

AZSOMB August Meeting-20260831_143830-Meeting Recording

August 31, 2026,

AI-generated content may be incorrect

Notice: This transcript was generated using Microsoft Teams automatic recording & transcription technology. While every effort has been made to ensure accuracy, the nature of automated transcription means that it may contain errors, omissions, or phonetic misinterpretations of names, technical terms, and legal citations. This document is intended as a general record of proceedings and should not be treated as a verbatim record. In the event of a discrepancy, the original audio or video recording shall serve as the definitive source. Questions concerning this content can be directed to azsomb@azdps.gov.

Good afternoon, everyone. I'm going to call the meeting to order. It's August 31st at 1.34 p.m. Thank you all for being here. Major Mitchell, could you call the roll?

Thank you, Chairwoman Goulden, who's obviously present. Miss Adkins?

Present. Present.

Miss Balson, participating virtually.

 **Jamie Balson, Victims' Attorney**
Present.

Mister Barney.

Present.

Doctor Blades.

Present.

Miss Breed.

Present.

Miss Chapman.

Present.

Judge Cohen participating virtually.

SC Suzanne Cohen (SUP)

Present.

Detective Cook.

Present.

Supervisor Fanning participating virtually.

JF John Fanning

Present.

Mr. Galarneau.

Present.

Major Griego.

Present.

Mister Hanratty.

Miss Kaczorowski, participating virtually.

KK Karolyn Kaczorowski

Present.

Mister Kelroy.

Present.

Miss Krejci.

Present.

Doctor Lokey.

Present.

Supervisor McClure.

Doctor Miller.

Present.

Miss Musick.

Present.

Mr. Naegele.

Present.

Mr. Neil.

Present.

Miss Opheim.

Present.

Mr. Pawlowski.

Present.

Miss Panas is participating virtually.



Jenna Panas

Present.

Representative Powell.

Here.

Dr. Rivera.

Present.

And Judge Young.

Present.

Madam Chair, you have a quorum.

Thank you. At this time, we will move into a call to the public. This is the time for the public to comment. Members of the board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to ARS 38431, action taken as a result of public comment will be limited to directing staff to study the matter. responding to any criticism or scheduling the matter for further consideration and decision at a later date. Major Mitchell.

All right, up first today is Michelle Stevenson, followed by Gary Hardy, and then Susanna.

Michelle Stevenson, can you hear me?

MS Michelle Stevenson

Yes.

I don't have a timer that's going to display, but I will start a timer here in the room. When your 3 minutes is up, you'll hear the bell. And when you're ready.

MS Michelle Stevenson

Sounds good.

Hey. Dear members of the Arizona Sex Offender Management Board. My name is Michelle Stevenson. I live in Portland, Oregon. My pronouns are she, her. I first came

to SOMB, as some of you might remember, to inform about harmful, unethical interactions with a former board member long ago. Then, When that letter was hidden, I came in person to critique some members of the board on their response to my victim-centered activism. Beth Goulden, chair of the Arizona Sex Offender Management Board, was quoted by Arizona Mirror's Jared McDonald Devoy as saying she had never spoken to any of Morey's quote unquote victims slash accusers.

But I was called by someone who identified herself as Beth Goulden, chair of the Arizona Sex Offender Management Board on May 5, 2026 at 2.29 p.m. That's Portland Pacific Standard Time. The call lasted 5 minutes. I have requested a public record from Arizona DPS to know who called me at May 5, 2026 for 5 minutes. My phone record showed the number that called me was 602-223-2000. When I asked the woman who called me if Peter would sue me, the woman said, I don't know. I don't know what you signed with him. I responded, but it's all true.

It all happened. You can look it up. I would like to say that the woman who called me on May 5th. 2026, and identified herself as Beth Goulden, did not advocate for me, and I felt hurt by her. I guess that woman, whoever she was, mistook me as someone who previously settled with Peter Morey. I want to make sure everyone knows that I have never signed anything with Peter except the regular psychiatrist, patient, Privacy papers, and I think I once signed a release for him to talk to my lawyer about me.

The last day I spoke to Peter Morey was the day his doctor license in Oregon was emergency suspended. The woman who called me on May 5 said she had no idea how Peter Morey got on the board or who appointed him. She said that my letter was the first she had heard of accusations against Peter. She called me about two to three hours after I sent the letter to the Sex Offender Management Board which supposedly was when she first found out about the accusations against Peter. She did not sound surprised or interested about the information in my letter. She sounded like she wanted the conversation to end. Why did the woman who called me from Arizona Department of Safety phone line seem to be thinking I had signed an NDA of some type with Peter?

It makes me inclined to disbelieve that SOMB and Montenegro and DPS knew nothing about Peter's past. And it makes me think that other victims slash survivors slash ex-wives have signed NDAs with Peter and that some people on the board knew about an NDA when I was called by the woman who identified herself

as Beth Goulden, chair of the SOMB. If anyone thinks they can successfully coerce me into signing an NDA, they don't know me at all. I want to make it clear.

That's the time. Thank you.

Next is Gary Hardy.

Good morning.

This is the second time I've gotten up to speak following her. So I'm just going to take a deep breath for a minute, because it was real emotional. My name is Dr. Gary Hardy with the Collaborative Justice Institute. I have submitted A comprehensive empirical brief into the public record. It looks like this. It's in your handouts.

defining the structural flaws of Arizona's containment model, and the urgent need for standardized exit criteria. Today I want to leave you with one defining question. What is the exact clinical benchmark for completion of sex offender treatment? If A probationer, a therapist, or judge asks how an individual successfully completes, the answer should never be when the private provider decides. It should never be an open-ended financial sentence.

Right now, our state operates under a legacy system where minimum guidelines are enforced as permanent floors. Individuals who completed intensive rehabilitation in prison receive 0 credit upon release.

Men and women who have stabilized their lives, maintained steady employment, demonstrated years of flawless compliance, remain trapped in weekly or monthly private therapy for five, 7, or 10 years, paying 10s of thousands of dollars out of pocket without ever receiving clear goals Midpoint assessments or an off-ramp. When treatment has no defined exit criteria, it ceases to be rehabilitation. It becomes indefinite punishment with a price tag. The risk-need responsivity model, endorsed by ATSA, Department of Justice, and others, demonstrates that over-treating low-risk, rehabilitated individuals causes harm. It erodes employment, it strains families, and weighs state supervisory resources on people who no longer pose a danger. Under ARS 133828 subsection D9, this board is explicitly charged with measuring offender progress to determine release and supervision conditions. We urge you to fulfill that mandate structurally by establishing statewide objective exit. competencies. Eliminate commercial conflicts of interest by instituting independent clinical reviews and align our standards with science rather than indefinite administrative containment.

Public safety is measured by the stability of the individual, not the perpetuity of the sentence. I urge you to review the empirical framework submitted in our brief. Thank you very much.

Thank you. Next is Susanna, followed by Kim Drogosz.

Good morning, members of the board. My name is Susana Carreon, and I thank you for allowing me to share our life-changing event and its legal process. My son, Daniel, who was 19 years old at the time of the offense, was deemed with a normative psychological sexual evaluation.

passed a polygraph examination with results, strongly suggesting he is not a danger to the community. Daniel is currently serving a five-year sentence, life probation, and will undergo registry upon his release. I am here today seeking for reasonable change in laws.

You see, the legal consequences will happen different for Daniel if the victim had been in fact the age she alleged she was prior to meeting with Daniel on January 2025. The law of Arizona on that consensual contact with the 16-year-old will not have triggered the same statutory penalties, and he who could have no criminal offense, avoiding the designated DCAC offense. Daniel's court paper states that his conviction is a first-time felony and does not include a dangerous or serious offense. However, he was given and gets to have life probation. Daniel, also faces the daily challenges of juvenile glaucoma. Because there is a currently no cure, this condition possess an immediate and severe threat to his vision. My son, a hard-working, responsible, and caring young man, will not be able to reinstate a decent life when he is released.

He will not be able to live with us, as I also have an 11 year old. This, among other challenges, are currently present upon Daniel's release. As you see, his future and health are beyond uncertain.

And I pray daily that upon his release, he will be benefit from SB 1662. But I also want to recognize the tremendous amount of hard work and effort that is done here. I recognize the heavy burn it must be when making decisions.

That can affect or benefit so many people for the rest of their lives.

I pray to God he gives the members of this board the wisdom on every decision making. Thank you.

Thank you, Kim Drogosz.

Good afternoon, Chair and members of the board. My name is Kim Drogosz and I represent myself. First, as we approach the 2027 legislative session, I ask the board to establish a formal procedure for communicating its legislative positions. Specifically, I recommend establishing A three business day timeframe for the chair to communicate the board's official decisions to the appropriate lawmakers. During the last legislative session, we saw how quickly bills can move through the process. Delays in communicating the board's position can result in lawmakers acting without timely knowledge of the board's position. A clear three-day mandate would help ensure the board's decisions are communicated promptly, consistently, and accurately.

Second, I asked the board to consider creating a developmental disabilities and neurodivergence subcommittee alongside the adult and juvenile subgroups. Individuals with IDD, such as autism, may process communication, social cues, consequences, treatment, group environments, and polygraph examinations differently. I would ask this IDD subcommittee to examine whether current treatment and supervision models are designed primarily for neurotypical individuals, and if so, how those models should be adapted for neurodivergent individuals. The subcommittee could evaluate evidence-based treatment, disability accommodations, individualized risk assessment, polygraph alternatives, communication methods, and specialized training for treatment providers and supervision officers.

Third, I request an update regarding the concerns raised by board member Dr. Farah Lokey on November 17, 2025. Dr. Lokey questioned whether the board's guiding principles adequately recognized intellectual and developmental disabilities like autism and other forms of neurodivergence.

I ask the board to explain what actions have been taken and to revise the guiding principles. So these distinct needs are expressly and meaningfully recognized. If time permits today, I respectfully ask that a motion be made to address these matters to today's agenda. If that's not possible, I request all three of these matters to be placed on the September agenda for the board's discussion. In closing, on behalf of Praxis Initiative, I would like to invite the board to attend Minds, Justice, and the Law, Neurodivergence in the Criminal Legal System on November 9th from 9 a.m. to 3 p.m. in this very room. Praxis Initiative is sponsoring this event, which will bring

together nationally recognized experts from across the country to examine how neurodivergence intersects with the criminal legal system. This is not a theoretical conversation. It is a growing issue affecting families across the country. Far too often, people with IDD can move from being vulnerable to victimization to being labeled a criminal without the system fully examining how disability, coercion, exploitation, or limited understanding contributed to the alleged conduct. Registration is required. I will send the registration link to Colonel Mitchell and we respectfully ask it be shared with all board members. I sincerely hope you'll all be able to attend. Thank you.

Thank you. That concludes the call to the public, Madam Chair. Thank you.

Do I have a motion to move into executive session at this time?

I'll motion. I motion that we move into executive session for legal advice.

Do I have a second?

Second.

J **Jamie Balson, Victims' Attorney**

Jamie Balson, I second it.

All those in favor?

JP **Jenna Panas**

Aye.

Any opposed? Any opposed?

We will now move into executive session.

Try and take all your belongings with you. We'll call you back in after executive session.

Beth Goulden

For the record, Jim Hanratty is participating today with us virtually. Can we just confirm that Jim can hear us? Jim? Jim, can you hear us? Hanratty?

JH Jim Hanratty (SUP)

Yes, I can hear you. Can you hear me?

Okay, perfect. Yes, we can. Thank you. Moving on with our regular agenda today is the discussion and potential adoption of the revised juvenile guiding principles. If everyone could pull that up, that was on the background material for you. Does anybody have Any additions, comments?

JH Jim Hanratty (SUP)

OK, thank you.

Madam Chair, if we could pause for just a moment. We have two board members that were participating virtually that do not seem to have rejoined the meeting. It looks like Miss Panas and Miss Kaczorowski are still on hold, so I want to give them an opportunity to join. Maybe we can take a short break.

Yep, let's take a 7 minute break and we'll reconvene in a few minutes.

● **Ashlesha Naik** stopped transcription

OK, we're going to go ahead and get started.

With the juvenile guiding principles and the adoption of the most recent recommended Changes. Does anybody have?

Want to lead off our discussion, comments, feedback on that?

Madam Chair, if I may,

please.

Ana Young, a lot of the recommendations that were made as far as the changes go were brought about because a Joe Kelroy and I, we sent a joint e-mail to all of the

presiding juvenile judges and the juvenile probation chiefs around the state, and we got the feedback from those. And so that's how the red line version came to be.

Thank you so much and thank you both for doing that.

Can I ask a question just related to the victims? It's page two.

Number 4, or is it page 19? Maybe it is. Maybe page two.

The second paragraph, #4, where it starts safety, protection, developmental growth, and psychological well-being of victims are a priority. It says victims should. How, I guess, I know it's, can we do victims shall or should, like, I'm just, how does that work in, I mean, with juvenile? court and whatnot related to victims to make sure they have the opportunity to be heard and informed when decisions pertaining this says to their safety. I just want to make sure that that word's as strong as possible, especially if we're talking about their safety, if that word should be changed to shall.

That was my only concern about that question.

I, um, Missy Musick.

I almost feel like the word should be must.

Yeah, like just maybe a stronger word there to make sure the victims are. Heard and informed.

Madam Chair, I think the problem with must, though, is sometimes we have victims who haven't opted in, and so...

They don't want to be contacted.

Would this be then only for opt-in victims?

Well, I guess that's like, I understand some do not. I mean, many do not often.

I think that's why it's a should. Yeah.

I'm seeing it. Sorry, Missy Musick. Must have an opportunity. It's like the full statement. It's not like they must do something. It's just that they must have an opportunity.

I think it it would be important to clarify either opt-in not opt in this to me when I read it was was victims, but

I mean, all victims should have the opportunity to be heard and informed when decisions pertain to their safety, which to me that, if this, I'm trying to think where we are at here in this, but if it's someone who is obviously in the system, is this, you know, whether it's pre-sentence, post-sentence, someone's on probation, how can we make sure that the priority is that the victims are being heard and informed, especially when it does pertain to their safety. That's my only comment and feedback. Otherwise, I think it looks great, and I appreciate you guys doing that, but that's just my, I want to make it, that we're not, We're making it as clear as possible that victims should have this opportunity. Yeah.

Madam Chair, Joe Kelroy, I would just say who are we speaking to here, the victim or the system? The system must give the opportunity to victims. The victims must not, you know, they don't have to, right, as was said, but I think if we're talking to the system, the system must give the opportunity. I mean, I don't see it. It's not a shall. It's not a may where it's, you know, we're going to give it to some and not the other.

Yeah. So which word would you prefer?

I don't like should. I almost feel like taking should out and stating that victims have the opportunity to be heard and it's the responsibility of the system to provide that. That's where I'd rather build in a must or a shall or a may.

Okay. Is everyone in agreement? Okay with that. So does anybody else have it be okay? We can just Change that, and is there anybody else that had any? Comments? Okay.

Yeah, this is Colette Chapman. I do believe that the term should be shall and include the responsibility of the entity to provide that information to the victim.

So, I would say it is clarified in statute and victims have the protections under the Victims Bill of Rights. So, I am comfortable with victims have the opportunity, correct? I think that's, and then I, and I think that does speak to making sure that

Um...

that they're heard. Is that satisfactory to you as well?

Okay.

Because it is, it's covered in victims rights that the WHO is responsible for, you know, whether it's the county attorney's office or the probation departments, pre-sentence, post-sentence, if someone has opted in, pre-sentence is different. So I think this is all in all-encompassing to make sure they have that opportunity.

This is Colette. Isn't this for an MDT meeting though?

This is for the, yes, for the team, correct. Go ahead.

Scott Naegele here. With respect to item number four here.

When it talks about MDT, it's not talking about meeting, it's talking about the MDT process. So it's not in this item, it's not speaking to a meeting called an MDT. It's talking about a multidisciplinary team process.

Scott, maybe go into a little bit that for the group what that means.

You mean in terms of what a multidisciplinary team process is?

Well, I mean, to the greatest extent possible, we want to have members of the treatment process and the treatment team to be, you know, representing all parties involved in the oversight and treatment of that juvenile. That could be the juvenile, that could be the juvenile's parents, that could be the juvenile's guardians, that could be somebody representing the voices of their victims, whether they be interfamilial victims or somebody who is a community member outside the immediate family.

Steps should be taken to invite and include whoever has something relevant to say about this individual's treatment and safety planning, especially as it relates to cases where kids are going to go back into homes where

We know that there are known victims.

Karolyn, did you have your hand up?



I did. Thank you very much. I think if you're going to use the term multidisciplinary team in this context, how you're using that term needs to be identified prior to using it. There are many different areas in which that term is used.

So I believe incorporating something earlier in this document to define how it's going to be used in the document would be appropriate. Because when you start talking about the county attorneys and the courts being involved, you're talking about victims' rights as outlined in the statutes and Constitution of Arizona.

And...

That does not necessarily apply in the context of treatment later on.

So, we need to define our terms here.

Joe or Judge, do you know if your group has a definition that we could plug in or could we have? I think it is toward the beginning of the document.

Where we have some paragraph 3.

OK.

Could we potentially add a definition? Do you all think that that would be something we could clarify?

Are you, Madam Chair Joe Kelroy, are you thinking we could footnote it on? the page that it first references, or I know there's no definition page here for any other things, but is that of appropriate.

So we could provide a source for the next meeting or a definition.

I think that would be great. Does anybody else have any? Would that be preferred? I think that'd be great. Okay.

Is there any?

Yes, This is Colette again. And there are some victims' rights attorneys on the line and some prosecutors. One thing that I'm concerned about, and I've been out of the victim services for about 3 or four years here, but a victim doesn't have a right To provide input to the MDT or the so.

That's why we're kind of creating a new victims rights right here. So that's kind of my confusion. Please speak up, victims rights people.

So this, so please keep in mind these are our guiding principles. And so if I think if Joe and Judge Young, if you guys want to go back to just maybe the group and clarify that definition and then recommendations just for that paragraph. Can we just then maybe go over that next month as well to then adopt and nobody else has any other questions or comments on the document that? Okay.

Nick Pawlowski, I have one question about the move from the supervision of juveniles who commit sex offenses and changing that to Engage in sexually abusive behaviors? Is there a definition of what a sexually abusive behavior is? Or is it is it understood that this only applies to juveniles who have actually been convicted of something?

Scott Naegele here. This definitely is not just about adjudicated kids. This is about kids in the state of Arizona who've engaged in sexually abusive behaviors. As to whether or not we have an operational definition of that, I would say no, we don't at this time. We have an operational definition of that.

Madam Chair.

Please.

I do think there's a, to your question, I think child welfare has their own. protocols around behavior and programming, et cetera. You know, delinquency relies on the court, the county attorney's law, what constitute a crime or delinquency. And so there is a difference. I don't know if we can land on a definition as you're. Seeking there.

Well, I guess that's my central question is these are guiding principles for the board, am I understanding that right? But does the board have authority over children who have not been convicted or adjudicated as part of the delinquency process?

KK

Karolyn Kaczorowski

This is Karolyn Kaczorowski. I think we have to remember the purposes of the board.

We have no authority over any juveniles. We make recommendations for treatment providers, for people in the criminal justice system, for legislatures.

Karolyn Kaczorowski

When you start talking about authorities like that, that is not within our governing statute.

I guess my question is just, like, for purposes of being clear, both to us and the public, should our guiding principles, you know, I guess, include the definition as outlined in statute, which is talking about children who have been adjudicated, delinquent, or whatever the language is.

I mean, I guess we could go back and look at the, what are your suggestions or any, does anybody else have any suggestions at this point with what you're saying?

Well, and that was what I was wondering why the language was changed. Like what was the thought process behind changing it away because it was originally. Kind of in line with what the statute was.

I can, Scott Naegle, I can speak to why some of the language was changed. We were trying to be forward-thinking and evolving in terms of using language that didn't identify people as being offenders and perpetrators and those kinds of things. So there wasn't any more thought about it except for try not to label people. But the issue that Nick is raising, I think, is an important one, because from my perspective, and I certainly want to hear from others on my subcommittee about this, but I want this document to be a document that has relevancy to the children of Arizona, whether they're adjudicated or not adjudicated.

And I don't want us to create a document that then leaves a portion of those kids who have the issues, whether they're adjudicated or not adjudicated, not getting the same kind of quality services that those that would be adjudicated were getting. So I think there's something to Nick's question.

If we need to grapple with that some more and come up with an operational definition of what we mean by sexually abusive behaviors, we can certainly do that. But I'd like to hear what, you know, others have to say about that.

I would just double. Double down with Scott. I have several agencies and we provide services for both the adjudicated and the non-adjudicated youths. So when we had this in mind, although we are trying to label and use those words, you know, those labels that we've used in the past, ultimately we are trying to make it cohesive so that all kids can be seen, the guidelines are for everybody and not non-inclusive, so maybe we just need to go back and make our definition and make it a little bit more clear, but we definitely are not trying to get one category and not the other of all the youth that have offended ultimately in Arizona.

Go ahead.

I would just, it may be a topic for the for the subcommittee just to have some further discussion on and then come back. Yeah. And I would ask that if Nick is available to participate in that discussion. Yeah, you're not on his subcommittee, Nick, are you? No. Perhaps you could join and then Scott, would you go look at this on the agenda for next?

Yeah, we'll just.

OK. OK, perfect. OK, great.

Thank you.

Okay. So the, okay, proposed revisions to 13-38-28, which is our statute. So just to update everybody, I'm still going through those and have some stuff that I'm adding. So I'm going through those and I will hopefully have a document for you all to review

Next month, thank you. And I'm not sure if, yeah, I think we're meeting, I think next month I'll have something for you guys to review on that. Moving into the discussion and review of the early termination of lifetime sex offender probation protocol.

I put this on the agenda. A lot comes up during the legislative session and conversations related to early terminations of probation. So

Maricopa County, several years ago, there was a committee that was put together.

There was our sex center judge at the time, prosecutors, defense attorneys, both private and public defender, people from probation, who also victims rights attorneys and advocates were on our group. And this was the early termination considerations for sex offenders in Maricopa County. Now, I know it's Maricopa County, but I also want to hear what other states are doing. And I really want to have

a discussion about what this group came up with so we can start having a discussion.

So when legislators come,

to me or to us and they ask what, you know, because the last several sessions, there's always legislation related to this topic. And so I want to have a conversation with

everyone today about this document. So

Would it be helpful if I read aloud and go through it, or does everybody have a copy?

Like that, this was the criteria, so you know, maybe...

Maybe it would be helpful if I did a kind of a brief overview of sex offender probation. That might be more helpful for those that are not super familiar. When someone

And Shane or Shanda, please feel free to jump in if you need to. I want to make this a formal presentation. What I kind of wanted to do was just give folks an overview about when someone is sentenced to sex offender probation in Arizona. So standard folks get conditions of probation. Those who get sentenced to a sex offense have an addendum typically, and I'm going to talk about the typical case. So there may be an extra 25 conditions of probation that someone has to adhere to. So whether you cannot look at sexually stimulating material, do you must take polygraphs, do you must be in sex offender treatment. Shanda, perhaps you can write a copy maybe to the board next month.

If you want to e-mail it too. Yeah, that'd be great. You know, do not use a computer without permission from your, everything says without permission from your adult probation officer at the end of the condition of probation. You shall not have contact with minors. There's definitions of what no contact means, things like that.

So.

They have an extra addendum that Shanda will provide so you all can see it. And they come to probation and when they meet their officer, you know, the first priority should be a referral to sex offender treatment.

And because really you want the person to start engaging with therapy. This does not always happen, but it really should be a top priority. So, and referrals for the assessment process to begin. And I think one of the main goals when I worked on the legislation to bring the board to Arizona is that every county in our state kind of does things differently and they really have different services available to them. So there are some counties that do not have polygraphers or they do not have contracted providers for sex offender treatment. There are counties that I've provided training to that

did treatment in a jack-in-the-box parking lot. And so we must get better as a state. And so I wanted to kind of go through what kind of should happen when someone comes to probation. They typically may get an ABLE, MSI, which are they have to do a sex history polygraph, which includes them filling out a very lengthy packet about everything sexually they've done in their life pre the sentencing that they are on probation for.

Why is that? And yes, there is a statute protecting them. They're not asked for identifying victim information or any of those things. It's strictly for treatment purposes because in some cases, you will have people who have sexually offended and they come to probation, out of prison, straight to probation.

And, but they have, I've seen individuals turn over binders to me with hundreds or thousands of victims and some people have, you know, a page. So the treatment provider really should be treating all the behavior, not just the one that they come to probation for. So it's really not to get anybody in trouble or jam them up for additional offenses. The treatment providers must know because really in order for to early terminate someone from lifetime supervision or really probation at all, you must know or we must have confidence as a community that they have all of their behaviors have been addressed to the best of their ability and that they are they have full control over whatever behavior they come to you with. So I will pause there. What am I missing and what questions do you have?

What am I missing?

Anything.

OK, so yeah, go ahead.

You're trying to say, This is Shanda. You're going to be landing on why this is important, right?

Yes. So leading up to all of the issues today kind of tie together a little bit related to registration. And I do not believe our laws are in line with how prosecutors have been prosecuting sex crimes at all in sex cases, because I think when some of these laws came to be, prosecutors, especially even in Maricopa County, used to get, you know, 10 years DLC and you'd get lifetime probation. That does not happen anymore. We have deferred a reduction in the plea or the charge to a reduction.

you get deferred registration, you still have guys on probate or on registration for the number of registration for 30 years and some really high risk people that never have to register at all in the state of Arizona. So these all kind of tie together and I think it's important, and again, there's a lot to tackle. So I am all happy that you're here on this board because there's a lot to do. So with regard to probation supervision, years ago in Maricopa County, there was a continuation caseload, which is someone that would do all of their required testing. They passed their sex history polygraph and had progressed to the point, I mean, they were passing, and I'll talk about polygraphs, but typically if you're a high risk, you might take a polygraph every six months. If you're a lower risk, you may take one once a year or so to see, for lack of a better word, if you're abiding by the conditions of probation. My quick thoughts on polygraphs, they are a great tool to using conjunction with treatment, but there's nothing like in-person or... visits and really even just building rapport with the individual and their families and things like that. So they take polygraphs and those polygraphs should hopefully inform the provider and the probation officer that they are doing what they're supposed to be doing.

So.

The continuation caseload was gotten rid of several years ago, and they moved to a low-risk caseload, again, Maricopa County. And

Well, that part's irrelevant, but...

People would be moved to a case load where they would then see their probation officers maybe every six months or once a year.

And you'd kind of be gradually making sure they still have to take their polygraphs once a year, they'd see the officer, and then...

I think that people started, I don't remember what year it was when we were allowed to, because historically we could not take any position on early terminating anybody that was on sex and reparation at all, regardless of lifetime or not or whatever. So there was a year where the department changed the position that we could begin looking at different cases that we could recommend or make an opinion to the court on whether or not we would support or just give the court bunch of information. We'll talk out to that document in a minute, and the court could...

could be made, could decide whether or not to terminate this person early. So, which leads me to this document that I will go through that we came up with as a group

that this is what

The individual had to satisfy for probation to be able to.

may perhaps perhaps recommend, because every case is very different, the person to successfully be terminated from treatment, or I'm sorry, from probation. So to go through these briefly, there's no pending criminal charges, outstanding warrants. The probationer has completed more than half of their original probation grant, if not on lifetime probation.

So this stems from some people would get 10 years probation but start filing for an early termination from their sex crime after about two years.

The probationer has completed all standard and specialized conditions of probation. The probationer has not had a petition to revoke in the past two years. The probationer owes no restitution balance.

does not have any other supervision issues other than payment of financial assessment. The probationer has successfully completed all aspects of primary relapse prevention and or maintenance treatment, if applicable for the contract, if it still says, you know, if someone goes to maintenance, so everyone starts in primary treatment.

They will develop a relapse prevention plan. And if you are high risk and or paraphilic, you would then be required to go into maintenance treatment, which may require a check-in with your treatment provider every couple of weeks or once a month, depending on the agency.

The probationer has admitted to offense behavior and accepts responsibility for their actions. All known paraphilic behaviors which are sexual deviances have been demonstrated to be under control for a significant period of time.

It is paraphilic behaviors are super important; not every person who commits a sex crime has a paraphilic behavior, which...

Maybe I'll have Dr. Blades take a... Do you want to explain what that means and why the significance of that? Do you mind? Okay, tell me the right here. So tell me why paraphilic behaviors or someone having a sexual deviancy is so important to A, know that, and then B, why they would have to have that.

under control for a significant period of time or what a sexual deviancy may be too.

Yeah. So paraphilias is really a category, a diagnostic category when it comes to mental health or we think of our diagnostic manual and it's the category that represents what we consider to be sexually deviant behaviors. So it would be things

like pedophilia, voyeuristic disorder, exhibitionism, exposing things like that. So it's kind of the category that encompasses all of those things. When we're talking about paraphilias, we're really looking at in terms of someone having acted on that behavior in such a way that it's harmed someone else, you know, so we're not talking about maybe

normative interest in **** or something else, but really we're looking at, and if you're on probation, we can assume that in some way your sexual behavior has harmed another person or the state has found it to be that way. As a treatment provider, it's important for us to know about that. One, we want to make sure that we provide treatment for that behavior. A paraphilic disorder or diagnosis has implications of the behavior extending for longer periods of time, maybe being more ingrained. And so we would want to make sure that that behavior is identified and that the person is able to manage the behavior, even though perhaps the interest in it or some of the elements don't

fully go away, but that we worked on a way for them to manage their behavior, use their coping skills, that we have those things identified.

OK, so then.

The person has successfully passed or resolved their sex history polygraph. They have successfully passed or resolved all maintenance or specific issued polygraphs with no major admissions or multiple admissions for the last two years. We have completed a recent MSI which measures someone's internalization of treatment.

which sustains the defendant has internalized treatment and is capable of self-regulating his or her behavior. So, and then there's no to hear if the offender is already in maintenance.

the MSI will be at the discretion of the supervising team. And this does not apply to anyone who successfully was terminated from treatment already. So the MSI is typically done at the beginning of treatment and then at the end of treatment prior to discharge to ensure the individual has internalized treatment and there's no, you know, last minute or last kind of just something to go over with the treatment provider.

The individual will have completed all additional testing or assessments as required by the probation or treatment team. And then the probationer has a proper chaperone or support person if applicable. And of course, we add that because not everyone needs a chaperone and not everyone

That doesn't apply to everybody.

Um...

What questions or thoughts do you all have on this? I guess this document related?

Go ahead.

Thank you, Madam Chair, Joe Kelroy. I, when you said this was developed, we, or they developed it, was this something that was developed prior?

For this board, or yeah, so, so it's in existence now,

Yes,

OK.

I feel like something's missing on here, but...

And then my second question relates to...Was probation was involved in that?

Yes.

And was it built into their local policies around the supervision of?

You know, at the time, yes, and they still, you know, will give this out to folks that are at least on probation in Maricopa County. And Katie, you might be able to speak to this too.

Can I comment? Scott Naegele, a little bit of history, Joe, from from my perspective. I mean, this goes back.

probably the better part of 15, 20 years ago. And it started kind of informally with a request from the then presiding judge who was recognizing that more and more people were making application to be released from probation. And it started off as kind of an informal process where some of us who had a whole bunch of maintenance level treatment clients, and I had six groups at that point in time, and some others were invited to come and sit with some staff from probation and the juvenile presiding, or the adult presiding judge. And we sat down and started to sketch out a structure for what that looked like. What Beth's talking about now has been evolved two or three iterations from that beginning time. But it really started because there was a clear need for some structure to be put to this process and

these discussions. And with judges being rotated and those kinds of phenomena that take place,

to have some historical stuff in place so that no matter who was overseeing those cases, that there was a structure for making those kinds of decisions. So it started kind of informally out of necessity, and then got more and more and more and more formal as time has passed to the point where what we're looking at now exists.

That's my history of it.

Yeah, so the committee, I don't know if this was 2019 or 2018, maybe that if we were first in that committee, there were judges that yes, there were representatives, several from probation and both public and private attorneys, prosecutors, victims, rights attorneys, who all went through this document and adopted it also because our judge at the time wanted probation to have a document that they could go off of too. And then also people on probation

victims, people would have information on what am I working towards? What do I, you know, because that is a common question, obviously, when can I get information? And so there was nothing really related to when. And like I said, there was a point in time where we were not permitted to even, you know, get involved in that or make any sort of recommendations.

So what is the goal of this discussion? And if it's not, if it's part of policy already in probation on the adult side, is this board looking at making it statutory? I don't know what.

Not in statute, I think. Well, no, I'm looking for the board to either make amendments, get their thoughts on adopting this as a document we recommend that probation looks for. And remember, like our smaller counties sometimes don't get a lot of guidance. And so that's my goal in this document, opening this discussion to see perhaps if you guys think anything is missing, if anything needs to be added.

The second document that goes along with this was something that...

It's the template. This was something that I crafted in my department at the time, and they still use it, goes over when this is what our judge wanted. So they had to include all of this information. So judges were getting A, a uniform document, and then B, it had

It told the court, you know, at the time that they've considered and gone through the early termination information, and that this is what the judge could expect. And so I'd love to hear, like I said, feedback from everybody on the two documents. It gave uniformity to what was being submitted to the court.

Prosecutors could expect it, defense attorneys could expect it, and...

So yes, I'm seeking information, your input as something that we yes, eventually adopt because legislators often every session we've seen, not I'm not asking them to adopt this, we adopt this, but that I, we have something to suggest to them related to there is criteria.

related to the topic they're trying to put in statute, which I don't necessarily think needs to be in statute. That's just my opinion.

Right, within the courts, we have code, you know, judicial code of conduct and rules, and...

We have operational reviews on the adult side and juvenile where these types of things, if they're in code or rule, then they're built in the local policy, which would affect all 15 counties.

So I'm just saying there's an avenue for this, whether it's in statute or not, there is an avenue for the court process for this. So just my thoughts.

Yeah. So I want the board to adopt a recommendation related to early termination.

JH Jim Hanratty (SUP)

That's a good idea.

That's fine.

Madam Chair? Yes. Unless I'm interrupting someone. I don't think so. Thanks, Joe, for all of those comments. My mind was going in the same way. It was, where do you want this to be exactly? I think it's great work.

This is what probation offices locally use to maybe train or have as a guideline for this type of probationer for early termination. It looks really good because there's so many things to consider, right? I think of the recent case that was in the news, and something was missed and so maybe this checklist.

I mean, it should have been employed. But still, I think this is maybe a guide for

everyone as well. I think about all of the all of the folks who are on probation who filed their own petitions, it'd probably be good for them to see in the self-help area. Okay, I want to file a petition for early termination. What does this mean? Should I consider or write about my own treatment, how I've been compliant, and so forth? So they're not, so it's not unfair for them to present something that's maybe not complete, if you will.

So I think one, you know, to have this.

in our hands as a guiding influence for probation departments locally is good and great, because like you said, not all probation departments have training on this or policy on this. So to make it consistent would be good. I also think, though, that in the courts, and we have influence,

over some of these guides, perhaps in the self-help area.

or things that we give out as the probation department or the courts to someone who's on probation for a sex offense. And if they're going to file their own petition, we can give this to them as well to make it a very general. These are the considerations. But you don't want to put it in statute. Is that what I'm hearing clearly?

from the group?

I'm not talking about putting in a statute. I'm talking about every year for the last several years. There's been legislators who want to make early termination statute, right, or recommend whatnot. So as a board and the experts in this area, I want to adopt what we believe should be potential criteria that the court, probation departments, that everyone's clear on because it's not ever clear that legislators think that that it is clear, right, about what's happening, what probation is considering, what the court's getting, what the court should consider when someone is being removed from probation.

whether it's a 10-year grant for a sex offense or a lifetime grant, that we need uniform guidelines for these things.

Yeah. Again, I think it's a good piece of work. I would love to take it back to the probation chiefs and the probation departments.

We also, just to be transparent with this group, will be forming a work group to present some guidelines for the state. They've been worked on for the last 25 years, and they haven't been formalized. That's part of the issue is that every county is so

different, though.

Um...

So every probation department and their policies, and, you know, it has to go based on statute and the law. And then depending on what their local policies are to make sure that those probationers adhere to those things. But to have some guidelines, To include something like this in those guidelines for the state to make it consistent, I think would be great. So we're trying to get ahead of that to present something to this group for guidelines all the way around for supervision.

I think this is a great start. To adopt this today, I would love more time. For instance, one of the things I have a little bit of concern with is half time. I don't know.

You know, that used to be a rule of thumb. Now in statute, in our code, we don't do half time anymore. We're looking at early termination for all other cases in different ways we have considerations. So I'd like them to be somewhat of the same. There was the new bill that went through about DCAC cases not being eligible.

I don't know if that's in here or not. But just some other things to consider before we vote on it. Thank you.

So I'm curious who was on that committee that you guys and I would like curious what you guys are developing. The halftime in this came from the prosecutors who wanted more than halftime. It's my experience with probation. Your practice has been to terminate people at halftime, regular folks, not sex offenders, but that's been the practice to terminate folks.
at half time.

It's now, you can be earlier than half time. So it's in our code and a lot of other places. And we've removed it from a lot of policy that it's no longer half time. So it's kind of the new way is it's when your terms and conditions and behavioral goals are complete.

And so I would argue that people on probation for sex crimes are very different than just your average other type of offender. So, but again, that part was put in for, and again, and that's why I'm bringing up the historical context of it. The prosecutors asked because we had individuals that were trying to petition at, say, two years out of a 10-year grant. So the prosecutors asked for at least they had to be on for halftime and you can't even complete sex and treatment in a couple of years for the

most part. So that was why that was put on there. I do want to know who was on that committee though, because I mean, the chief of Maricopa County Probation knows nothing about supervising sex offenders. So I'm not sure if any of the chiefs of that ever supervised sex offenders.

And this body should be the expert on sex crimes. So regardless, I would say happy to, you know, I think we should look at what you all are putting together, but I want to make sure that it's experts that in this field that have that have worked with the population for so long that I would I would like to see us come up with our own criteria for for what we would like to see. There is something missing from this document that I'm going to go back and look for. But again, I'd like to hear from other folks too, as to what what your thoughts on are.

Yeah,

Madam Chair, can I comment?

Yes.

Shane Neil. I mean, my just additional context, I guess, is when we created this document, it doesn't necessarily capture everything. It's not perfect. It was never intended to fix everything, but it was

It applies to most cases. You know, youthful offenders is going to be a little different, mental people on a mental case load is going to be different, even female offenders might be different. There's a bunch of people it might not apply to, but this captures most people and was created because

If somebody's recommending early termination from a drug case, you know, they're on for two or three years or something, the PO is normally just right. They've completed substance abuse treatment, they report as directed, they paid their fees. I recommend they be, and that's the end of it. There's not a lot of meat to the recommendation.

When the judges were getting more of these requests. They wanted more information. So we compiled all this stuff that we thought was valuable to make, you know, a serious recommendation, especially when you're talking about releasing somebody from lifetime probation, that they've done all this stuff, or if they haven't, there's a reason why they haven't done it.

So it, just like everything else we produce in here, in my opinion, it's just a resource. I

mean, nobody has to listen, really, but it's just a resource. And I think it's helpful for the POs, for offenders, for the courts, the smaller counties that don't have a lot of resources like that.

as a guide as to, you know, steps for most people to be successful on supervision. And I feel like that's where we would get most of the confusion is either the beginning of probation or the end, whatever the end is. And the people in the middle kind of know what they're supposed to be doing and everybody's, it's kind of moving along. But

In the beginning, everybody's kind of unclear on what they can do, what they can't do, what they're allowed to do, what their risk is, all that kind of stuff. And once that gets figured out, then at the end...

Well, when am I done? So, and for sex offense stuff, it's a lot different than just completing substance abuse treatment or something that's really like concrete. Because internalizing treatment, you know, living your life according to your relapse prevention plan, all that stuff is kind of abstract and it's going to look different for everybody. So

That's why people have a hard time that are real like concrete, like, but yeah, but when is that? It's not really like that. It just depends on everything. So we thought this was a pretty decent document. I don't, you know, again, it's not going to apply to everybody, but it was a collaborative just like this. So prosecutor's defense. the judge and a bunch of very experienced POs. So that's kind of the backstory, just so we could provide the court. the best information to make whatever recommendation they want to hear, you know, conclude.

I love this as a guide.

My mind goes to, okay, how can we just enhance it and provide it to those who need it, right? One thing I would add, and maybe this was what you were trying to think about what was missing too, I don't know, is the lifetime folks. There's a lot of lifetime folks who are like, okay, when can I apply for this. When can I petition the court and maybe something can be added in that regard for their questions as well to this. This is going to be a statewide, you know, informational guide.

Shanda, when will your document be ready for us to review or I would like feedback by next month because I do want us to be looking to adopt something just so

everyone knows. We are at this, we are this, we are looking to adopt and make kind of a binder like a of best practices in probation, supervision and treatment. So that is. That is ever evolving. So a first document, anyone can always bring back like, okay, you know what, you guys, like, there's a new research or whatever, you know, I think we missed something. Can we go back and revisit this document? So these documents that we create should be really, especially if there's new research or things that we read or see or whatnot.

They, they're always going to be.

hopefully either evolving or changing to make them better. So, but we have to have a starting point for everything we do. There are a couple things on here that are missing that I'm going to go back and add. And then again, if there's anything you think that we should add or anybody that, you know, you think of,

Madam Chair,

Go ahead.

Yeah, one of the things that I think would be, Oh, this is Dr. Rivera. The last one, probationer has proper chaperone and support person. If applicable, by who? That's what I would change. Everything else is pretty defined by either it's required by treatment or supervision.

Yeah.

Thank you.

I think that's a good point because it speaks to, there are going to be cases where, I mean, the whole spirit behind people having a chaperone was about deviancy. It was about, back to the discussion about paraphilic disorders, but what about that subgroup of offenders?

that that was never the case for, and the relevancy of the chaperone, a full-fledged, you know, level 1 chaperone, as we use the language of Maricopa County, is not necessary in some of those cases. So being clear about, you know, who we're talking about and who we're not talking about perhaps is going to be helpful too.

I agree. I even think that, especially maybe for the adult subcommittee, even looking

at the chaperones, something like that, to then come off of this as well. Missy, go ahead.

One of the things, sorry, this is Missy Musick. One of the things that we might want to be careful is identifying specific testing and assessments. I love the MSI too. It's one of my favorite assessments. However, there are limitations that it's not going to apply to. So I think we need to be mindful of that.

And so that might, that's a really good example about when I know our subcommittees are going through and adopting, you know, best practice that we would go back and then perhaps amend to refer to this document or whatnot. So that's a great example of that. And I agree and I know there's others too. So thank you.

Okay, so, oh, go ahead, Katie.

This is Katie Krejci. Are you okay with us giving the written feedback on this or do you want us to give any more feedback today?

No, please send it any written feedback and then we will bring this back to, and perhaps you guys could put on your subcommittee groups too and just have a maybe brief discussion about it.

if you can, and then we'll revisit this next month as well. And both documents, if you don't mind.

Okay. Yeah, that's fine. Because I think the version I've seen of the early termination guidelines is a little bit different.

Yes.

I'd like to add to the question about lifetime. It's usually like the statute has a minimum term for each of the offenses and things.

like that. And I don't, the other thing, we've had presentations on risk and what someone's risk is and I don't think this incorporates that.

So, okay, perfect. That'd be great. Any written feedback, please, yeah, send it in.

Okay.

Okay, discussion on sex offender registration and community notification.

Let's see, so Ben and Ben, do you want to talk about what your group is kind of working on, or maybe I...

Or maybe I'll start with my, should I start with my comments just on the evolution of like sex offender registration in the state of Arizona? And just so you guys know, kind of, I'm not suggesting things. I'm bringing this to the group so you guys can think about what I'm saying and then give us all suggestions so we can talk about it. So Again, I don't remember the year that 13-9-23 was written, which is the probation annual review hearing. That law came into existence when many times prosecutors were charging, you know, 17-year-olds who had sex with like 13 for as adults and they were on lifetime probation for a really long time and they were treated like adult offenders. So

Throughout the course of my career, that slowly changed where I stopped seeing prosecutors, you know, prosecute those types of cases.

And we really saw some, you know, super violent 17 year olds that would come in. So I mean, we had some really violent 17 year olds that would commit crimes that did not have to register as a sex offender because they were 17, simply because they were 17 in the statute, which if you guys want to look up it is 13-9 23.

I will not read it to you, but we can talk about what, like any review hearings are and those things. My issue though, a little bit with some of the registration laws is that you can be 18 and have sex with a 14 year old. Like it's actually, you know, this is a senior in high school and I've seen these cases.

on my caseload when I was an officer at a college, and 18 to 14, senior and freshman in high school, that you have to register in Arizona the rest of your life, right?

And we can argue about that right or wrong. My personal opinion is 17, you rape a 12 year old at gunpoint. You don't have to register in Arizona. 18 and 14 year olds do.

Personally, that's concerning to me, but that's just me. So.

The registration laws.

Are you guys all familiar with 13-3821? Enough to, I'm not going to go through all of this. If I had my, I think like our laws should make sense and I think it should speak to risk and

The only folks currently that can get off the registry in the state of Arizona are if you fall under the category of the 923, like the 17 year olds.

Or if, and I don't want to misquote, if you were, Katie, help me out, you're 22 or younger, there's only one other way, right? It's like that.

It's like basically a Romeo Juliet exception.

Sorry, this is Katie Krejci. It's basically a Romeo and Juliet exception, but I don't think I've seen anyone ever get successfully registration terminated that way because you can never violate any of your terms of probation, I think is one of the requirements. Karolyn has her hands up. Oh, Karolyn, go ahead.

KK

Karolyn Kaczorowski

Sorry, I was having trouble turning my mic off. I don't believe that's an accurate recitation of the law. Yes, they implemented this Romeo and Juliet. However, if a person was under the age of 18 at the time they committed the offense, it doesn't matter whether they were prosecuted in adult court or adjudicated in juvenile court under 3821 subsection G, the court can terminate their requirement to register if they were under 18.

Um...

So, 17 year olds are eligible for that termination, even if they were prosecuted in adult court.

So I think that's a misapprehension.

No, no, no, no, I'm talking, I know. I'm talking about 13923. I was kind of talking about the annual review hearings where if you were 17 at the time, the judge can continue or, you know, suspend or terminate your registration during your annual review hearing. So that's one thing that I'm kind of, that I was mentioning, the 923 for the 17 year olds.

But then also, and I'm trying to find the section right now.

Yeah, I agree with, this is Katie Krejci. I agree with Karolyn. There is an exception if you were a juvenile at the time of your offense and you were prosecuted as an adult. Yes.

You can petition for early, you can petition to get off registration so long as you're put on probation and you successfully complete probation. There's one other limited exception.

that I don't believe applies for juveniles. I believe it's like a limited adult exception.

But other than that, registration is a life for life.
I'm looking for the other exception.

KK

Karolyn Kaczorowski

And then of course, the kidnapping only requires 10 years, but we're not talking about that here with the sex offenses. So I just want it to be clear that. There is, there are exceptions to the lifetime registration.

Yes.

Yes, and my apologies if I did not make that clear. And I have it, there was a 17 year old, I think, that we had on our caseload at some point, but I think there was a weapon involved, even though he was, there's, I know there's, but there's very few exceptions here. So let me, let me find it.

Well, I'm looking for that. Ben, can you give us an update with what your group is working on?

Okay.

I can give that a shot. The one of the thing that we're most involved in is school access.

So currently the way that the statute is written is that when a registry, a person on the registration comes in, they have to disclose the name of their children and their status in school. So we have to collect the child's name and what school they go to. And then we would make a notification to that school for that parent. And I'm of the opinion that we should not be collecting children's names.

and putting them into our sex offender database. So currently, I'm at the very beginning stages. I meet with my school superintendent. I've been meeting with schools and other organizations to start a process to change that to all we want. It's going to affect three different statutes, the way that it's written.

is when they do their annual registration, if they have regular access to a school, meaning they have children there, we would need to know the name of the school that they're going to. We don't want to know the children's name. We just need the school information. And then additionally, if they want to access a school outside of the one that they would do their yearly notification to, they would need to give us 72 hours notice that they intend to go to some other

school, maybe for a school game, a play, whatever other access to the school. So there's two guidelines for entering the school. One is the, their kid goes to this school, so they're going to be going there. We want that school and then 72 hours notice for any other school.

And then we would have, it's a lengthy process because notification has to come to the sheriff's office and then, you know, only part of the offenders on the list would be under our jurisdiction. So we'd have to notify the agency of jurisdiction and then that agency would have to notify the school.

It's kind of a complicated process the way that the registry works. But our notification to the school would be 24 hours in advance for the schools to take whatever appropriate measures that they want to take, if any. That's probably the first thing that we're working on. We've

We've got several other things we're working on with our registration process and how we're going to handle that. We're trying to standardize some of the ways that we do things around the state.

So Ben, is it, so are there some counties that allow registration to either be updated electronically or just only in person? Does every county do that differently?

So there's, currently the registration requires that a person come in and have face-to-face contact once a year. So every year on their birth month, required to come in. My county right now is the only county that we started a pilot program where offenders could come in, could use their phone, computer, whatever, if they have phone access or computer access, and they can update their registration on their own. Many of the things that they have to do, like vehicles and online identifiers have a 72-hour window. They have to make a notice within 72 hours of making a change. So if they bought a vehicle, you now have 72 hours to notify the sheriff's office that you bought that vehicle. If you got a new e-mail, you have 72 hours to notify the sheriff that you got that emailed and the notification has to be done prior to its use. So what we're looking at is trying to make that process a little bit easier for the person on the registry to do it electronically. We've run into some issues that we're trying to work with the Offender Watch is our program that we use. It's centered in Louisiana. So we're trying to work with them on some issues that we had with it. But we'd like to see it a little bit easier for that update process. And then what's happening now is in most

counties, they're doing some type of e-mail to the sheriff's office, then the sheriff's office takes that e-mail and takes that information and moves it over into a fender watch to update the system. We just want to get rid of that middle part and make it easier for that update to happen. Okay.

Now, this is Scott Naegele, can I ask a question just for clarification?

Ben, when you say we, tell me who we is. Is that a subgroup of this committee or is that a different entity outside of this board?

So I meet with the counties. The counties are the ones responsible for doing registration throughout the state. And we've been meeting as county groups because the problem we're having is a lack of standardization amongst us. There's things that are required by, because our sex offender program communicates with the CJIS, so there's things that are required on there, but there's a lot of things that aren't required that we want to standardize as a state so that it's the same no matter what county you're going to.

But, but that's a work group outside of this, outside of this, outside of this board.

Yes. Correct.

Yeah.

Okay. Because I think they're trying to look at streamlining things and getting on the same page and definitions and whatnot. Is it Yavapai County that the Sheriff's Office has a online that you can update your, as I was doing, Yavapai County, I think has it where you can do it.

like online, like if you get a new car or new, any of the things you're supposed to register, I think in Yavapai how you can do it online.

I believe it's still a type of e-mail program. I'm not exactly sure how they're doing it. It's not through the registration program. The way that we're doing it is they are updating their registration.

So the registration is updated. It just needs a single approval from one of the people in my office. Everybody else is doing it where there's probably an e-mail system where they're going to go on to a website maybe in Yavapai County and make the changes there. But in the end, it's still going to have to be transcribed from

That submittal process to the to the registration.

So does the current law state that individuals that have to update this information, can they do it electronically?

I didn't think so, because I think that, and I'm not suggesting, I'm just, I want to if we're going to make any.

recommendations or whatnot that this is just kind of an example of like everyone doing things. And I'm not suggesting, I don't, I would like.

People who have to register all these things to have it, there are, when I do talk to, you know, law enforcement folks and it's such a, it's a lot of time for them and then like to go down and re-register something can take, you know, two, three, 4 hours sometimes. And so what's the best way to make it as easy as possible for law enforcement to get the information, then, you know, individuals who have to register can do it in the easiest way where, you know, you're not potentially having, you know, to go down as much. So I do know Yavapai County is, like they have to check the things and they can submit it online, even though I think our law says that it has to be in person.

I'm not saying I favor that. I'm just giving information again to the board. So We can.

Talk about it.

The thing that we have to understand is that I have people on the registration without a cell phone, without e-mail, homeless, a lot of times they don't have access. So we still have to require the ability for them to come in in person. I've got a guy that rides from Apache Junction to Florence on a bicycle every 90 days to do his homeless check-in. So we need to make sure that we have a process for them to still do it in person. We don't take changes over the phone. We can't have a person call in because we don't know who we're talking to. So if it's, we will accept it by e-mail. or they can do it through the portal that we have for them.

Madam Chair, can I ask another question?

Please, yes.

We had discussions a few months back about different groups, work groups around some of these issues.

Where are we at with that process?

Oh, your mic is off. Do you want to repeat that?

Sorry. I was I was saying that we had had discussions a few months back about having work groups to work on certain pieces of issues that were going to be pertinent to this to this board.

This that Ben is talking about is obviously an ongoing process that he and others around the state are working on together, but that's separate and apart from what we had talked about doing. Where are we at with respect to kind of looking at this issue of registration as a board? Major Mitchell and I were just talking about that. I think during this discussion we were going to talk about revisiting the registration and community notification subcommittee, if you will. So that's part of our, just so you know, something that potentially either we need to bring it to the adult or juvenile, or if we cannot have our own. Go ahead, Victoria.

Madam Chair.

Yes, please.

Just as a academic matter, don't conflate subcommittees with work groups.

Okay, I'm sorry, work group, right?

Yes, correct.

Work group is what we were going to be, yeah, potentially. doing. So we could discuss this and then bring it back to the large board about some of these issues.

Very, very good. I just want to make, however that flows in whoever's involved in that, I want to just say for the record that I'm in possession of a whole bunch of research around this issue because when the board started, I reached out to national level experts around this registration issue and I got a pile of emails with a pile of

research documents pertinent to this issue. And I just want to make sure that they get into the hands of who can use them the best.

Thank you. Yes. And I think, Frank, we're going to look into maybe chairing that work group. So perhaps we can talk about how we can get that started to discuss some of these issues.

Yes, correct. We had talked about that previously and then there were no meetings. I was on vacation and expected to come back with some more information from the board on how we're moving forward with that.

Yes. I would like to maybe perhaps schedule that so we can perhaps get with Major Mitchell on that. Because there's a number of things, I think, definitions that possibly need clarifying. And I know Ben, your group was looking at that definition of legal custody of a child that you, is that one of the ones you were talking about that you had issue?

with if you can, are you guys looking at other definition? I would like our working group to look at a definition. Perhaps, I think you were going to be on our working group as well, that some of the definitions probably need some.

I think the way that we were looking at it is our goal was to get rid of, the definition we were having a problem with was legal custody. The statute says legal custody means the right to have physical possession of a child. We want to get rid of it. Because we don't want to collect the child information at all. Gotcha. We don't want anything to do with the children of anybody.

The right to have possession, I could have my neighbor's child and have the right to possess that child. So we just want to get that out of there and totally avoid the whole idea of children. And I think this revision that we have, and if I'll get on the agenda, as soon as I got everything else tied up to present it to you guys to see this statutory change, but we'll totally get rid of that child. Okay. So we're not going to be worried about that definition anymore.

Okay. No, that makes sense. So

Does anybody else have any comments? I can certainly table some more of my thoughts for the work group, but I did want to share that with, you know, with the group where I know Ben and his group are going, what I'm hearing from law

enforcement and some other folks. So we can, I can, does anybody else have anything to add right now, Katie?

This is Katie Krejci.

One is, do we want to double check when we're looking at those legislative changes that we have the authority to make recommendations to change the registration statutes, if that's what we're potentially considering in that work group? Or do we need to like potentially propose that we, that's just a question.

Potentially propose, but I know in our statute it talks about community notification. Which is, yeah. Yeah, and I think community notification is potentially different than registration requirement. And then the other exception, I found that statute. I just, yes. OK, yes, right. So there's three exceptions for getting off registration other than the juveniles who adjudicate at 25. I wasn't losing my mind looking through the book. Yes, it's 133826.

If anybody, it's a petition to terminate sex offender registration.

Thank you. Does anybody else have any comments right now? Go ahead, Shanda.

Just on that note, I've had a question now for a while. If we wanted to present some statute changes, what does that mean? What is our pathway? Are we able to do it as a board on our own?

So I think as we were talking about, you know, this next legislative session. I am going off of what I've seen over the last legislative sessions and I certainly want to get ahead of, you know, we were a little behind last year because, you know, we started in October and then I didn't anticipate the number of bills that we're going to go through. So it's certainly up to us to decide if we want to recommend changes. I also know, well, we will be making recommendations to changes to ours, the 38 and 28 whatnot. But I also know these topics come up every session.

And so...

I would like us to get ahead of some of these issues that we've already, you know, talked about them. Perhaps we have recommendations. If we do have recommendations, I think we should discuss them and could potentially, you know, bring those to someone to sponsor or whatnot. But I think some of these issues do go

in line with our work, if you will, with best practices and creating standards and what not for, because sometimes some of the things in our statute are not really in line with, you know, what perhaps we would recommend. So I think a little bit it's. I think that was just my question.

Do we get a sponsor and how do we know who is the right? legislative sponsor. Do we choose Mr. Powell here, for instance? What if he doesn't agree with that? How do we navigate that? All so that we're politically and professionally not at risk as well, was just my question. So it's okay if we don't know it now, but just throwing it out there.

Yeah, thank you. Thank you so much. Ben.

I just want to add that when we were, when we're proposing ours, we're going a different way. We just want to get the support of the board. We're not expecting the board to present our legislation where we've got different avenues of taking it there. For sure. Thank you.

Anything else?

Okay. So we'll be in touch about the working group with this. And then, okay, subcommittee report out. Scott, do you want to do?

Sure, Scott Naegele. I think a lot of the report has been given by virtue of the other discussions that were taking place in this room in terms of the juvenile guidelines. and stuff. Every time I think we got that done, we have a discussion and we go back and modify some more. So we'll do that again with respect to the juvenile guidelines between now and our next meeting. The other issue that we've been working on, I would say the same thing about that every time I think we get close to it, we have other input and we

we retreat and come back for another day. But that's the issue of what needs to be the structure of a psychosexual evaluation as it relates to juveniles. And again, from my perspective, and I think I have the support of the other subcommittees, we're talking about the structure for juveniles. We're not talking about the structure for juveniles in the juvenile justice system or in the DCS system or the ADJC system. We're talking about juveniles in Arizona and trying to move the idea that if we're going to do right by these kids and their families, we have to be looking at them as

kids and families. And

the structure of how we evaluate them is irrespective of how they come to us, the legal machinations they're in and all that kind of stuff. They still have issues.

Otherwise, they wouldn't have come to the system at one place or another. And I just think that, you know, what we're trying to do is put together a structure that that can work for kids and their families and make some recommendations about that.

So, and then asking my, unless I shut this off, my subcommittee members to please be thoughtful about other agenda items they want added to our next next month's meeting.

Thank you. Brecken.

Yeah, okay. We had a few meetings over the summer that I think were really productive. Everybody was really engaged. We got some helpful and really informed feedback, and we had some other people come to the meetings, which was also helpful to get the information. So basically,

For the adult subcommittee, we are closing up our discussion of the proposal for implementation of standardized sex offender specific evaluation protocols. I think we've landed on kind of the timeline and how that will look. So we're working on starting drafts of kind of a guidelines and standards document.

And then hopefully we'll have some of those sections ready and in the background material for the next board meeting for everybody to start reviewing and giving us feedback on so we can make more changes to that. In terms of kind of future topics, we're shifting into talking about the purpose of the evaluation itself, kind of the outline of that, sort of the nuts and bolts of it, if you will. We have, we talked about kind of a pathway for how we're going to arrive at that and how we're going to collect information from what other jurisdictions are doing. So that's what we have on the agenda. And then we'll also add some of the things that came up.

Today, in terms of the termination protocol.

Thank you. Now's the time. If anybody has any future agenda items, we can add them now or you can e-mail staff by September 22nd.

Okay, do I have a motion to, oh, Missy, go ahead.

I want to return to a statement during the opening statements. I absolutely agree that we should also have a subcommittee for the IDD population if we can add that to the agenda. Okay.

Thank you. Anybody else? Do I have a motion to adjourn?

Blake Barney, make a motion to adjourn.

Second.

Brecken Blades, I'll second.

All those in favor?

Aye. Aye.

Any opposed?

We are adjourned. Thank you, everyone.

● stopped transcription