

AZSOMB Adult Guidelines and Standards Subcommittee Meeting-20260923_200223UTC-Meeting Recording

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JM

Jenna Mitchell 0:05

Good afternoon everyone. This is Jenna Mitchell with DPS. It's a little after one and it does look like you have a quorum, Madam Chairwoman, if you want to start the meeting.

BB

Brecken Blades 0:17

Okay, great. Yes, let's...

Let's start. Okay, so I will call the meeting to order. This is the Arizona Sex Offender Management Board Adult Guidelines and Standards Subcommittee, and we're going to start the meeting at 1:02 p.m. Major Mitchell, would you do roll call, please?

JM

Jenna Mitchell 0:39

Yes, ma'am. Chairwoman Blades is present.

Miss Adkins. Not present,

Mr. Barney.

Not present, Mr. Hanratty.

JH

Jim Hanratty (SUP) 0:57

Present.

JM

Jenna Mitchell 0:59

Ms. Kaczorowski.

also not present. Dr. Miller.

SP

Sheridyn Miller, Psy.D. 1:10

Present.

JM

Jenna Mitchell 1:24

Miss Musick.



Missy Musick 1:26

Present.



Jenna Mitchell 1:28

Mister Naegele.



SCOTT NAEGELE 1:30

Present.



Jenna Mitchell 1:31

Miss Panas.

And Mr. Barney.



Blake 1:48

Present.



Jenna Mitchell 1:50

Madam Chairwoman, we have six members present, which is a quorum.



Brecken Blades 1:56

Okay, great. Thank you.

All right. There are several items on the agenda today. And so I want to try to get to all of them. I know that we had some discussion at the last board meeting, the larger board meeting, and then they had tasked us as a subcommittee with items 2C and 2D on our agenda. And so I want to make sure we kind of cover those so that because they're, you know, wanting to discuss them again. So I guess let me start with D. I know we had a discussion, some overview of the sex offender probation supervision. I think that was mostly provided by the chair and somewhat comments from others. Are there, does anyone have, I guess, comments or questions or anything on that that we need as a subcommittee to take back to them or discuss?



Jim Hanratty (SUP) 3:03

I have a couple of comments when you have time.



Brecken Blades 3:08

Sure, yeah, Jim, go ahead.

JH **Jim Hanratty (SUP)** 3:14

I was looking at the document that was sent to us, I think, last night or yesterday.

BB **Brecken Blades** 3:22

Well, I might, the early termination document or a different one.

JH **Jim Hanratty (SUP)** 3:26

Yes, yes.

BB **Brecken Blades** 3:28

Okay. So I think these kind of go hand in hand. I know one of the items is the overview of the sex offender probation, but it sounds like maybe nobody has comments on that specifically, but perhaps comments on the document. So let's shift into that. So go ahead, Jim, if you have some comments on the document. Yeah.

JH **Jim Hanratty (SUP)** 3:46

Yeah, just real quick on it. I saw the edits on it and they looked appropriate with a couple of exceptions, at least as it relates to polygraph. On the template for writing sex offender early termination responses and filings, it kind of goes also to the other document. So, but if you look about 3 bullets down on the sexual history, you'll see that in parentheses, it says no deception indicated. I'd eliminate that because that's a diagnostic outcome and that's a sexual history is not a diagnostic test. So I would suggest taking that out and just leaving it as has successfully passed or resolved the sex history.

BB **Brecken Blades** 4:30

Okay.

JH **Jim Hanratty (SUP)** 4:39

polygraph, including the date. So if you just take that out so nobody gets confused about it later on and suggest that the sexual history was in fact a diagnostic exam, which it is not, cannot be, because if it was, it would be an event specific, like the incident offense.

BB **Brecken Blades** 4:57

Okay. Okay, so this is on the early termination considerations document, and it's like maybe a little more than halfway down. It says successfully passed in parentheses, no deception indicated or resolved the sex history polygraph. And you're saying remove the NDI statement.

JH **Jim Hanratty (SUP)** 5:14

Correct. And also on the page with the early termination considerations for sex offenders, that's the other document. It has it on number 9. So just remove the parentheses, no deception indicated. So I think that would eliminate that issue.

BB **Brecken Blades** 5:20

Mhm.

Okay.

I'm fine with that. Does anyone else have any other?

comments or questions or thoughts on that? You're the expert in that area, Jim, so if that's what you say.

JH **Jim Hanratty (SUP)** 5:46

Well, I mean, I can't defend it if somebody says that their sexual history indicates no deception indicated. So I would have to testify against them.

BB **Brecken Blades** 5:56

Is past the best word or should it be like, should it pass or resolved? That's the best. Okay. Okay. All right.

JH **Jim Hanratty (SUP)** 5:59

Passed or resolved? Passed or resolved?

Yep.

SN **SCOTT NAEGELE** 6:05

Can I, can I ask, can I ask a quick question?

BB **Brecken Blades** 6:08

Sure.

SN **SCOTT NAEGELE** 6:09

Jim, is that because...

On a sexual history polygraph, while it's called a sexual history polygraph, many times the questions are specific to whether or not somebody has other hands-on victims and you haven't verified every facet of their sexual history. Is that where you're coming from there?

JH **Jim Hanratty (SUP)** 6:29

No, I'm coming from the diagnostic value for the meta-analysis study that says you have to have a 90% reliability for a diagnostic test. And unless you have an event-specific thing that

you're testing for a particular victim or a particular behavior with a victim, It's also called criminal specific testing. And that way you're honing in on just one element, one person, one, you know, behaviors with that victim, like the instant offense, for example. If you're asking, have you tested any other minor besides your victim anywhere on the planet, you know, prior to your conviction, that could open the door to a lot of other things and a lot of other people. And technically, it's single issue, but it's not specific. The specificity isn't there to call it diagnostic. So there is a difference between a single issue exam and a specific issue exam.

SN SCOTT NAEGELE 7:30

From a research standpoint, you're saying?

JH Jim Hanratty (SUP) 7:33

From a scientific point of view, yes.

SN SCOTT NAEGELE 7:34

Yeah, that's what I mean when I use that word in this case. Yeah. So we have research to validate the incident offense, but not in the same way do we have research to validate the sex history.

JH Jim Hanratty (SUP) 7:36

Yeah.

Yeah.

not reaching the threshold of 90% reliability for diagnostic outcomes. But, you know, it's great for screening because screening only has to be 80% reliable according to the studies. So if it meets that threshold, then we could say that it's no significant response or significant response, making an inference that there's a high probability for truth or deception. but we can't give a diagnostic outcome and say, yeah, it's gold. We can say they're being truthful or they're being deceptive because that's providing a more diagnostic approach and you simply don't have the backup and the defense to do it in court.

SN SCOTT NAEGELE 8:25

Got it. Appreciate that clarification.

JH Jim Hanratty (SUP) 8:29

One other thing on that same page, early termination considerations for sex offenders on number 10.

BB Brecken Blades 8:38

Mhm.

JH **Jim Hanratty (SUP)** 8:39

I would have to ask what major admissions mean, because this whole statement is so funny to me. Has successfully passed or resolved all maintenance or specific issue polygraphs with no major admissions and or multiple admissions for the past two years.

I like the addition they put in there, if able to take the polygraph, obviously they need to be suitable to take the polygraph. But the major admissions and multiple admissions for the past two years, I've never done an exam on anybody that I didn't get some admissions. I don't know what major admissions mean. I think maybe we should change that to risk relevant admissions, because that means it's more in line with risk and there's some actuarial support for that as opposed to whatever major admissions means.

BB **Brecken Blades** 9:24

Mhm.

SN **SCOTT NAEGELE** 9:26

Should we go forward and try to identify a list of what those things are so that we don't just leave it, you know, undefined?

JH **Jim Hanratty (SUP)** 9:35

Right.

No, I agree. You know, risk relevant. I'm thinking of Thornton. I'm thinking of all the things that have actuarial data for sure. And all our testing should be in line with that as well, which I think we, I for one, would love to be able to be able to.

JH **Jim Hanratty (SUP)** 9:54

you know, present or train some folks locally about that, because I don't think anybody that does polygraph even knows who Thornton is.

But that's me.

BB **Brecken Blades** 10:05

I like that. I think there's a few places like the all known paraphilic behaviors have been demonstrated to be under control for a significant period of time.

SN **SCOTT NAEGELE** 10:15

It's.

BB **Brecken Blades** 10:16

is a similar to me. It's like, well, what is significant? What do we mean by that?

JH **Jim Hanratty (SUP)** 10:21
Right.

BB **Brecken Blades** 10:22
which would be similar to major admissions or multiple admissions. I like risk relevant. Is it too narrow to say that they're, you know, violation of probation type admissions? Probably.

JH **Jim Hanratty (SUP)** 10:27
Relevant.
Yeah, well, that's going to be a bell ringer anyway, because, you know, that's where... according to the studies, that's the big one, right? That's the one that provides the highest level of risk with any empirical backup. So we could limit it to that, I guess, but I would rather just put it risk relevant and then let the evaluator, you know, drive the bus on that.

BB **Brecken Blades** 10:43
Yeah, Scott.

SN **SCOTT NAEGELE** 11:00
Yeah, I probably didn't put my hand down is what I didn't do, but I'm mostly listening to the discussion. And I just, I mean, now we're however many months into this board process that we're into, and I'm finding that when we,

BB **Brecken Blades** 11:04
Ohh.

SN **SCOTT NAEGELE** 11:19
when we don't operationally define things to the satisfaction of the larger group, we end up having to turn around and go back and have more discussions about them anyhow. So I'm just, you know, I think, I mean, my input would be to the extent that we have statements like this one,
That we, that we provide examples of what we're talking about, so, so that you know, we can demonstrate that you know, we've actually thought this through.

BB **Brecken Blades** 11:49
Mhm.

JH **Jim Hanratty (SUP)** 11:51
Couldn't we put the, you know, Thornton's work and reference it in what those risk relevant admissions are? I mean, is it?

because that would take probably a whole session just to go through all those things that are, you know, the major bell bell ringers and then the promised ones and all the other ones that they listed in, you know, Mann and Hanson and Thornton's research, which is phenomenal stuff. It's great stuff.

and very relevant to risk, you know, dynamic risk, real risk, not just perceived risk. So. I'm all for it.

BB

Brecken Blades 12:30

Mm-hmm.

Doctor Miller, did you have a comment?

SP

Sheridyn Miller PsyD 12:38

I did. It's on a different item, so I don't want to interrupt if we're still talking about.

Yeah, please.

BB

Brecken Blades 12:44

No, I think it's okay. We're just, you know, going through the document, so.

SP

Sheridyn Miller PsyD 12:48

So I wanted to get everyone's thoughts on item 7 being removed. Probationer has admitted to offense behavior and accepts responsibility for their actions regarding their petition for early termination. I am aware that denial is

JH

Jim Hanratty (SUP) 12:53

Yeah, I agree.

Thank you.

SP

Sheridyn Miller PsyD 13:07

not a supportive risk factor regarding sexual recidivism, but I was curious what everyone else thought about removing that item. Personally, I think

we need to take responsibility for the behavior. It says offense behavior. It doesn't say the offense as reported. And taking responsibility for their actions, not the actions that were alleged. So I think there could be a distinction there, but removing it entirely, I think, opens up the door for a lot of petitions that would not be appropriate.

JH

Jim Hanratty (SUP) 13:44

Yeah.

I agree. I agree.

BB

Brecken Blades 13:50

No, I agree with you. I agree that shouldn't be removed. I think that I would counter that piece about denial by saying that that is true. However, if we think about the research that supports the SOTIPS, which is what's used by Maricopa County Adult probation, one of those items is sex offense responsibility. And what that item explains is that the person doesn't maybe have to agree with all of the allegations, but it is important how they describe what did happen in terms of their level of taking responsibility. It was my fault I did this, you know, not placing blame on the victim or other factors. And so I think Perhaps that's a more accurate or maybe that's what this was driving at and we need to just workshop the wording on this so that it can be consistent with research. I agree, I don't think it should be thrown out.

JH **Jim Hanratty (SUP)** 14:43

I agree. And as I was going to give my third point, that was the one I was going to make the third point about on #7. The probationers already obviously taken the plea if it's a conviction. So as far as accepts responsibility for his or her actions. I would expect that even if somebody, this is an early termination consideration after all. So if somebody is spending three, five, seven years in treatment and they're expecting to get off early termination, are they going to now say that, you know, I just took the deal because I didn't want to go to prison?

I mean, there has to be some accountability, I would think. I mean, that's what treatment's all about. So I definitely agree with the doctor that that shouldn't be struck out if it's already existing anyway. But maybe, like you said, Dr. Blades, to work

BB **Brecken Blades** 15:22

Yeah.

JH **Jim Hanratty (SUP)** 15:39

If I Word shop that a little bit better, then that's all I'm going to say for this. Thank you.

BB **Brecken Blades** 15:43

Yeah, thanks, Jim. No, I do agree. I think that there's kind of a like a fail-safe in here in the sense that you we do have on here that the person needs to have successfully completed treatment. And in order to successfully graduate from treatment, I think the implication would be that there is some degree of responsibility taking.

And so that's there, but I do, I do think that specifying what we mean or what this one kind of is, the driving at, the intent of it in terms of being able to use self-responsible language regarding, you know, that, I don't know, that the person acknowledges some type of sexual misbehavior. I'm not sure exactly how to word it. I don't know if you guys have thoughts on that or need some time to think about it, but yes, Blake.

B **Blake** 16:33
Sorry, so I think that maybe the word that makes this the most difficult is admitted.

B **Blake** 16:42
So, right, the probationer has admitted to the offense.
I would say has taken accountability for the offense.
seems a lot easier to digest than admitted, right? Because there's a lot of these guys who take a plea deal, but they still never admit.
to their full sexual offense. And so I think that it's taking accountability.
would work a lot better, even like within the court system. That seems to be something that would be more easily digested by people than admitted.

JH **Jim Hanratty (SUP)** 17:28
It's Jim Hanratty again. I'm sorry. I just wanted to make a point of reference here that in this early termination consideration for sex offenders, the numbered page, the ones that have one through 10 on it, there's nothing in there. I'm just checking it again that says that they've checked in with the victim or attempted to contact with the victim, but I
I know that the pleadings typically have something like that in there where they, you know, the template for writing the filings.
indicate that, you know, that there's some contact with the victim. I would be very curious to see how a victim would feel about somebody not being accountable for what they did to that person and not admitting to some degree that behavior. So I'm just...curious why there's nothing in there about contacting the victim as far as early termination considerations, at least checking in with them. There's no representation there for the victim at all. Maybe I'm just being overdramatic, but it seems to me that that would be

BB **Brecken Blades** 18:26
Yeah.
Mhm.

JH **Jim Hanratty (SUP)** 18:37
Appropriate, and...

BB **Brecken Blades** 18:38
Mhm.
Yeah, thanks, Jim. Hi, Shanda. Thanks for being here. Do you have some feedback for us?

BS **Breed, Shanda** 18:48
Hi, hello. Firstly, hello. I am not a member of this subcommittee, so stop me if I'm not

allowed to share. But I was told I was able to, so I don't know, but stop me. I think Jenna is on the call. I think I'm allowed to share, but and I

BB **Brecken Blades** 19:09
Yeah, we're glad to have you.

BS **Breed, Shanda** 19:11
Okay, thank you. I've also been late to the party. My first board meeting was in April, although I've been attending all of them. And so...
This, I really appreciate all your feedback that you're giving. So.
I have a couple points. And I'm looking at the version that was sent to us as documentation where there were some proposed changes from Miss Katie K. And it looks like she right struck out #7, for instance. And so

BB **Brecken Blades** 19:46
Mm.
Mhm.

BS **Breed, Shanda** 19:52
Where you guys are going with that seems to be right on with yes or no. But this document...

BB **Brecken Blades** 19:56
Mm.

BS **Breed, Shanda** 19:59
And I was trying to relay this in the last meeting.
This is something where.
And I don't know if it's coming out of place. I feel that us as a committee are doing a good job by starting to review kind of one thing at a time, right, on how we can review, resolve to improve, for recommendation of things. And I think looking at assessments first is key. I think looking at treatment 1st and next is great. I feel like probation supervision should come a little bit later because that is a massive undertaking.
And I don't want the...
I don't want the board and the public to think or feel like probation is the focus of a sex offender and their treatment because it's pretty much the aftermath of what happens in the maintenance. So
I feel like we're getting to this phase a little bit too soon, but I understand the need for folks to put this into some type of formality.
So when we talk about a template, and I said this before at the other meeting, I think this is a good guide. And we do have some influence, me working for the courts and the director of

adult probation, to place this in like the self-help areas to provide this to the probation officers to give to the probationers.

BB Brecken Blades 21:40
Mhm.

BS Breed, Shanda 21:40
If they want to file their own petitions, this is a great guide for training for probation staff to say these are the considerations to, you know, look at and go over. And you're absolutely right. I'm trying to hover over your name, Jim. There should be an added

BB Brecken Blades 21:47
Mhm.

BS Breed, Shanda 22:00
If we're looking at it as a guide for probation officers, for instance, there should be the victim notification statute and code that we have to follow when any petition is filed. Again, that's probation work though, right? So we would know that on our end. So
It's a little gray for me on what this document needs to be. I do like it as a guide because I think it's a great help, but I also think that it should be a guide for probationers because they're the ones mostly filing for early termination if they're lifetime offenders especially. Um...
And it would be good for them to see kind of what that means and what the court's going to be looking at and considering. It's also a great guide for probation officers, because we can make sure that we don't miss anything when we're providing an advocate stance for early termination. You know, our job is to be give all the facts to the court. But if we're filing a petition for early termination, that means that we do have some sway on that this person has been more productive than not in their with their terms and conditions, right?
So I just kind of wanted to pose it to the group.
Do you think...
as well that this should be just a guide. I'm okay with the template, but I just feel like a guide should be more generalized and a template should therefore be generalized as well.

BB Brecken Blades 23:45
Mm.

BS Breed, Shanda 23:49
Anyhow, some thoughts.

BB Brecken Blades 23:50

Yeah, no, that's helpful. I think the way I look at the two documents, because we have this one that's up on the screen now, that's early termination considerations, which could be kind of a guide, or to me, that's like things to consider. I see this as more maybe of a forward-facing document where probationers could be given this document or this information, because if they're going to file, this is what they can look at as these are sort of the criteria. These are things my officer is considering when I'm, you know, motioning for termination. So if there's something I'm not even close to completing, maybe I hold off. The other one is, I think, more of the template for writing the early termination. And that I think is probably more of an internal document that would have the sort of instructions on how to reach out to the victims, how to, those are for the officers as a document to help them put together their response or their motion. And I could be wrong. That's how I see kind of the difference between these two documents. Dr. Miller, did you have something?

BS **Breed, Shanda** 24:47
Sure.

SP **Sheridyn Miller PsyD** 24:57
Yeah, I think.

I agree. I think one is definitely could be forward facing for the probationer to use to assist them in requesting early termination so that they have a starting point or know when they should, if they are wanting to start that process. If I meet these criteria, then there's a good chance the petition will be in my favor. That's not always. But I also think it's important for the courts, probation, probationers to kind of have something that the Sex Offender Management Board stands behind them. We are in alignment that these are the conditions we would like to see the probationer meet. The courts will do what the courts do, of course, and that's not something we have control over. But I do think there is value in the board standing as a whole, agreeing that these are things we think are necessary for early termination. And so it is a guide, yes, but I think there's value in our stance. So that's I would at least hope that there's value in our stance.

BS **Breed, Shanda** 26:13
So keeping the two separate, though, one for more of a forward-facing and the other for a guide for probation officers or even the county attorney who can file a petition for early termination.

BB **Brecken Blades** 26:30
Yeah, I think they're kind of have separate purposes. So not that these considerations

wouldn't also be a guide for officers, but that that this, you know, the other one probably wouldn't be shared. Okay, Scott, yes.

SN

SCOTT NAEGELE 26:42

I was simply going to say that I think frankly, it could be a guide for if a probationer is filing their own motion, then it's a guide for them. If A probationer has hired an attorney to file a motion, it's a guide for them too, because frankly, I see attorneys all the time, you know, because somebody wants to file for petition, they go ahead forward and go through the process of filing on behalf of so-and-so. And frankly, that person's not even remotely close to being ready. And this is a, this can be a guideline for those purposes too. So we don't, so we don't end up having the court being bogged down. But I mean, they have a right, I suppose, but at the same time, it's like we're We're dedicating time to something that frankly could be taken care of sooner rather than later.

BS

Breed, Shanda 27:30

Yeah, I like that approach A lot. You know, we do that in the courts for, for instance, with the new laws that came about for set aside restoration of rights. We have templates that the court and the courts used to writing the templates. So, you know, we can maybe have some influence there on writing a nice basic template for this. Right now, there's just a petition for blank, like for whatever, right?

BB

Brecken Blades 28:00

Yeah.

BS

Breed, Shanda 28:00

But we could even make it be a petition for early termination.

Although we, you know, we have these forms, we've been doing them for a long time, but we could make it be something to where it's like, okay, every court, you know, let's put this on our website or something like that. And for early termination with the sex offense, we could even have this.

how to or instruction like we do with the restoration of rights or set aside, because that's a little cumbersome as well of a process. So it can be kind of instructions for that type of petition.

BB

Brecken Blades 28:35

Mm-hmm.

Mmh.

Yeah, I think that's great. I think I see at this point with the board and with our documents, there's nothing in our board statute that mandates that this be, you know, written into statute

or adopted or mandated or so at this point, kind of like Dr. Miller was referencing, and I think Scott was also saying, and I think we're all on the same page, but just that this becomes a document that we support, it's available as a reference, and because it's not in statute, we can edit it. So when something comes out or it needs to change, we can be flexible in that way, but that we start as a board to provide some of these like guidelines, go-bys, considerations for folks who are on probation for attorneys, for the courts, that they can see them. And it doesn't mean that it's the, it doesn't mean that it's the be all end all. It can never be changed. It's the final, but it is a place where we start to say, you know, this is kind of our position on things. Yes, Dr. Miller.

SP Sheridyn Miller PsyD 29:38

Sorry, just some thoughts over here continuing. You know, Shanda, is it Shanda or Shonda?

BS Breed, Shanda 29:44

Mhm, Shanda, thanks.

SP Sheridyn Miller PsyD 29:46

OK, making sure. I think you've mentioned that probation is working on some of these things as well behind the scenes to make a uniform template or whatnot. I think you mentioned something similar to that the last board.

BS Breed, Shanda 30:06

Well, we, you know, the template for petition for early termination is pretty uniform, but it could be for many reasons and it could be for any type of case type. The local training that happens at each probation department is, you know, going to be to consider all the things that are very unique to that case, their non-compliance or not, you know, what are their terms say that they've completed, where's the behavioral change at, you know, so.

The gist of that is already in place and in practice. We've never had a very specific petition for early termination for like sex offenders. It's always very unique to every type of case, right?

And so I'm not working on a template, but you know, we could definitely, I could have the influence to once the board approves these guidelines.

if you will, to file an early termination for sex offenders, I can provide that to probation officers as a training tool is what I can do. We are working on guidelines for supervision.

BB Brecken Blades 31:23

Yeah.

SP Sheridyn Miller PsyD 31:26

OK, so I, and...

BB Brecken Blades 31:26
Yeah, that's, that would be great.

SP Sheridyn Miller PsyD 31:29
I just wanted to comment on that because I think.
I know I'm going to be in a tricky situation in the near future. You know, the board, the board's goal is to kind of standardize treatment and supervision across the state, which I think is absolutely necessary. And also as a facility director, I can foresee some challenges with implementing the recommendations.
especially recommendations are made without context of how, you know, my facility operates. And so I think some flexibility is important while also maintaining expectations of cohesion across the state.
And so I just, I couldn't remember exactly what you said, but I took that something was in the works on your end that might help inform these recommendations in the future. And so I appreciate what, you know, Dr. Blades said that guidelines are great because they can be updated and changed.
As more information is gathered, they can be adjusted. So yeah, those are my two cents.

BB Brecken Blades 32:42
Okay, thank you. Okay, so I guess to kind of bring home the discussion on the document, I think we're all kind of on the same page in terms of this being a helpful place to start as far as guidelines or things to consider. I have that we need to work on the wording for number 7 on the document about sort of taking accountability or being self-responsible without it being directly related to denial.
Risk relevant instead of major or multiple admissions. So Jim, that would then just be no risk relevant admissions for the past two years and take out major and multiple. Is that right?
Yeah, OK.

JH Jim Hanratty (SUP) 33:35
Yes, sorry.

BB Brecken Blades 33:37
No, that's great.
Okay.

JH Jim Hanratty (SUP) 33:43
And also take out no deception indicated in the in the parentheses.

BB Brecken Blades 33:47

Yes, yes, thank you. I have a question, I guess, for everybody on the board. In practice, sometimes, so for that same item about passing the maintenance polygraphs, you know, for the past two years, sometimes in practice that looks like officers wanting somebody to have to have those polygraphs passed following termination of treatment. But the way this is read or this is written, those two years of past polygraphs do not have to be post treatment. So I'm just curious if anyone has thoughts on that. The way this reads, someone could complete treatment and if they've done all of these things, they can file for ET, you know, the next day. I don't know, I guess I'm just curious if anyone has thoughts on that or if this is fine or if anyone feels strongly that there needs to be a delay between.
treatment termination and...
probation termination.

B Blake 34:52

So, I'll give my two cents on that, Brecken. I think that...

During treatment, they're kind of held accountable by the group. They have a little bit different responsibilities. They are meeting on a weekly basis. They're sharing information. Post-treatment, they don't have that. And so then it is much more about the transparency with their probation officer. So to me, the delay makes sense. Maybe not a full two years, but you know, some kind of a delay post successful treatment completion that demonstrates, hey, even though I'm not in group anymore, I'm still being completely transparent with my probation team.

I have not had any kind of major admissions. I'm not having any unhealthy, risky behaviors, even without the accountability of my treatment group.

BB Brecken Blades 35:50

Mhm.

JH Jim Hanratty (SUP) 35:52

So basically that would be based on self-report, correct?

BB Brecken Blades 35:52

Yeah.

JH Jim Hanratty (SUP) 36:00

Is that correct? So for two years or whatever time frame, it would be based on self-report to probation officer, no obvious arrests, no compliance issues. They're still assumably doing polygraphs and they're not having any difficulties with that. Is that kind of where you're going?

BB Brecken Blades 36:17

Well, yeah, that's what this item is. It's the that they have to have the two, you know, 2 consecutive past polygraphs with no risk relevant admissions. And what I'm saying is that sometimes it seems like the expectation or the hope is that those two happen post treatment discharge. But this wording doesn't specify that. And I'm just curious about whether the committee feels strongly about that. And I Blake is in agreement that because you're less kind of supported and have less maybe accountability weekly with the group setting that those two polygraphs of the two years should occur after. treatment discharge.

JH **Jim Hanratty (SUP)** 36:57
Are you suggesting that a risk assessment should be done for exit?

BB **Brecken Blades** 37:02
No.
Are you?
Scott.

SN **SCOTT NAEGELE** 37:10
I agree that there should be a gap in time post finishing treatment being successfully discharged from treatment. I struggle a little bit with that being a fixed number, given that we know that not everybody's coming to that place. having presented with the same level of risk in the 1st place. I don't really know how to structure that or sort that out so that it speaks to the fact that, you know, not all people were initially, nor are they now the same level of risk. And so the timeframe being defined, I struggle with a little bit, though I don't know. I don't struggle with, I think that that's the right thing to do. I just am not sure that it accounts for risk. And when we define it as two successful polygraphs or two years or whatever, whatever we do. So I put that out there and asked for wiser minds than my own to help me make peace with that.

BB **Brecken Blades** 38:21
Yeah, Shanda.

BS **Breed, Shanda** 38:23
Yeah, I...
Because.
You know, and I think it accounts for that in...
Who made these changes that I'm looking at here? You know, when she added the if able to take the polygraph, I think she accounts for that part, but...

BB Brecken Blades 38:41
Mm.

BS Breed, Shanda 38:47
Even so, I know more and more, you know, we're trying to tie the polygraph to treatment. And so...
I don't know. I feel like, you know, where we're going in the culture of probation too is the behavioral change language, you know, looking at that non-compliance or compliancy. But to me, this feels very much like confidential information.
of the treatment plan and providers. And so I hear what you're all saying, because I want to know the information too. If I'm a PO, we're getting together, we're talking about this information. We're looking at the polygraphs. You know, we're going to decide if maybe they need one or two after. What does that look like?
How did they score? What did they do? You know, did they admit anything? And then, you know, kind of come to a staffing concurrence of, you know, I'm going to be filing for petition, early termination or not, sort of thing. But to bring that into the court's world, And if a probationer is doing this on their own, you know, how much are they saying on public record of what's going on here too? I just, I don't know how I feel about.
talking about all this so much, when I feel like it's all kind of wrapped in, has the probationer successfully completed all aspects of primary treatment, relapse, maybe polygraphs go in there. And then the time frame of two years, is there, I mean, I kind of like that in my heart. you know, but is there, I don't know, is there any specific like evidence base that two years is like kind of the time of when after that they probably won't violate? Does anyone know?

SN SCOTT NAEGELE 40:45
Unaware of anything like that. How about you, Brecken?

BB Brecken Blades 40:48
No, I'm not aware of anything. I think the reason they say two years is because with the annual maintenance polygraphs, that means that that's probably 2 polygraphs if you're doing one a year. And so it gives them time. I mean, the only research about timeframe really is with regard to the static and how the longer someone is in the community offense free, you know, their static score becomes sort of less relevant or decreases however you want to say it. But in terms of there being something specifically about two years post-treatment, I'm not aware of that. So.

SN SCOTT NAEGELE 41:18
There is there is there is a there is research that says, again, referencing somebody's initial statics 99 score, that every five years, offense free in the community, which means at risk,

that they're initially assessed risk is cut by half. So with each successive five year period of time that somebody's offense free and functioning in the community where they could be committing an offense, that their risk is diminished by half. So that research does exist, but that's five years. That's not two years.

BB Brecken Blades 41:41

Right.

Mhm.

Well, and it doesn't necessarily correspond to the end of treatment in any way. It just, it just, that's what I'm saying. It's just, there's research with regard to the time since they're static, which the release from their index events, but I'm not aware of anything specific to two years post-treatment discharge. Okay, Dr. Miller.

SN SCOTT NAEGELE 42:02

No, no.

Yes.

Yeah, me either.

SP Sheridyn Miller PsyD 42:19

When we're saying post treatment, that's after maintenance. That's when they're no longer seeing any provider.

BB Brecken Blades 42:28

Correct. That's my understanding.

SP Sheridyn Miller PsyD 42:29

I mean.

I do agree that when they have even maintenance support.

individuals tend to find their P's and Q's and do what's expected of them and live a risk, you know, a safer lifestyle or reduced risk lifestyle. And that testing them, you know, with the polygraph to ensure compliance after treatment would show if they've actually internalized it and are living it without constant supervision and oversight and in treatment setting.

I'm not familiar so much these days with the probation world and how the courts view polygraphs and if they need to be tied to treatment. But I would say, you know, loosely, they would be tied to treatment to make sure that they're internalizing things and have benefited from the treatment provided to them.

I think it's really easy for individuals once they leave treatment to revert to old ways. And so this would be kind of a fail-safe for them without that additional support to ensure as best as possible that they've benefited to live a safer lifestyle.

I know, you know, residents at my facility often speak of having a fallback or someone monitoring them to make sure that they are doing what they need to do and they appreciate that and benefit from it. So I think it makes sense to continue, at least for a short period of time, just to help monitor

But I don't know where the courts fall into that.

BB Brecken Blades 44:12
Okay. Thank you, Jim.

JH Jim Hanratty (SUP) 44:16
I was just going to comment on what you and Scott were talking about as far as any known studies for time. I can not, I can't quote the actual study, but I can tell you that typically memory is out the window after about two years for details and pulling out details. So when we teach polygraph examiners how to do PSOT testing, we try to tell them to limit any like monitoring or maintenance type testing for two years. Back in the day, we would alternate between maintenance and monitoring testing. So presumably we'd have within a two year time frame, we'd have a maintenance and a monitoring test, but monitoring kind of is. pass a sort of, and we're not doing a lot of those monitoring tests. And then there was also the practice that when somebody petitioned the court for early termination, there would be a what was called an exit exam, which would generally be a polygraph that was monitoring. So essentially, any sexual reoffending since they've been on probation. which ended up being kind of a slippery slope because you have to consider it a polygraph isn't a be all end all and it shouldn't be the only piece of information when making determinations. It's supposed to complement and supplement. It's not supposed to be a standalone kind of assessment. And it's not really a risk assessment at all. It's more of a behavioral monitoring tool, which is contributory to treatment and risk management. So I would just say that where that two years come from, I don't know, but I know that we would try to, from a polygraph perspective, not try to go beyond that. I mean, it's precarious enough to try to do a history for somebody who's middle-aged or older to try to do a history, which is difficult. But if there's going to place, if there's going to be any emphasis placed on an exit or the proof, so to speak, of a polygraph, we have to be very careful of that and let professional judgment rule and kind of dictate guidance in that area.

BB Brecken Blades 46:30
Yeah.

JH Jim Hanratty (SUP) 46:30
So that was the only comment I was going to make about the timeframe.

BB Brecken Blades 46:33
Okay. Thanks, Jim. Missy.

MM Missy Musick 46:38
So I, my thoughts on this, a concern that I had always had was that.
People who...
earn an early termination. They go from this very structured guidelines of probation and all of a sudden they have nothing. And I'm wondering if that year or two post treatment is really where probation can focus on
let's give you more privileges and see how you can function with that and then kind of have the support of the polygraph to show that they are doing that.

BB Brecken Blades 47:30
Okay, so kind of what we're talking about would be editing that item to say, has successfully passed or resolved all maintenance or specific issue polygraphs with no risk relevant admissions for two years post successful treatment discharge.

JH Jim Hanratty (SUP) 47:52
If they're able.

BB Brecken Blades 47:54
Right, but yes.

BB Brecken Blades 48:03
OK, is that what everyone is? Yep, yes.

B Blake 48:04
So, so Brecken. Yeah, so I'm just kind of thinking about the outliers in this.
There's people who...
you know, may have finished treatment and they are, you know, highly successful running their own business, doing all these different things. They have a family, they're living a very structured life and didn't have a single issue with probation. Their argument likely would be, why do I have to wait another two years when I've been doing everything for the last four? and I followed every single thing I'm supposed to. I've never had a failed polygraph. I've never had any major admissions. I did well in treatment. I'm just wondering if we put that in there, and I understand it's a guideline, right? So it's not set in stone, but if we put that in there,

BB Brecken Blades 48:40

Mhm.

Yeah.

B

Blake 49:00

Um...

we just also have to account for the outliers who are going to, you know, say, there's absolutely no reason for me to do this. And then if probation looks at it and says, well, but it's one of the guidelines. So regardless of your feelings on it or how well you've done, this is what it is. I think that, and Shanda, you can tell me if I'm wrong, but I think that's part of where we see this as a guide, not it has to be this way. And the probation officers also and probation supervisors also understand that aspect of it, where it still can be a case by case basis. But this is kind of the

For the masses, this is the typical recommendation from the board.

BB

Brecken Blades 49:50

Mhm.

Okay, yeah, I think that's a valid concern. What if we, instead of changing it, changing the item we were just talking about, what if on...

Item 3 we specify in the parentheses like drug testing, deferred jail, and say polygraphs, etc. And adding it there perhaps gives.

a more specific, I don't know, like points it out a little bit more specifically that polygraph should be considered in terms of completion of all of the specialized conditions.

Okay, Blake is nodding.

Does that seem better than adding the verbiage of post-treatment discharge?

JH

Jim Hanratty (SUP) 50:40

I don't think so.

BS

Breed, Shanda 50:40

Yeah, or even, yeah, I was gonna say even condensing them to a more generalized polygraph statement. Because at the end of the day...

you know, what's going to happen is probation officer or someone on probation is going to go, oh, all my polygraphs. Have I taken the ones I've needed? Have I followed my treatment plan and polygraphs as I needed? You know, are they, you know, have I done my accountability or?

You know what I'm saying? We're gonna look.

We're going to look toward, okay, what does that look like right now? And so I think a generalized statement, wherever it's at, is good to make sure those things are considered and that it's not missed, right? At the end of the day, this is all stemming from a case where a polygraph and

BB Brecken Blades 51:17
Mhm.

BS Breed, Shanda 51:34
and what happened in that polygraph was missed. So I think pointing to it somewhere will be great and generalizing it is even better.

BB Brecken Blades 51:44
Okay, what about I see your hand, Missy? What about something like...
successfully passed a result.
For the past two years, while in treatment, and...
you know, post-treatment as directed by probation or something like that, that like separates the two things that we expect that you've been passing them for the past two years while you're in treatment. And then it doesn't mandate that it's post-treatment, but it explains that there could be the need for that. It's a thought. Okay, Missy.

MM Missy Musick 52:21
Could you put in there, unless otherwise determined in end of treatment staffing?
So just have it post two years unless otherwise determined by the treatment team at a treatment completion staffing.

BB Brecken Blades 52:44
Add A qualifier.

MM Missy Musick 52:46
Yeah.

BB Brecken Blades 52:47
So that there's a way that it's clear that it's not, that we're aware that there are exceptions to the rule, kind of like you're referencing, Blake, and that there's kind of a way to not do that.
Okay.
Okay, is that where we're landing with the wording?

BS Breed, Shanda 53:08
Clear as mud. Yes, that's where we're landing.

BB Brecken Blades 53:08
Or what did we?

BS Breed, Shanda 53:12

Yeah, we know we don't want to imply other probation conditions here. This is a consideration for early termination. And so, you know, if we're looking at it as a guide to make sure that we're not missing anything, then I don't think it has to be so specific.

SP Sheridyn Miller PsyD 53:13

I think it if.

BS Breed, Shanda 53:31

And if you guys do really love this time frame in here.

Ahh.

I understand, but then yes, I think we need to add what Misty was saying, a caveat to it.

BB Brecken Blades 53:49

Okay, I mean, we can also just leave it. I didn't mean to bring up something that became such like a discussion. We can also just leave it that it says within the past two years.

And that, you know, maybe that there are other items on here that would allow an officer or a treatment provider to make recommendations for someone who's having problems, you know, to continue on. And also, again, with this document, like we can edit it. Like if we take this to the board and then sometime later, someone's like, you know what, this is really missing. Like we need to specify pre-discharge, post-discharge of treatment. We can always add that so you know we could just leave it. We can just leave it as it is and go from there. Jim.

JH Jim Hanratty (SUP) 54:36

I was just going to say this is a guideline. I keep wanting an underlying guideline. And, you know, if a person wants to petition a court, they have the right to do so anytime they want to. It really is just a guideline of hopefully they have some history or two years of progress or at least no major mishap. They're up on all their restitution. They're doing exactly what they're supposed to be doing. And really, a probation officer is going to end up either being an advocate for that individual to do so, or they're going to say, hey, what about this, this, and this? So I'm really OK with

You know, I'm not sure two years if that's the hang up here, we can change it. I mean, I just don't see that it's worth this much discussion. I mean, it's a guideline. It's not a statute. We're not creating law here.

BB Brecken Blades 55:26

Yeah.

BS **Breed, Shanda** 55:27
If it's a guideline, yeah.

BB **Brecken Blades** 55:34
Right. Okay. Well, let's just leave it as it is for now. I'll make or I'll ask DPS to help me make some of the changes that we've talked about and then make reword the, see if I can find some wording for the denial item. I think it's #7 so that that doesn't say.

JH **Jim Hanratty (SUP)** 55:34
It's just a guideline.

BB **Brecken Blades** 55:54
denial, but that it is just more about the person, you know, being self-responsible for what whatever it is that they admit to and that probation has determined is, you know, acceptable for them to move forward. Okay, anything else about the
The other document was sort of the template for writing the updates. Do we need to, are we okay with the changes on that?
Do we want to table that so we can move to some of these other things, maybe, and...
Work on that at our next meeting.

JH **Jim Hanratty (SUP)** 56:35
Sure.

BS **Breed, Shanda** 56:36
Yeah, and I do have to, I do have to run too. So sorry. Thank you. Thank you for letting me jump into your guys' meeting. Just one more thing on like number, I think it was number one of the list that I have issue with. I would love, no, it's #2. I would love to see that first sentence.

BB **Brecken Blades** 56:36
Okay.
Mhm.

BS **Breed, Shanda** 56:57
go away. Only because there's no, there's nothing there that says half of the time. In our current probation code, you know, we're looking at, I'm glad we added this piece right here, because I think it's a huge, a lot of maybe the public don't know.
about the new law there to see when it's considered or not. But I think it should be just stricken out. Therefore, you know, if someone to be considered, it's like.

BB Brecken Blades 57:21
Yeah.

BS Breed, Shanda 57:35
I don't know. It's kind of up in the air. You know, this all falls on have you done your treatment? Have you done your terms and conditions of probation? That's what our code states now. And so I just feel it should be. I know in Maricopa, you know, folks say they're not going to even consider it unless, but that's not.

BB Brecken Blades 57:37
And then.

BS Breed, Shanda 57:55
the judicial code that judges should be also abiding by. So that's just my two cents there. I have to go. If you guys don't agree to change it, I'll probably still bring it up at the meeting. Just letting you know. So thank you.

BB Brecken Blades 57:57
Mhm.
Oh, that's great. We really appreciate you being here. So just to make sure you're saying delete that first sentence and just leave it as the statement that Ms. Krejci suggested. It'd be the statutory one.

BS Breed, Shanda 58:18
Yes.

BB Brecken Blades 58:19
Okay, thank you so much for being here and for your feedback. We know you're so busy, so we appreciate it.

BS Breed, Shanda 58:20
Okay. All right. Thank you.
Thank you. Thanks for having me. Take care.

BB Brecken Blades 58:25
Thanks.
Okay, in terms of that, as far as just moving it to kind of the suggested one, does anybody have other thoughts or comments on that?
taking, removing the more than half of their original probation grant.

I don't have a problem with it, but I think probably just using statutory expectations and language is probably the better route.
And I'm just.

AA **Amanda Adkins ADCRR** 58:57

This is Amanda. I think that makes sense. I was wondering what the two years, or on the half the year, half the finish and so.

BB **Brecken Blades** 59:03

Yeah.

OK, great.

Okay, well, I will get together a document with our with the changes and then have something, you know, have that as as for more discussion at the big border board meeting so that it can go forward. Does anybody have strong feelings about the template document that? that was submitted and the changes or need more time to review it. I guess I'm just trying, we have, you know, 1/2 hour left and I want to make sure we have time for Jim to give us his talk or if we have to do it in two parts, but I, so if this is going to be, if we need to have significant discussion on this, that's no problem. Well, let's table it and move it to our next meeting or.

In the alternative, if everyone's kind of read through it and feels comfortable with the changes as suggested, then it might be a quick line item that we could go through quickly. So I guess where's everyone at? So I can kind of get, take the temperature. Hi.

JH **Jim Hanratty (SUP)** 1:00:00

Hi, it's Jim Hanratty. I need more time to review it because all I saw was that it didn't have polygraph and I thought the original grid did, at least for the sexual history and the instant offense. So I need more time to review that and to see that and without looking at it right now in front of me.

BB **Brecken Blades** 1:00:10

Okay.

JH **Jim Hanratty (SUP)** 1:00:21

I'm not even sure which version I would be referring to at this point.

BB **Brecken Blades** 1:00:24

Looking at.

Well this one that's up on the screen does have a section that says polygraph history. summary of their history, past resolved maintenance monitoring. with which that would probably be changed, no major admissions or multiple admissions,

because we talked about that being risk relevant for the past two years, dates of the polygraph.

JH **Jim Hanratty (SUP)** 1:00:48
You're referring to this early termination thing?

BB **Brecken Blades** 1:00:51
Yeah.

JH **Jim Hanratty (SUP)** 1:00:52
Yeah, I'm okay with that. The way we discussed it already. I'm sorry, I thought you were talking about, I thought you were talking about the...
The document that is incorporated here with the grid, the adult subcommittee evaluation matrix thing.

BB **Brecken Blades** 1:01:07
Oh no, this is still just some of those documents that Beth gave us last time.

JH **Jim Hanratty (SUP)** 1:01:10
My bad.
Yes, that.

BB **Brecken Blades** 1:01:14
So I'm just curious if anyone has strong feelings about the other one, or if we're comfortable saying, you know, we're okay with the changes and for that the bigger board can continue their discussion, or if we need another meeting to kind of dive into it.

B **Blake** 1:01:32
So, my thought, Brecken, is we...
say, yeah, it's good to go. And then we throw it into the big board and let them continue to tell us why it's not good enough or what's wrong with it. And then we come back to it rather than tabling it, doing that, and still having the same result.

BB **Brecken Blades** 1:01:54
Okay, I'm fine with that. I read the changes and all of that, and except for, like I said, where we said, you know, if we've changed wording in the termination document, that would then need to be consistent in this document to make those changes. Otherwise, I don't have an issue with, I don't have any major changes to it as it's written and with the changes that were proposed.

So I'm comfortable with moving forward with it if you guys are. Blake here, yes. Jim's nodding. Okay. Dr. Miller.

B **Blake** 1:02:18

Yeah.

I don't mean to be pessimistic.

SP **Sheridyn Miller PsyD** 1:02:24

I was just maybe I'm not seeing it. The we're talking about the template. Correct. So does the template cover everything in the early termination early termination considerations document?

BB **Brecken Blades** 1:02:30

Mhm.

SP **Sheridyn Miller PsyD** 1:02:43

Does that speak to that?

And maybe it should just to say this probationer.

you know, has met the expectations as listed in the early termination considerations. I don't know if that's.

I don't know if it already does that and I'm just not seeing it, if it really matters.

BB **Brecken Blades** 1:03:09

No, it does matter. I think that's a good suggestion. I think that it does, but not as succinctly as that. I think that it's just that this is like expanded on. So where it's one line item for the considerations and it's like, have all your testing done for the officer. They're like, summarize this and this and the dates and the results and the date. So it covers it, but theirs is much more.

lengthy, I think. But I agree, it should, they should correspond. I mean, that does, that is what makes the most sense. I agree with you.

SP **Sheridyn Miller PsyD** 1:03:30

Okay.

BB **Brecken Blades** 1:03:40

Okay.

Okay, well, let's move on to, let me see where my thing is. So, okay, so we just did C&D.

Let's go on kind of to the old business. And so the first piece of that would be the language that I wrote up based on our last discussions, just about the.

This is just very short. This would be like the beginning of the document for evaluations. It

talks about the timeframe when we talked about them taking place. And then it just goes very generally into the purpose, which was taken largely from Colorado. Tennessee is consistent, and I think Idaho is as well.

I don't know if anyone had time to make think of that or have comments on it or if we're comfortable with giving this to the big board to say, hey, this is our first draft. give us feedback on it.

B **Blake** 1:04:39

I'll say the same thing I said with the other one. I think it looks great. Let's throw it to the big board and let them.

tell us where there's issues or problems with it. But I think it's a good initial draft. I actually didn't see anything wrong with it and it makes a lot of sense to me. But as a treatment provider, you know, I'm seeing it from that scope where other people are going to see it from their expertise and maybe they identify things that are different.

I feel like for a purpose of time and making the most progress, we just approve it and send it to the big board and let them, you know, go through it and dissect things out of it.

BB **Brecken Blades** 1:05:22

Yeah. Okay.

And.

In terms of capturing the time frame, thank you, Blake, for that. What I had was kind of what Karolyn wrote for us about the pre-sentencing evaluations, that those need to be used, but that post-sentencing, each convicted offender to be considered for probation shall be required to submit.

I think that's the appropriate wording based on our discussion, but I'm not an attorney. We don't have attorneys here today. So if you guys have feedback on like, hey, actually that doesn't make sense. You wrote it all wrong. I'm totally open to that. That was just my best. kind of guess of based on our discussion.

So, and you can also you give me feedback like it's you're not gonna hurt my feelings. You feel free to say, you know, change this or this is bad or whatever. That's not, it's not gonna bother me at all. I would welcome that. I'd rather have that feedback here than at the big meeting for us all. So.

SP **Sheridyn Miller PsyD** 1:06:26

I think there's an and potentially missing from the post-sentencing paragraph on the second line. Says required to submit to an evaluation for treatment, risk and needs, procedures required for monitoring of behavior to protect victims and potential victims. I think

BB **Brecken Blades** 1:06:42

Yeah.
Right.

SP **Sheridyn Miller PsyD** 1:06:44
maybe an and before procedures.

BB **Brecken Blades** 1:06:46
You're totally right. Yes, thank you.

SP **Sheridyn Miller PsyD** 1:06:47
But everything else looks great.

BB **Brecken Blades** 1:06:51
Okay.
All right, well, if you guys, if we're aligned in this being a draft that's...
ready enough to get its first round of feedback from the board, then I will have them put that
on the agenda and ask that it be included in the background material for the first time or for
the next meeting. Do I need a vote on this? I guess, Jenna or Ashlesha, I'm just kind of like
moving through things.
No, not.
voting.
Maybe we need to go.

JM **Jenna Mitchell** 1:07:23
Sorry, yes. Yeah, for any motions to move it forward. If you're, even if you're tabling it, I
believe it should be a vote. So yeah, I apologize.

BB **Brecken Blades** 1:07:33
No, that's, I should have caught that. Okay, so let's close out this one. So if, would somebody
motion for this to be presented to the board for feedback?

B **Blake** 1:07:44
Blake Barney, I propose a motion to submit this to the big board for feedback.

BB **Brecken Blades** 1:07:52
Okay, does anybody second?

SN **SCOTT NAEGELE** 1:07:53
Second.

AA **Amanda Adkins ADCRR** 1:07:53
I mean, I think I'll second that.

BB **Brecken Blades** 1:07:56
Okay, all in favor?

SP **Sheridyn Miller PsyD** 1:07:59
Aye.

SN **SCOTT NAEGELE** 1:07:59
Aye.

JH **Jim Hanratty (SUP)** 1:07:59
Aye...

MM **Missy Musick** 1:08:00
Aye.

AA **Amanda Adkins ADCRR** 1:08:00
Aye.

B **Blake** 1:08:01
Aye.

BB **Brecken Blades** 1:08:02
Any opposed?
Anyone abstaining?
Okay, the motion carries. Also, do we want to entertain a motion to present to the larger board our comments on the template for writing early termination and the considerations for early termination?

AA **Amanda Adkins ADCRR** 1:08:32
Say that one more time, I'm sorry.

BB **Brecken Blades** 1:08:35
I was just referencing the other two documents that we've spent the bulk of our time talking about. And do we want to...

AA **Amanda Adkins ADCRR** 1:08:41

Okay.
to nominate them to the big board.

BB Brecken Blades 1:08:45
Yes.

AA Amanda Adkins ADCRR 1:08:47
Amanda Adkins, I nominate that we put the early termination considerations back to the main board, the board, sex offender management board.

BB Brecken Blades 1:08:57
Okay.

JH Jim Hanratty (SUP) 1:08:58
Just for clarification.
The edifications.

SN SCOTT NAEGELE 1:09:08
Lost you.

BB Brecken Blades 1:09:10
We lost you, Jim.
Uh-oh.
Yeah.

B Blake 1:09:31
Blake Barney, I would like to 2nd that motion.

BB Brecken Blades 1:09:35
Okay.
Okay, all in favor.

SN SCOTT NAEGELE 1:09:39
Aye.

B Blake 1:09:40
Aye.

MM Missy Musick 1:09:41
Aye.

BB Brecken Blades 1:09:42
Okay, anyone opposed to sending those two documents through?
Okay, anyone abstaining?

JH Jim Hanratty (SUP) 1:09:51
Sorry about that. I got disconnected. I didn't hear your answer. I don't know if you heard my comment about the edifications.

BB Brecken Blades 1:09:58
No, we did not.

JH Jim Hanratty (SUP) 1:10:00
Can you hear me now?

BB Brecken Blades 1:10:01
Yes.

JH Jim Hanratty (SUP) 1:10:03
So the submission to the big board, that's with the edifications, correct?

BB Brecken Blades 1:10:11
Yes, not as is, but yes, with with the yes suggestions we talked about, correct.

JH Jim Hanratty (SUP) 1:10:15
Okay, thank you for clarifying.

BB Brecken Blades 1:10:17
Okay. Okay, so all in favor.

JH Jim Hanratty (SUP) 1:10:21
Aye.

B Blake 1:10:22
Alright.

BB Brecken Blades 1:10:22
Aye. OK, OK. Anyone opposed?

BB Brecken Blades 1:10:27

No. Anyone abstaining?

Okay, great. Okay. Jim, what can we do in the last 15 minutes? If I take 3 minutes and just explain what that matrix was, can we do 15 minutes of yours and then do a part 2 next time?

JH Jim Hanratty (SUP) 1:10:46

You bet.

BB Brecken Blades 1:10:47

Okay, thank you for being flexible. Sorry about this. The discussion today was really great, but more in depth than I even anticipated. So, okay, so this, so basically the matrix was just, I took with the assistance of DPS, a lot of assistance from DPS, I used what is kind of published for Colorado in terms of their general outline of the evaluations. And then we did a little research. Blake helped with Idaho and we put together just to get an idea of how closely maybe all of the states and all the boards are recommending the same thing versus, you know, were they totally different?

So what I see here is that it's Colorado, Idaho, and Tennessee are all extremely closely aligned in terms of the elements they feel are most critical to the evaluation. Although, like Jim said, we're going to hear about polygraphs, and I think that's not on here, so we need to incorporate that. What I would suggest, and if everyone's okay with it, is that I will start to put together a more fleshed out outline of what these are based on the states that we've already got going for to be a big part of our discussion for next time. if everybody's okay with that.

JH Jim Hanratty (SUP) 1:12:14

Is that supposed to be Texas or Colorado?

BB Brecken Blades 1:12:17

It's listed as Texas. The reason that Colorado was another column, and then, but Colorado is where this originated from, so it would be a duplicate. Does that make sense? Like...

SN SCOTT NAEGELE 1:12:30

Yeah, gotcha.

MM Missy Musick 1:12:30

Yeah, I realized that as I was filling it out. I'm like, this is all Colorado.

BB Brecken Blades 1:12:35

Oh, it's all Colorado. I started with the ATSA guidelines that they were a little bit like diffuse and kind of hard to put in this context and they seemed to be the same. And so the way that Colorado had them listed was a lot more kind of clear and succinct. And so I emailed that to

DPS to start helping us work on this and then they.

you know, translated what I sent to them and made this beautiful matrix for us so we can see visually, yeah, that they're all in the same. So thank you, Missy, for starting to do that. But yes, I ended up using Colorado, so.

Okay, I will do that for next time. And then unfortunately today I have kind of a hard stop right at 2.30. But Jim, if you would...

spend the rest of the time for us talking about polygraphs, and then we will, you know, add the rest of that to the agenda for next time, so we're sure, you know, that we know how to best include it as we go forward with the evaluations.

JH **Jim Hanratty (SUP)** 1:13:35

Okay.

Let me bring up the grid.

Hopefully, everybody can see that that.

BB **Brecken Blades** 1:13:46

Yes.

JH **Jim Hanratty (SUP)** 1:13:47

Okay, so let me...

Kind of, let's see the way in there.

Go down here just a little bit so you can see the far left column shows all the different types of industry standard polygraphs for PSOP. I'll start at the top there on the left-hand corner for the examination. You'll see the Instant offense, then the Instant offense investigative, the prior allegation examination that we talked about, at my last slide show.

The sexual history examination one and the sexual history examination 2, they do separate them for some jurisdictions and some programs work well with that. Some don't, depending upon which model policy that you adopt. And then there's the maintenance. and the Sex Offense Monitoring Exam. So I put those in context of what their primary purposes were and then in the far right and the farthest right column, you'll see treatment risk assessment contribution that the polygraph provides and the contribution to supervision and risk management. So when we're talking about these evaluations for risk management or risk assessment, really the incident offense would be the only one that has diagnostic value.

And that can be either the instant offense or the instant offense investigative. Just so you know the difference, the instant offense is basically the one that the individual will say, I didn't do it, or I just took the deal, or they seem to be denying the

Essence of the crime, and though we've all decided that denial is not a...

a detriment to ongoing treatment or necessarily risk in the community, it's still something that probably from, you know, the treatment perspective, you probably want to know about. It

helps clarify the offense behavior and the accountability, the victim characteristics, offense dynamics,

and treatment relevant patterns that denial or minimization may obscure. So those are from the treatment perspective, probably a good thing to know when one is putting together a risk assessment evaluation on a bigger scale. Using just polygraph as a supplemental tool only.

From the probation side of the risk management contribution, you'll see that it improves understanding of the victim access, offense circumstances, restrictions, and supervision planning. It's helpful in that and monitoring needs for particular behavior. The investigative one is more of more the

you know, they're admitting the essence of the crime, but maybe some specific details that are an impasse for treatment, like levels of force or maybe the extent of how much it was going on. Something that might refine case formulation and treatment targets when they are Working in group and individually with a treatment provider, so...

I don't know if currently in our state that we're getting a lot of separation between the two. I would rely on some treatment providers that are actually in the know and in the business right now and seeing if that is something that would be advantageous for them. But from a risk perspective, if somebody was put together

putting together a risk assessment. I think these two are definitely in the area that would be helpful in that regard.

The prior allegation examination, I think I spoke about that briefly a couple of months ago. And though that is not something that we see a lot about here in Idaho, it's very successful in eliminating known allegations that a charging bureau may not have gone all the way to the charging, you know, charging the person with it. They pled to something else or another or another victim.

But it would be from a risk perspective, probably very, very necessary to know that, particularly if those other victims were in, you know, local vicinity to the offender and possible contact. So you can see here that

You can read these on your own and I can provide this to Jenna if she wants to post it, but this is just kind of a breakdown. And I wanted to, since I'm kind of short on time here, I wanted to get into the sexual history, which should be included in the evaluation. It's also my understanding that locally, we're not getting a whole lot of separation between the SHE 1 and the SHE 2, as they say. But in short, the first phase of the sexual history is really just identifying the number count on victims. At some point, it really is kind of academic, whether it's 10, 20, or 90 victims. But, you know,

It may be more important to actually go into phase two once it's identified that that test has been resolved to treatment satisfaction.

Once the first phase is resolved, maybe it's important to find out about these other secondary issues. You know, commonly addressing additional sexual behaviors and interests not fully covered in the first sexual history or things that aren't specific to those known or disclosed victims, including risk-relevant compulsivity, deviancy, or

problematic sexual behavior. These are the other paraphilic behaviors commonly referred to sometimes as hands-off behaviors, where the SHE one can be hands-on victims and commonly known as the SHE two can be the hands-off paraphilic behaviors that may be important for treatments and evaluating risk in the community.

I'm not going to bore you with reading each of these columns unless you want me to, but I'm trying to move as quickly as I can here, so no pressure.

BB Brecken Blades 1:20:12

Well, take whatever time you need, Jim, and then if you're okay with it, we'll do, you can have time at the next meeting also to finish up with us. So don't feel pressure. We want to know, you know, what you want us to know.

JH Jim Hanratty (SUP) 1:20:23

Okay.

Fair enough.

Let me move the screen here. So the maintenance exam and the monitoring exam as prescribed by industry standard, there is a very distinct difference. So the maintenance exams, these would be ongoing behavior

behavior monitoring. So it periodically accesses compliance with treatment and supervision requirements during a defined period. Provides information about dynamic change, including concealment or non-compliance involving treatment rules.

prohibited contacts, pornography internet restrictions, boundary issues, other risk relevant behavior. And that's from the treatment perspective, from a supervision or risk management perspective here on the far right, functions as an ongoing risk management feedback mechanism and may assist early detection of behaviors

suggesting an escalation in threat or need for adjusted controls. So that's that proactive approach that I had mentioned before that if we try to stay proactive, we can identify it early. an escalation of risky behavior.

The sex offender or the sex offense monitoring exam, commonly just known as the monitoring exam, those are the ones where there's actually a high degree of suspicion that a new sex offense has occurred. And at that point, it becomes very different than the maintenance. There is a significant concern for

you know, public safety at that point, there's a victim that is allegedly out there. And it's happened on our watch, so to speak. So I don't think there's a lot of monitoring tests going on currently, but it used to be that when we had difficulties clearing maintenance exams for folks that couldn't pass a maintenance exam, that we would oftentimes go into an agreement that we would do a monitoring exam to at least verify that there isn't any victims out there that we missed or that that escalation was missed at an earlier stage.

while they've been under community supervision or in treatment. I don't know if that's still

going on. And I did mention earlier that a monitoring exam might have been used in the past for the exit, kind of known as the exit exam, which also can become very slippery because then not only provides potential legal ramifications, but it is a polygraph after all. So it does support further investigation and increased supervision. It may require a revised safety planning and authorized intervention when new sexual offending is suspected. So based on a polygraph, providing that the monitoring polygraph was done according to industry standard and it was quality controlled so that it's viable, you've got a whole can of worms opened up on that one. So I would require or at least ask those treatment providers that are in the meeting that if they're having any experience using monitoring exams successfully or just reverting to single issues on the maintenance. When you get a failed maintenance polygraph, it's using multiple issues. So sometimes you have to be pragmatic in picking the most significant issue. that has a higher risk attached to it to really resolve. And sometimes that leads to not resolving the other issues or potential issues from the initial maintenance, if that makes sense. Any questions about that? Okay then.

BB **Brecken Blades** 1:24:47
Scott, did you have your hand up or no? Oh, Blake, maybe too.

SN **SCOTT NAEGELE** 1:24:51
I do only to ask Jim. Jim, you made reference to the study. I'm not sure if you're talking about Thornton's polygraph study, Thornton, Mann, and Hanson, or something else, but either way, could you make that available to us? I mean, I may have it, but if it's something different, I most definitely want. To take a look at it.

JH **Jim Hanratty (SUP)** 1:25:12
The study regarding...

SN **SCOTT NAEGELE** 1:25:14
Well, you had mentioned the study about that you were talking about earlier in this discussion when you were talking about the necessity of certain percentages for it to be called a certain kind of test versus another test. And you referenced it, but I but I but I wasn't clear who's Study it was, so that that's why what I'm asking.

JH **Jim Hanratty (SUP)** 1:25:37
Okay, so I mentioned two things of studies. There's a study I'm familiar with about memory for the two-year thing. Is that what you're talking about? Oh.

SN **SCOTT NAEGELE** 1:25:45
Nope, it was earlier in the discussion. Wait, wait.

JH **Jim Hanratty (SUP)** 1:25:47
So that is the Mann, Thornton, Hanson study regarding risk relevant behaviors.

SN **SCOTT NAEGELE** 1:25:50
Yes.
Yes.
Yes, so it...

JH **Jim Hanratty (SUP)** 1:25:56
Yeah, it's pretty much out there on the internet.

SN **SCOTT NAEGELE** 1:26:00
Do you have access to it that you could easily send it to me or send it to us? Okay. Maybe send it to Jenna and then, and Jenna can help get it to those of us that are, like I said, I may already have it, but we get talking about these things. Sometimes we're talking about the same thing and sometimes we're not talking about the same thing and having access to it would be very helpful to me.

JH **Jim Hanratty (SUP)** 1:26:03
Of course, of course. I'd be happy to.
Absolutely, absolutely. I will send it to you.

SN **SCOTT NAEGELE** 1:26:22
Thank, thank you for that. That that was my that was my question. I'll cut out.

JH **Jim Hanratty (SUP)** 1:26:26
It does spell out, it does spell out those, you know, and it provides the actuarial information regarding the predictor values of the behavior. And the number one, I think it was in the 60 percentile range was, or 62.62 for compliance with treatment and supervision guidelines. So That was really the major bell ringer when those don't happen. It seems that the risk goes way up, at least from that actuarial.

JM **Jenna Mitchell** 1:26:56
And Jim, this is Jenna. As Scott said, it would be best if you send it to us and send it to AZSOMB, and we will e-mail it to the subcommittee.

JH **Jim Hanratty (SUP)** 1:27:03

You got it.

Absolutely. So I think this was just the short version. Oh, I'm not seeing.

BB **Brecken Blades** 1:27:10

I think, hang on a second, Jim. I'm sorry, go ahead. Blake might have had a question, that's all.

JH **Jim Hanratty (SUP)** 1:27:15

Oh, I'm sorry, go ahead.

B **Blake** 1:27:17

Yeah, so Jim, you alluded to the specific issue poly. So that's what I've seen a lot more often than the monitoring. I'm just wondering, does specific issue still fall under the maintenance polygraph or is it a completely different type of polygraph because it's single issue?

JH **Jim Hanratty (SUP)** 1:27:25

Mhm.

Well, that's a good question, and I probably should clarify that a single issue isn't necessarily a specific issue. It might be a single issue screening, which there's, you know, it's a viable way to clarify that highly responsive issue they had on the maintenance. So the maintenance would be two, three, maybe even 4 questions, let's say, and they're significant on one really dramatic one and not so clear on the other ones. So the examiner will report that the one issue, let's say the use of sexually stimulating material, for example, is the fly in the ointment. That's the one that's

significantly responding. So a retest will be done regarding maybe just a single issue on that. It can't really be considered a specific issue technically, unless you have a like an event. Let's say for example, the surveillance officer found pornography in the house.

Well, you could test them on that pornography Did you view that pornography in your house? You know, or something to that. That's how specific a specific issue needs to be. But a single issue just might be ferreting out that one broad scope, all sexually stimulating material pertaining to minors, let's say.

And they're trying to get clarification on that issue because that's the thing that they were significantly responding to on the maintenance. So we'll try to chase that one down, but we may leave the other ones out there because, you know, successive hurdles we really need to test.

all the issues that potentially could be a problem. Just because somebody was significantly responding to one of the four issues or three issues on the maintenance doesn't mean that they would have

been truthful on the other two. We do know there was an issue with the one, but until we were, from a scientific point of view, if we're using successive hurdles, we would have to test all three of those issues in single issue format, which isn't really practical and not real cost effective.

So we would try to steer the retest to something that had more high risk or risk relevancy to that particular individual, if that is answering your question.

B Blake 1:30:03

Yeah, I appreciate the clarification. At this time, I'd like to propose a motion to adjourn the meeting.

BB Brecken Blades 1:30:14

Jim, will you be able to kind of follow up because I have some questions too, but I'm sorry that the discussion went so long today. Will you?

be able to pick this back up next time and kind of keep going through it for us and help us relate it to the evaluations and things.

JH Jim Hanratty (SUP) 1:30:26

Sure.

Absolutely. I also had a recommended policy statement that would be very helpful. I think I'd love some feedback on that as well.

BB Brecken Blades 1:30:36

Sure.

Yeah. Okay. All right. Do we have a second for the motion to adjourn?

SN SCOTT NAEGELE 1:30:47

Scott here, I'll second the motion.

SP Sheridyn Miller PsyD 1:30:47

seconds.

BB Brecken Blades 1:30:50

Okay, all in favor.

SN SCOTT NAEGELE 1:30:53

Aye...

MM Missy Musick 1:30:54

Aye.

SP **Sheridyn Miller PsyD** 1:30:54
Aye.

B **Blake** 1:30:55
Aye.

AA **Amanda Adkins ADCRR** 1:30:56
Aye.

BB **Brecken Blades** 1:30:56
Anyone opposed?
Okay. All right. Well, then the motion passes and we are adjourned. Thank you all for being here. Jim, thank you for presenting again. I'm sorry the time got away from us. We'll hear from you next time, too. Okay. Thanks, everyone. Bye.

JH **Jim Hanratty (SUP)** 1:31:11
Okay.
Sounds good.

JH **Jim Hanratty (SUP)** 1:31:16
Bye.

● stopped transcription