don't.

Again, this is not standardized across the state, but in our county. We won't let this be one of
the criteria to take them to an automatic level 2.

Substance abuse treatment.

This is only applicable if the previous question was scored, the previous one about alcohol
involvement. If they received the score there, then we now look to see whether they had the
alcohol or substance abuse treatment, and then this would would apply there. If they did or
did not.

Not involved in treatment involved, but did not complete.
Our two of them here, the next one will will go even further.
So this one is going to say failed to attain failed to complete denied.
Commitments or program not available. They're gonna give the score.
So even if it wasn't available to them, they didn't have a choice.
They're gonna get the score.
It's three points.
They're gonna get it automatically.
And I mean, I say come in and say, well, it wasn't available to me.
This this doesn't really give me a choice on what I do here.
I don't know why that that's there, but I score by by what the assessment tells me to score on.
That's the 19 questions at this point. We would add up the two different scores.
S score and the G score go ahead and hit that next slide, and right here is the determination of
whether or not they what level that they'll go in.
You'll see at the top you have the total for the sex events, the S score, and for the general
recidivism score you'll have the G score and we put it into the bottom to see where they fit.
20 is the magic number for the most part.
Anything above that, they're going to start hitting level 2.
Level 2 is the notification level and that's where everything.
Falls from there so.
It doesn't matter if you're a 70 or a 20, you're gonna get a community notification.
At least on that G side you have to be at 21 on the S side, but then they're put into one of the
three levels and we move on from there.
Questions over that.
Now what?
I didn't have on there and I should have.
Is the last page of this the last page of this and I don't.
Is it on there?
Yeah, there is another page on there, OK.
It's in the handout, but it was on this.
It talks about mitigating and aggravating factors.
Things. This is another area where we try to stay away from.
We're trying to keep our opinions out of this as much as we can.
We're trying to use the assessment tool that's put there.
There are times where we have to give an opinion, but we try to do that as a group, but
otherwise we try not to talk about these mitigating and aggregating circumstances because
again, we're just putting opinion into something that's been developed for us to use. But you
guys.
Can take your time to read over those those factors that can be applied in there.
That's the end of it.

I was cutting half so I feel like I took a piece of cake out of the center.
So you're talking to guys about this statue because there is so much more involved than that.
Hopefully we can go over the things that I like to that I wanted to reiterate is when when
we're looking at this, I look at it from everything that's done, I'm looking at from an
enforcement perspective, how can I enforce this?
What am I going to be expected to do?
My sole job is registration and tracking of sex offenders.
That's what I do.
That's my only job.
When when we?
We put together these laws and start to make them.
I'm looking at how that happens when when we look at things from effective out there on the
registry, only a 30 people on the registry are on probation.
So if you're gonna make a rule that says they have to go to counseling, how do I enforce that?
Is that something that's gonna be enforced?
I look we have 5000 in prison for sex offenses.
We have 6000 on probation.
We have 10,000 that have no.
No rules, no probation, no prison, not no tails.
There's 10,000 on there that we have to address. I'm.
These are the best numbers I could find.
5000 in prison for sex offenses, which there's three categories that I put together sex offenses.
And there were two other ones that we did rate, and I can't remember what the other one was,
but I combined the three of them and made 5000. There's 6000.
That are on the registry for sex offender that are on probation or parole. And then there are
10,000 that have no restriction. That's within Arizona.
Other than they're on the register.
Thank you.
That's all I had.
This is Doctor Miller.
Has there been any consultation with other county on how they are scoring this instrument?
Any exceptions they make, any rules they've added?
So I'm I'm hoping I'm not talking on attorney. I have met with my sheriff and the Sheriff's
Association and we are forming a sheriff's association group.
We're the ones that do the registration. We want to have some influence on what's happening,
mainly on we want to standardize what is done across the state. Like I said, we do things this
way.
If the other 14 counties are going to do them their way.

We want to standardize that and try to keep it the same.

I hope that we can work parallel with what's going on here to where you guys and us as a board make these assessments make these rules and then we as the counties can work to keep it standardized, keep it the same.

I can tell you right now it's not the same.

It's not standardized.

The assessment is done by the United Agency whether or not they do the assessment.

And of course, training with some issues, you know with there's no gateway change.

Correct. And I I know multiple agencies within my county.

A guy will become a detective and expect it to do this, OK?

So one day he's working, patrol the next day, he's doing an assessment on a sex offender.

If there's nothing else very good information for us.

Thank you. And I know that.

And I know you'll be back next month to do the rest of your presentation. Oh, OK. Thank you.

Thank you.

Thank you. Just this walking.

I appreciate it.

Thank you, all. Before we wrap up, if there's any call, we call for any future agenda items at this time. And as always, you can also email staff and.

Katie Krejci, I would suggest there's some other.

Related bills, so the ones we decided today or maybe put opinions on today, I think we should add those as well to the agenda next time.

I think if you don't now or maybe I don't know if you're able to call about these, if you have an idea of what those bills are.

So I think there's multiple other bills that relate to their early termination on probation and I don't know which ones might take it or not make it through.

So perhaps we can connect to make sure that happens again with staff, OK.

Thank you.

And then at some point, I would recommend you something on probation conditions, but if not, probably in the next meeting.

In what regard?

Like what they are taking part of our OH things after presentation, OK.

Perhaps Mr. Neil and .

K OK.

Conditions go ahead, Mr. Neil, yes.

Let me just get a comment first.

Oh, we we wanna bring somebody probation to similar.

OK.

Thank you.

I can see time and it is five O 6.

Thank you all so much.

Five O 7 I will adjourn this meeting.

Thank you all so much for your time and everything tonight.

Thank you.

Oh, I need a motion.

Yeah. I'm so sorry, Missy Musick I motion we adjourn. Do I have a second? Yeah.

Amanda Adkins second.

All those in favor, aye.

Should read the motion and we seconded for the record, this meeting is to help.

Missy Musick.

Thank you, Amanda second.

All right. And all those in?

Favor. Aye. I think that works.

I know.

● stopped transcription