

AZSOMB Juvenile Guidelines and Standards Subcommittee Meeting-20260924_203257UTC-Meeting Recording

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Jenna Mitchell

Hello everyone, this is Jenna Mitchell with DPS. I apologize for getting started a little late. We're having some technical difficulties connecting to the equipment in the room, so we're working off of a laptop. Judge Young, can you hear us okay? This way?

YA

Young, Anna

I can hear you just fine, yeah, thank you.

Jenna Mitchell

And in the camera view, I know it's not ideal, but you can see the room.

YA

Young, Anna

It's totally fine, yeah.

Jenna Mitchell

Okay, perfect. All right, thank you.

Okay, super then. My name is Scott Naegele. I am the chairperson of the juvenile subcommittee for the Arizona Sex Offender Management Board, and I'm going to go ahead and call the meeting to order.

Jenna Mitchell

Would you like me to roll call,

please?

Jenna Mitchell

Okay. Today is September 24th. The time is 1:33. Present is Chairman Naegele. Mr. Barney is excused. Mr. Galarneau.

Present.

Miss Opheim.

Present.

Doctor Rivera.

Present.

Judge Young.

YA

Young, Anna

Present.

Jenna Mitchell

And A.A.G. Baldner is available telephonically if needed. And you do have a quorum.

Excellent. Since we have...

YA

Young, Anna

The laptop just got shifted. Can I get it moved back?

Yeah, yes.

AN

Ashlesha Naik

Yeah, sorry, Judge Young. I was admitting people, so I had to move it.

YA

Young, Anna

Oh, that's okay. Perfect. Thanks.

Jenna Mitchell

I'm trying to get mine turned on so we can get the line and the PowerPoint presentation.

YA

Young, Anna

Oh, you're multitasking. Thank you.

So we're going to continue to make, hopefully make our way through these technical issues, but if not, we'll do our best to get where we need to go with what we got to work with. I want to thank the folks from the AOC for coming to talk with us a bit more about the issue of recidivism data, and I'm going to go ahead and turn the space over to you guys and let you do that first, and then we will embark upon other issues on the agenda thereafter.

So Jake Forston is our data analyst with the Juvenile Justice Services, and He and his team have been working with our AJAX experts, which is the case management

system for the court, which kind of leans into this data that you were seeking for after juvenile kids age out, going to the next system if they do. So Jake has a set of slides that he'd like to share with you to kind of explain how the data was collected and feel free to ask questions as we go through this.

Do we have the ability to put this?

We're working on it.

We can't pull the slides up quite yet. Right. It just emailed to us, so give us a second. The additional connectivity issues we having.

Do you want to try from yours? I know it's going to affect your camera, but do you want to? Even if I do, how would everyone see it?

I'm not sure. Yeah, yeah, it's going to be a problem.

YA

Young, Anna

If you e-mail me the slides, maybe I can share my screen.

Jenna Mitchell

Let's try that. That would be great. I was thinking that. Thank you.

YA

Young, Anna

I'll see if I can make that work. So yeah, just shoot me an e-mail and I'll see if I can make it work from my side.

Jenna Mitchell

And have you sent it to SOMB?

I have. It's pulling off my phone's Wi-Fi.

Okay, I was gonna say, because it hasn't hit the inbox yet.

Yes.

It says it's trying, yeah.

Okay, so judge Young, we don't have the slides yet. We're waiting for them to come through.

YA

Young, Anna

Good.

Or if you guys just want to share from there, I'll just turn my camera off. It's totally fine.
View share from that laptop, so.

Jenna Mitchell

The presenter brought it in on his computer is the problem, so it hasn't actually inbox at this point.

YA

Young, Anna

Then I'll just say that.

Okay.

Okay.

And I don't know if your computer will connect to that screen. I don't know if you want to try that. You can try. Okay. We haven't just been doing that. Gotcha. Gotcha. Are you good with IT? We will find out.

Scott Naegele, just so people can hear this be said, I'm not moving that we move to other items on the agenda at this point, because my sense is, given that we have a fair amount of discussion regarding those items, that I don't think we're going to come out of here with any finished products today. So I don't know how much time we're really going to need to to talk about those things apart from, you know, thoughts and ideas being put forth.

So I think we'll sit for a moment, see if we can get some technology to cooperate.
See each other.

It looks like on my end, the PowerPoint just sent.

Is it sent?

Okay, let me look at it. Fingers crossed.

Yeah. Yep, looks like it's here. Oh, yay. And I will forward to Judge Young.

It is nice when technology cooperates sometimes.

Okay, Judge Young, it shows from the AZSOMB the e-mail that it went through, so you should have it on your end shortly.

YA

Young, Anna

I'll let you know when I get it, and then I'll see if I can share my screen.

Jenna Mitchell

Thank you.

Just keeps doing that and doesn't let me do anything else,
I have a couple of different, yeah, they have possibly an HDMI cord, it's HAL, whatever they
have is,

YA Young, Anna

Hey, can you guys see it? It says I'm sharing now.

Up on that screen.

Let me just fix.

Anyway, I see.

Sort of, I know, see what happens.

YA Young, Anna

Just go ahead and admit people as they're coming in.

Jenna Mitchell

Thank you.

YA Young, Anna

You're welcome.

Jenna Mitchell

I have my phone on now, so I am able to admit, but thank you, Judge.

YA Young, Anna

Not a problem. So, all right, if you guys can see the presentation, then I think we're good to
go. Just tell me when to advance the slides.

We have it just on the computer. I think they're still trying to get it on the big screen.

YA Young, Anna

Okay.

This is a good sign. Something's happening.

OK, there it is. Yay. Cool.

We may have succeeded. You're going to be presenting behind the screen. So I think whatever you did, you can do to my computer and then. Yeah.

So what I would recommend is that for the room, we have it up on the big screen and Judge Young can advance the slides for our online, for our virtual participants, please.

That sounds good. Thank you.

Fire away, Jay. Perfect. So, thank you for having me. Apologies for all the technical issues. Not on you, bro, not on you. Not on you, yeah.

Yeah, so as Joe mentioned, I'm here today to talk about what we're seeing in terms of recidivism. Joe mentioned I work in AOC, specifically in JOLTSaz. That is our main database.

for most of the state. Getting in a little bit further with where the data came from, I always think it's important to kind of give some context to what we're looking at from data. Like I said, JOLTSaz is going to be our prime source of data for most of the state. So all counties except for Maricopa are going to be in here.

And we obviously pull petition data from there. With one caveat. So Pima County technically has petition data in JOLTSaz, but it's integrated from their court clerk management system. We worked with Pima's folks specifically in the data department because ultimately they know their cases better.

For this, we wanted to make sure that we were getting the best poll of data from them as well. And we did something similar for Maricopa County who uses iCIS. That's what we looked at from the juvenile side in terms of where the data came from. But ultimately, the project itself has shifted and we started looking beyond the juvenile system.

One fun fact, the juvenile data is separate from the adult data. There's no identifier that carries over into the adult system. So we worked with our folks over in court services. They have a data warehouse, a repository of superior court case filings, and we were able to provide the sample to them and they could match on common things like date of birth, name, all of that fun stuff.

So ultimately, that's how we got to the data that we're going to be looking at today. Jumping into the data, and I'm going to have us go to the next slide. Let me make sure things are.

Can I ask a question? Yeah. I infer then that it's Arizona data. Yes. This is all specific to Arizona. We have all 15 counties represented here.

So the biggest thing when Joe asked us to put together this data, we wanted to really try to wrap our arms around what exactly are we looking for in terms of a SAB offense. So we turned to statute. We used ARS Chapter 8, 350-01. This provides a definition of a youth sex offender, and that is going to be anyone that's adjudicated delinquent of an offense.

of an offense that falls under Chapter 14, and we'll go over what offenses specifically we looked for, as well as select Chapter 35.1 offenses. Those are going to be our sexual

exploitation of children. So if we go to the next slide, we can actually see what offenses that we look for. So things like indecent exposure, public sexual indecency, sexual abuse, sexual conduct with a minor, sexual assault, adultery, molestation of a child, bestiality, continuous sexual abuse, voyeurism, as well as unlawful disclosure of images.

So no sexual exploitation of a minor vis-a-vis online child pornography stuff?

That'll be the next slide.

So if we pop to the next slide, we have the 35.1 offenses. So that'll be your sexual exploitation of a minor, luring minor for sexual exploitation. One thing I wanted to note with this slide, there were a couple of offenses that we don't necessarily expect to see for juveniles. So I believe portraying an adult as a minor,

We included that in the list of offenses specifically when we looked on the adult side, because ultimately once they turn 18, then they can be charged with that offense. So that's the list that we went off of. That is how we defined the offenses that we look for to create our sample.

Next, actually jumping into the data. Ultimately, what we looked for once we had our list of offenses, we went with an adjudication. So they were petitioned, adjudicated, and we looked for an adjudication date between 1-1 of 2020 and 3-31 of 2026.

for one of those offenses that we described in the last two slides. And ultimately, once we identified juveniles that had that adjudication for those offenses, we used their first to create essentially what is going to be our base adjudication, their first adjudication. And we have some information on the adjudication, some demographics along those lines as well. going off of that first adjudication. For the definition that we used for recidivism, we looked for a, for juvenile court, obviously we're doing 2 passes because we're looking in two different places with two different processes. For juvenile court, we looked for a later adjudication, so a new adjudication for a SAB offense.

And then on the adult side, in the criminal court, we looked for a later conviction for a SAB offense. One thing that we wanted to be very mindful of and very cautious about, in order for something to count as a recidivism event, we wanted to make sure that the new offense date was after both the original adjudication day

as well as the original defense date. So the example that kind of came to mind for us was we didn't want something where they were adjudicated for our first defense and then six months later were adjudicated for something else, but that second adjudication related to something that happened before the first offense occurred. Ultimately, a very long-winded way of saying,

We wanted to make sure chronologically things were going in the right direction to truly count as recidivism.

So, that's how. Yes. I know that sometimes the county attorneys can't, something will stick as they do the sexual motivation, is that what it's called? Sexual motivation 13-118. I'm not sure

if that's being tracked, but they kind of have both told me that they do that quite often if something, if a non-sex offense, but it's kind of one of those little add-ons.

Okay, that is good to know. We didn't look for it, but that is something that we'll take back and can see what we're seeing, because that was not on our radar, at least not on my radar from a data perspective.

I get why I wasn't, but yeah, but that's really good. I just think they're using it more often, so they're simple, like, "Oh, they're not checking this one," so.

Gotcha. If I may ask a question. Did they give you a reason?

I mean, was it ability to charge with a sexual offense? Sometimes I have to plead a kid to a non-chapter 1435.1 offense. We'll add an allegation of sexual motivation.

I think there's probably a multitude of reasons why. And at the end of it, it's not going to stick if they go that way.

And they're pled. It's like an offense. It's pled down to sexual motivation.

YA **Young, Anna**

What it is a lot of times, if I can just chime in on this, because I see this sometimes, is sometimes they plead it down to assault with sexual motivation rather than like a child molestation or something like that.

That is, so it's kind of like an offense qualifier, is that? Gotcha. Okay, that makes sense.

Basically, the attorney's feedback is that they can't make the factual basis for a Chapter 14 defense.

Gotcha. Just the assault of the intent.

We do track qualifiers. We'll definitely take a look and see what we see from that angle as well. So if we jump into the actual, now that we've kind of framed everything out for you, going to the next slide, we have 542 juveniles across Arizona who had an adjudication for this SAB-related offense.

For this, we looked to see, did they have juvenile court records in terms of a subsequent adjudication or a criminal court conviction as of July 1st of 2026? One thing that I wanted to call out, especially because we did look back, what is that, six years, give or take, most of the juveniles have

essentially aged out of juvenile, which makes sense that that tends to happen as people get old or older rather. But I did include the age at their baseline adjudication, just so we had an idea of how long we had to basically look to see to see what was going on. So most of the juveniles there are going to be.

they had at least a year to re-offend. Ultimately, the other thing that we wanted to call out as well is about 23% were going to be in the 17 years and older bucket, which obviously is a little bit of concern when we're looking at recidivism. This was super crucial when we were just looking at juvenile

to begin with and not looking at adult court data, because ultimately we didn't want to start

the clock and track recidivism for someone that got adjudicated at like 17 and a half or whatever. Even with extended jurisdiction, we kind of figured if something new was going to happen, it would be going to adult anyways. So that age component was super major when it came to just looking at the juvenile side.

When it actually came to bringing in adult data, we became less concerned about the age component because then again, we're being able to see it on the adult side.

So moving on to the next slide, we can talk.

I have a question.

Yes.

Why that time period? What made you pick this time period? It was COVID. COVID was occurring during that time, correct?

Believe it was COVID around that time, but ultimately we just wanted a couple years to work with. That was kind of the biggest, biggest thing there.

Yes, yes. Our case management system, we changed to during the late pre-COVID and the data got a little clunky and we didn't want to bump into that. So this is a clean data set as far as JOLTSaz is concerned.

Yes, absolutely.

So if we go to the next slide, we basically removing the age component because again, we're not necessarily as concerned with that at this point. We just looked strictly at the date from the first adjudication, the date when we basically started the clock tracking recidivism to 7-1 of 2026 when we checked.

And you can see on average, they had about 3 1/2 years to re-offend. So in our mind, if something was going to happen within that time frame, we would likely pick up on it. And you can see the spread. We had about 3% of the sample that had under six months to re-offend there. But by and large, about 90% had greater than 12 months.

to reoffend, which is partly due to the fact that we went as far back as we did with the data there. So moving into...

Can I ask a quick question?

Yeah.

I think I think I'm hearing that this is this tracking only up until their 18th birthday? No. So we looked beyond that. So

We'll be looking at the adult system as well. So we took the juvenile sample and basically looked into the adult side as well. So that way we didn't have to worry about the 18 plus.

But those numbers are how long they were in the juvenile system? Those numbers that are on the screen?

Nope, that is just how long from the first, like

the baseline adjudication to 7-1 of 2026 when we did our checks.

Got it.

Yeah, absolutely. So if we go on to the next slide, one thing that we thought was important to bring up is the most severe adjudicated SAB offense for each juvenile.

going again off of that first adjudication, because ultimately, in our minds, you know, when a indecent exposure might not be treated the same as sexual conduct with a minor, that type of thing. So you can kind of see the spread that we're seeing. Most commonly, we saw an adjudication of indecent exposure as the top offense there.

And you can see, I won't read the entire thing there for you, but you can kind of see the spread of the offenses that we had.

Can I ask a question?

Yeah.

Going along with the questions that county attorneys were asking Mel to pose, did that indecent exposure become a catch-all kind of thing? Because man, that's seems to be a high number compared to the other the other types of offenses, and I'm kind of wondering what the definition of that is, or how did they get there? You know what I mean? They plead to that.

That's why I figured. A lot of a lot of other offenses. So it's not a pure and indecent exposure category by any means.

Yeah, there could have been other things on the petition that may have gotten dismissed, but for purposes of having something to show, we went off of what was adjudicated.

Just thinking about the types of offenses that we know and what we know from research about that just seemed inordinately high, and it sounds like we have an explanation for that. Absolutely. So that's what we're seeing in terms of the types of offenses. They're moving into the recidivism piece. Ultimately, we had eight juveniles out of the 542 that had a subsequent adjudication or conviction for ultimately the rate of 1.48%.

On average, when we looked at the time from the baseline adjudication to the next offense, it took about a year and a quarter for the next offense to happen. And then we also broke it out by whether the recidivism occurred in juvenile court, whether the recidivism occurred in criminal court or adult court, and then also broke it out by the length of time as well.

One interesting note that I don't know if I was expecting it or not expecting it, but when we saw recidivism in juvenile, at least for this sample, we didn't see recidivism in adult court for like the same kids and vice versa. So if they had something in adult criminal court, we didn't see recidivism in juvenile. Wasn't sure what to expect to be completely honest, but that is something that

stood out to me as well. So yeah, ultimately 8, at least on the juvenile side, we had three that occurred within six months of the baseline adjudication. And then for the juvenile side as well, we had two that were after 12 months. And then on the adult side, all of them were greater than 12 months to re-offense. Yes.

Question, and I know, I think we've brought up the subject before, but I run into this a lot running treatment programs. If a kid offends, there is a probation filing by a VOP, but the county attorney does not charge again because they're already in treatment. That probably

does not count as recidivism, even though it happens quite a bit.

At least for our sample, no.

There's not really an outlier for that.

Unfortunately not. The one downside to how probation violations are tracked in the data is we don't have the detail of why the violation occurred. Even if it says technical, we don't know if that's a drug offense or if it's something SAB related. So unfortunately that is.

That is one of the downfalls that would be nice if we could track that, but ultimately we're kind of at the mercy of what's in the system there.

Perhaps you're going to get to this and you can shut me down if you're going to, but

We can track who's here and stays in the state of Arizona, but I make the assumption that we don't have any idea out of those 542 kids, how many of them have stayed here and how many of them have gone elsewhere, right? There's no national database short of a NICS, which is, we feed NICS, but NICS is.

State, you know, there is a national NICS, but that's not anything that could extrapolate, you know, kind of the data that we're seeking here, so...

So we don't know outside of Arizona, but to your point, because obviously it gets moving, we were able to look across county lines, so we're not looking within county, but we can't look outside of Arizona. The only other area I can think of is interstate compact, where, but I don't know what type of

data reports they're capable of. We don't manage those through corrections. On the adult side of probation, they run interstate, but for us it's ADJC. Yeah, I mean, it would occur to me that perhaps, I mean, I'm not a data person and I don't know who has what data banks, if you will, but it occurs to me that maybe the only one that has a database

like the one we're talking about that we could draw against be the FBI. And then and then and then you have to find a way to get access to their data to answer some of these questions. For sure. You know, the only comment to that is each state reports up through their food chain of state, right? And I know I worked in Illinois and we had how many case managers and systems that fed up the administrative office and fed national data.

And...

It's not as clean as you would hope it would be. Yeah, but they have data like you've generated here for this six-year period of time for quality crime and maybe adult world.

That's kind of what we look at through the national data. You know, does it go up, does it go down based on, you know, things that have affected.

But am I hearing you say that other states have what you guys are presenting here in this presentation today? Yeah, in terms of quality of it, though, I would kind of seriously question. I think Arizona is a very clean system because we have very limited case management system that we use.

And we only have 15 counties.

That's help, that's help, yeah.

Any other questions before I move on?

I have a question. Yeah. Do you guys, you have stats people that look at this and do like an estimated true offense sort of percentage? We look at people that moved, things were pled down, not charged. It looks like, you know, you look at that percentage, you go lots really low. But I go, we're doing a really great job or we're missing. missing some stuff.

Probably both are true.

So you have people that look at that and say, well, this is what's been adjudicated, this is what's in the court system, but this is more close to, you know, closely aligned with the true offense.

We, I mean, that technically would fall under us, but for this we just focused on, we kind of went in with like very tight parameters, so that way something that we could more just to keep the presentation itself kind of simple, but we would be able to do, if you're talking about like looking at what's been dismissed, that type of thing, to kind of get a sense.

We can look into that. I haven't done a ton there beyond just looking at what was actually adjudicated, but that is a good point. It was a very good point.

And I would just kind of think back after the questions I've already had, just looking at that, that plea that they give a lot of kids that's assault with sexual intent. Sounds like it's really most of the time a sexual offense. And then I said adjudication, but it really is just a probation referral. Something else that happened during treatment that was sexual, that was a re-offense.

But it's probably not showing up on a radar because county attorneys aren't going to charge again. They're not going to adjudicate again. They've already been adjudicated, but they're already in treatment. So it's kind of like a, well, they're where they're supposed to be, but it doesn't mean they've had three kids offend at school that probably doesn't show up as a recidivism, you know?

So if it's under, if it's charged as a probation violation, absolutely.

So, if we go to the next slide, that is, that's what I have. That is what I have. So ultimately, the big takeaways from our end, we were looking at 542 juveniles that had an adjudication during the time frame that we looked at. Ultimately, the big thing that I wanted to call out, and this probably isn't super surprising, most were under the age of 17, so they had plenty of time. in juvenile to reoffend, but then also checking into adult, that became a little bit less of a concern there. Most of our juveniles had at least one year to recidivate. Most have more than that. And then ultimately, 1.48% for those specific offenses had a new offense or a new adjudication or conviction for that.

So that is all all I have. Are there any other questions?

Just a comment. I mean, though we're sitting here having an operational discussion about how the N is probably low, we don't know how low compared to, you know, what it actually is. I mean, the numbers, I mean, I would have expected, frankly, that there were more than 542 in six years period of time. So I guess on some level, I'm happy to hear that.

In that issue is a systemic issue. That's a societal issue that ends coming to us.

You know what I mean? I would have anticipated that the number would have been more than that if we're looking at six years. For sure. That's a favorable thing. I think we all recognize the limitations of research and what we can get access to.

Absolutely.

To have pure and more informative estimates of things. But maybe out of this discussion, some of the things that have been said and asked can hone this some more so that we can you know, look to include some of the instances that Mel's talking about and see what that does to the numbers. I'm happy that there are 542, even though I recognize that that's clearly not representative of where it's at. I always say to people,

Because people.

I hope I don't offend anybody when I say this, but it comes mostly from law enforcement people who talk about how all the research is a great underestimation of recidivism. And then I have at times said, of course it is, absolutely it is. But the issue is, how much is it an underestimation? Is it two times

the amount? Is it three times the amount? I doubt very much that it's above two or two, maybe, you know what I'm saying? So even when you start doing the math that way, I mean, I pretty confidently say it's not five times the amount, that's for sure, that would be an overestimation. So

Yeah, we know that we're not capturing everything no matter whose research it is. And yes, it underestimates actual recidivism, but the real question is, by how much? And are we okay with that? And are we...

Are we compelled to do something different to address whatever answer we say as to whether or not we're okay with that?

If I may, Scott, I just want to thank Jake and Jake is our data analyst. So Jake and Juvenile Justice, I want to thank him for his creativity and leaning into this as well as how we have a person equal to Jake who's been with AOC for a long time who manages and looks at all of the superior court business, all the courts actually, and was able to kind of get into the adult convictions for that. So the work that they did, get it to the slides that he shared, you know, at least we have that to look at.

Yeah.

You know, Maricopa has a similar ability that Jake and their team work closely together on all this. So thank you to all that. The other thing I'd say, kind of piggybacking on what you said is, you know, kudos to our therapists and our evaluators for the work that they're doing because with the recidivism, our numbers from placement have gone down, corrections has gone down, and I'm sure this number 542, if we look back into our old database, would be much higher. So awareness and information that's being shared with the public, I think, is helpful to kind of bring these numbers down. So great job on it.

Yeah, for sure. Thank you. How many of those 542 are Maricopa County?

Oh, it's about, if my memory is correct, like 250, give or take.

So that's close to 50% of it.

Yeah, they're about 51%.

Yeah. fifty one,

Thank you, Jake. You know something I couldn't know what I wanted to do. So there's people like you for a reason. And then not to go back to negative, I just realized that this is probably none of the PFDA's that have been going on for four or five years. So that's another one that you might want to look just to be all inclusive.

there was a slew of those dismissal agreements coming through for several years that probably didn't count it, which were in our homes, were in our treatment programs, as every other kiddo.

So if it counts for anything, we did check, we didn't include it in the presentation, but we did check for the sample if they had a new complaint. So we would catch that for a PFDA.

And the numbers weren't, it was pretty close to low. Essentially, I don't have the number off the top of my head, but it was still well under 2%. So if that counts for anything, if that's a silver lining.

Awesome.

Does anyone have other questions?

Thank you, sir. Thank you so much.

OK, hopefully. Thank you guys are obviously welcome to stay and listen to the other discussion if you want. I'll rush you out of here for sure.

So going back to the agenda, B1 under old business is discussion and potential recommended adoption revised juvenile guiding principles.

I think.

We have to make some decisions about some of these definitions that we came out of a larger board meeting with a need to do.

and finalize those decisions before we have something to take back to the larger board and take a vote on in terms of the guiding principles. A couple of those things are what we have in front of us to talk about. That is the definition of problematic sexual behavior, the definition of a multidisciplinary team,

And then, as Judge Young.

sent in a definition for the kids that are under the age 12 and under. Judge Young, can you clarify?

That was your intent was to make sure that we're not missing that group of kids and defining them and kind of marking them out as not being just a younger version of the 13 to 17 year olds?

No volume.



Young, Anna

Sorry. Yeah, I just thought it was worth taking a look at since it was the ATSA definition,

since that's all of our treatment providers are members of ATSA. I thought we should maybe use that as kind of a starting point.

Yeah, but that was just for the youngest kids, right?



Young, Anna

Right, 12 and under was that definition, yeah.

Yeah.

Okay.

I recognized as I sat here before the meeting that with four different proposed definitions of MDT teams that we probably weren't going to be able to come out of here with a with a with a agreed upon definition. I guess I don't want to shortchange the discussion about that, but

I'm not sure, without everybody becoming familiar with those in some operationally functional way, that we're going to be able to move that discussion further than it is right now.

And.

And then the other issue is the definition of problematic sexual behavior. I mean, I submitted two of these, one for the problematic sexual behavior definition and one for the multidisciplinary team. I'm happy to hear, you know, feedback about those, or frankly, feedback from any of the other ones too.

Scott, if I may.

Please Joe.

So, I guess the, in my mind, these types of things, I try and keep it as simple as possible without, so that the user of, you know, wherever these go with the guidelines, they can read it and understand it, do what it says.

Um, I, I grabbed the...

Colorado MDT definition, and then I tweaked it slightly, threw it in AI, and then it came out and, you know, kind of came up what it did, but theirs, they had, it was a much more elaborate, like 5 pages in there.

guiding things and it had definitions for each position and what they did and what they were supposed to do.

Yeah, and those probably came after them working on this for 20 years.

Yeah, agreed. Probably 10 at least. So I would I would advocate wherever we land that we even even with the definitions.

or JSAB because they are codified in statute and there is definitions of these things to keep it as simple for the user as possible. So that's my two cents on that.

Yeah, I, you know, I mean, obviously, I didn't make the things up that I submitted all by myself. I called them from multiple sources and tried to forge something together that was

both, like you're saying, Joe, not
not so ongoing that people are going to get lost in it, but do justice to the task. So that applies
to both my definition of problematic sexual behavior and to my definition of
multidisciplinary team.

I kind of like the way...

They're structured in the way that I submitted them in terms of outlining the behavior and
then what, you know, key concepts or characteristics of them are, but in terms of how we...

Present this. I don't. I'm not led to what that looks like.

Unless somebody...

Young, Anna

YA

I think the idea of simple and more general is better because I think the problem is once we
start really listing things, then people are going to take that as, okay, that's an exclusionary,
that's the exclusive list right there. And we don't want it to be an exhaustive list. We want it to
be broad enough to where it really can be flexible. I mean, the MDTs look really different for
each individual child depending on their needs and who's involved in their system.

Yet at the same time, some things have to be defined, I think.

So there's a balance that has to be struck between, one could argue that we'll end up facing
some of the same things if we don't think through the definition part of it too.

Young, Anna

YA

Yeah, for instance, I worked on the juvenile rules of court procedure, and that was one of the
things that we tried to avoid doing was exhaustive lists. If we can kind of drill it down, like I
like how you have like developmental inappropriateness, you know, and the coercion and
power and. I like the things like that, those kind of categories.

when you define the problematic sexual behavior. I'm just wondering if maybe we can kind
of integrate the ATSA definition because even though their ATSA definition is for 12 and
under, there are things that apply, I think, for 13 to 17 year olds and 13 to, you know, 18 year
olds if they're on extended jurisdiction.

So...

You know, Judge Young, I don't know the answer to this, but just...

in that you were able to find ATSA's definition for the younger kids. Do they not have one
for the kids that, you know, we would call teenagers?

Young, Anna

YA

I didn't see a bit, honestly, I didn't take a whole bunch of time to do it because it was kind of
like in between court hearings that I just started looking online.

You mean you, you mean you have to find time to do this too? Yeah, I understand. I get it. I get it for sure.

YA Young, Anna

Yeah, yeah. Shocking I actually have a full-time job too. So yeah.
Yeah.

Well, then, with that in mind...

YA Young, Anna

But that's definitely something that I think is worth taking a look at. If ATSA has a definition, maybe we should just use theirs.

Yeah, it escapes me if they do, but it's certainly worth going back and looking to see if there is such a thing.

YA Young, Anna

I just couldn't find it easily.

I'd be hard-pressed. I mean, my sense is, if they took the time to generate this one for the 12 and under kids, then why wouldn't they have done the same thing for the older kids? But that's just me being logical.

YA Young, Anna

Yeah, I mean that makes a lot of sense to me. So I mean that maybe that's something that I can I can work on is see if I can find a different definition from ATSA.

And I'll do the same, Judge Young. So between the two. So really, I think what I need to ask the group is, other than asking people to

YA Young, Anna

OK, perfect.

Perhaps take the documents that everybody now is in possession of and go back and try to do some wordsmith stuff, both with respect to the definition of problematic sexual behavior and multidisciplinary team, and submit those to staff at DPS in advance of our next meeting so that everybody has a chance to see them so that we can come back together at the next meeting

Haha, and make a decision about these couple things.

Thoughts on that?

What's the deadline?

Jenna, when do you need them by?

It's always helpful to have them. I think I have a deadline on the agenda. October 15th is really the deadline, but the sooner we get them, the more time it allows us to put it together and distribute it. And you guys have been really good about getting them up there as quick as you can. So the sooner

We get them in the sooner they can put them up there, so...

All right, so that's the discussion regarding these definitions and its interplay with old business item B1 or BI, whichever the case may be, discussion of potential recommended option of revised juvenile guiding principles. I don't recall anybody else at the larger board meeting.

Raising any other issues about...

what this group had proposed in terms of guiding principles. Does anybody remember something different than I remember?

I think those were the only...

So I think that means, hopefully, that if we sort these couple of things out, then we can be prepared to make a proposal to the larger board about adopting the guidelines.

Moving on to B2, discussion and format for psychosexual evaluation reports. When we sat here last time, we talked about trying to come to this meeting with an idea of format or outline or structure. I'm not sure what word we want to use of what a psychosexual looks like and what falls under those categories. Do we feel like we're in a position to have that discussion at this point or do we need

More time to sort that through.

I have a question.

Yes, Joe.

Within our contracts, I think that would be a beast to try and get our providers to conform to a format of what a psychosexual is. I like the idea of having domains. I think we talked about, yeah, the different areas, but I'm wondering if it would be beneficial to hear from you.

Get their views on it, I don't know, just, and then the user of the psychosexual attorneys, judges.

Are we conforming? I guess I'm looking for the problem, because I've not heard it as an issue from the judges. I mean, attorneys, I don't know, Mel, if you've talked with them, or is it an issue where we need...

As far as the content or just what's in them or what they're getting?

I would say that both probation and attorneys typically have a favorite. They have somebody they like doing their psychosexuals, you know, and I would have to ask why do you like that one over this one? And maybe it's because of a certain test, maybe it's because of recommendations or it's a little more clear cut. I think they have preferences, but I don't hear anybody say.

I'll never use that guy or, you know, I think we, if that's come up in the past and we've addressed it with you and usually cut a contract if you need to, you know. Yeah, and we've had writers of psychosexuals suspend their own contract, fix things, get it more in line with. What the scope of work is for that product, and then they come back and... Continue on it, but we usually hear it from a judge or an attorney first, you know. Judge Young, do you have thoughts?

YA Young, Anna

Yeah, I've never heard a complaint from an attorney about any of the ones that we actually do receive. I mean, like Joe, I have noticed, you know, that over the years, because I mean, I've been doing this in some way or another for about 15 years, I have seen providers come and go, but I've never had one where the attorney is like, hey, this is a junkie evaluation. or I have had that happen with different types of evaluations, not with the psychosexuals. And same with judges. You know, I talk with judges all the time and I've never had anybody say, oh my gosh, this one provider, their reports are terrible. I really wish we weren't using them. So.

I guess the only reason I continue to have the discussion about trying to create a format is as I go back to the, what I called previously the laundry list of things that are on there. And from my perspective, there's at least half of them on there that I don't really think are germane to the task at hand. And

Makes me wonder if some folks...

Don't know the distinctions between...

psychological evaluation, a psychosexual evaluation, a neuropsychological evaluation, and then, and so we end up having, you know, pieces of all of those in some evaluations that I don't, that I don't know if they're where the time is best spent.

But is that a different?

YA Young, Anna

I can tell you, we train judges on that, and probation is definitely trained on that.

I think it was probably a compromise. We identified the areas that we need and we picked two or three. So we gave people somewhat of a choice, but not do anything if you like doing. So if you agree on it, you know, the categories, and then, you know, we would pick a couple that everyone can agree works well. I think that should be kind of the goal.

Yeah, and nobody says we can't say, if as you get into this case and you know more about the young person involved and you think something else needs to be added to this and you can do that in a meaningful way without, you know, increasing cost and without making it too time intensive, then nobody says you can't do that.

I mean, I...

I'm just advocating for trying to get some statewide structure that gets everybody in every county kind of doing things the same way.

which then will lend itself to a whole bunch of other qualitative things thereafter, I think, including perhaps some research around some of these issues.

Yeah, I agree.

YA Young, Anna

I think since around the state we're all using the AOC contractor providers, there is continuity.

I think that, you know, remember on the list of assessments that they sent in, some of the judges sent me assessments and I'm like, oh, that's, they were including psychological assessments in addition to the psychosexual assessments. I think if you look at the pure psychosexual assessments that we're getting because the AOC has the contract for them, I don't think you're going to see a huge variety.

And then there are provider. I'm sorry,

You are good Joe.

I was just going to say there are counties that work with people that aren't contracted with us. Sure.

And what you said earlier, Scott, to me, I really lean into training and required training for. Kind of the deficit or the shortfall of knowledge around.

The differences, I mean, I'm scratching my head when you say that they don't, may not know the difference between a psychological and psychosexual.

No, I didn't say that. I'm saying, I think that they lose sight of the fact that this is a psychosexual evaluation and it becomes as much about something else as it does about Assessing, you know, what's going on psychosexually and from a risk management standpoint. So, I, I mean, I agree with what with what Ben's saying, and I guess what I would ask the group to do is to is to is to perhaps go back.

Um...

In my view, we're talking about three or four different domains. We're not talking about a laundry list of 10 things. And we're talking about how do you go about assessing for those domains using what instruments are you getting at those domains? So let's, unless somebody says otherwise, that's what I would like to ask everybody to do between now and our next meeting. So we can

and further this discussion. I'll even try to get a domain-driven idea to Jenna so that she can share that with everybody and get feedback from everybody and begin to look at what, you know, instruments we use under each of those domains to get at what we're trying to get at under those domains.

Isn't that already on the list? The domains and then the assessments underneath it, isn't it? The AOC contracts.

Whether or not we, whether or not we know that list that we're using, is that directly from AOC contracts?

I think it was broken apart by a provider that we inquired with. So we don't contract with anymore.

So I don't want to be negative, Nancy, but I've got three county attorneys that are on the meeting. And a lot of the feedback is there is somebody that's terrible. There's a couple of people that are terrible that don't

YA

Young, Anna

Yeah.

don't follow the AOC guidelines if there are there, and then some of them just don't know how to interpret. So I don't know if it's a training issue. I don't know if I need to tell you about the specific person or agency.

You do it outside the...

Well, I would say lean those attorneys back to probation to make referrals.

They said they've had complaints, but I'll tell them to do it again. But I just want to say, like, it's not all going great.

I agree that we don't need a big, everybody can do what they want, but narrowing it down too much doesn't give people the kind of, you know, nobody wants to be micromanaged that's got a doctorate and wants to do their psychosocials, but somewhere in the middle. And I think you guys have tried to do that. So I can get these guys to get more feedback about why this particular agency is just not cutting it and they don't want to use them at all.

And then bring that back and we'll talk about it next time.

There is one thing about this psychosexual discussion that I want to come back to, and it was when I was talking about the discussion about the ERASOR and the JSOAP and how the ERASOR had, for whatever reason, fallen on hard times. I want to take a moment because I think we need to discuss this. I took the time between last meeting and today to send Dr. Worling an e-mail regarding what his position was when he came to Arizona and gave a training on the PROFESOR and what he said about the ERASOR .

So I think the best way for me to do that, frankly, is to read to you the question I posed to him. And then in that there's some editorializing in here, that's because he and I are colleagues and friends. I won't bother to read that, but I'm going to read his response so we can have a discussion about

to use the ERASOR , to not use the ERASOR , to use the J-SOAP, to not use the J-SOAP, that kind of stuff. So my question to him was...

I am.

I asked the aforementioned question about his position on the ERASOR in the context of discussions about what should psychosexual evaluations for juveniles consist of. Someone put forth the statement that the ERASOR is no longer deemed valid and therefore should not

be used while simultaneously arguing for the use of the J-SOAP-2.

I responded by saying that if the issue of being valid was probably not the best way to conceptualize the ERASOR'S use, as it never was an actuarial scale in the 1st place, and if one is taking the position that they should not use the ERASOR in any way, shape, or form, they probably shouldn't be using the JSOAP2 either.

because any concerns that might exist with the continued use of the ERASOR would arguably be the same concern for the J-SOAP 2. His response back to me was, you answered your own question beautifully. Now, there is now ample research that the ERASOR is just as reliable and valid as any other risk prediction tool for sexual recidivism.

Indeed, you correctly noted that the JSOAP 2 and ERASOR perform very similarly when it comes to average accuracy of prediction. They actually all, in capital letters, perform at a comparable rate, which is meh.

only a moderate effect size, which means that on average, it is a non-recidivist who has a higher score than a recidivist at least 30% of the time.

This is also the case for all adult tools, such as the static 99R. For me, that speaks volumes, and I would and I have argued since 2016.

That is a significant error rate to justify making predictions for future behavior. Of course, the other critical reasons are not using tools like those outlined in my PROFESOR.

So, and he goes on to say more about that. But, you know, so, you know, they're predictive. They're moderately predictive. They're not highly predictive. Interesting that he notes that neither are the adult ones, and I knew that as well.

So the issue is, is...

Do we advocate for using them or do we advocate for not using them? And if we advocate for not using them, that means we're probably advocating for the use of the PROFESOR exclusively.

But I want to hear what people's thoughts are about that.

And this one, I don't feel comfortable leaving up to individual people to make a decision about. I think that I think we need to make a decision about what we believe makes sense based on what we know from research.

Are you specifically talking about evaluations or is this just an internal, my therapists are doing this at the end of treatment after a year and a half?

Well, he's talking about it, the instruments being used, doesn't matter what the context is, whether it's you're trying to evaluate, you know, progress and treatment.

or you're doing it at a pre-sentence, pre-adjudication, psychosexual evaluation.

Yeah.

He clearly said there's validity to them. So whether or not moderate validity in predicting future behavior is sufficient to argue to continue to use them, I personally would lean in the direction of continuing to use them. I'd be very careful about what kind of statements I make about, you know, definitiveness.

And I've said before, I think they have value in helping us guide treatment in terms of what

the items in the instruments are.

Um...

We have to use something, right? There's nothing that's great at doing this. Well, if we don't use something, then people are going to be back to their, in my humble opinion. So I mean, moderately predictive is better than not using something at all, as long as the consumer knows what you're dealing with and the evaluator does an accurate job of describing the limitations about what you're getting.

I think that's really our own choice, or we use nothing.

So maybe this is a simplistic question, but especially in the case of evaluations and recommendations for treatment or services.

You're kind of wanting, I mean, we're talking about having a little bit more secure list and not just free willy-nilly, but are you, maybe we are just saying you can use the ERASOR, JSOAP, or the PROFESOR and you pick. I mean, is this still going to be a preference or are you wanting us to kind of come up with which is the best, two out of three, or do we use all three?

Well, let's be clear, they're not all the same, so it's not.

It's not an apple. The PROFESOR is exactly what it says. It's a protective factor assessment scale. It's not a risk assessment tool either.

So then between the ERASOR and JSOAP, if we have to use one of them, are we just going to give people an option but say those are the two on the table and not discount one of them and say only this one, not this one?

I think we can do that.

if that's the will of the group. I mean, I guess I'm just trying to have a discussion about what people think about what we know about the instruments and then make a decision about it. I mean, if somebody in this group could make a strong argument for us not using the ERASOR and the J-SOAP,

I would, in only using the PROFESOR, I could lean that way too. What do you think?

Should, would you use all three? I would use all three with, as you very articulately stated, some real clear statements about what it is I'm saying and what I'm not saying.

You know, because they can't, they can't be.

to any high degree of certainty used to predict future risk beyond, you know, a moderate, you know, 0.6 probably.

So you think using all the reading together does a better job.

I think it's more comprehensive. I think it tells us more of the story of what's going on. That's my view. But I don't feel compelled to play a voice that mandates all three be used.

So why don't we just leave it at that and just make it a choice statistically?

That at least one of the, I mean, I would argue that at a minimum, people should be using the PROFESOR. And I think AOC tells us to use the PROFESOR now. It's in the contract. So I would just say PROFESSOR'S a must and then the other two, pick one. And I, being a clinical director of several therapists, once again, I go back to their preference. I'm not going

to tell them what they should and shouldn't use as long as it's something that's not faulty or not valid, and we've never did either of those invalid. So I think my therapist, I'd have to check today what they're all doing, but they've used both, you know, either or both. But we've never said, hey, don't use this anymore. They know they have to use the PROFESOR now.

It's a little more, I mean, not simple, but they can do it.

I mean, it's not simple, but you know, it's kind of just an add-on to the other two that are a little more. Directive.

Could you put something like it suggested, use all three, but use at least one?

We can do whatever the will of this group decides it to be, but you know, I'm comfortable as a result of this discussion saying, at a minimum, need to use the PROFESOR and it is recommended that you pick one of the other.

two risk assessment scales to.

That sounds great.

Yeah, I like that, Scott, because you said something a couple meetings ago about, you know, you use the ERASOR and the JSOAP and you kind of do them in combination. And I think the more, the merrier.

I think you get more, the more information you can get to assess to a drop to a conclusion, I think is what we're talking about here. So yeah,

The reality is, is there's overlap in the two incidents, but they're not, but they don't share the same identity.

Right.

So in research on them, there's been a fair amount done at this point, as Jim said, you know, shows that they're both pretty equally moderately predictable of the future risk. But he's also clear to say that we should stop using whatever our assessment on those scales is to predict risk. We should just be talking about what items are showing up of concern.

And if you want to do a percentage of the highest score, you know, and put that on there just for numerical information, that's one thing, but we shouldn't be using low, medium, and high risk kinds of discussions on those instruments. And if we could

encourage and influence people to function that way, I think we'd be in good standing and not...

Not in the crosshairs of of of what research tells us.

Okay, well it sounds like we have...

Recommendation.

Scott is a very thorough evaluator, so I can't see anybody else using all three, but at least two out of the three would be start or something.

I appreciate you saying that.

YA Young, Anna
The doctors.

And the doctors that I'm seeing reports from, they do have a limitation of current opinion

section that they're including that talks about the current opinion is limited by the nature of the available risk instruments, the novelty of the offense behavior. Instruments such as the JSOAP2 were developed primarily to evaluate risk factors associated with adolescent sexual offending and sexually maladaptive behavior.

patterns that more commonly involve hands-on conduct, identifiable sexual conduct behaviors, repeated sexual behavior problems, broader delinquency, more traditional offense pathways. As a result, the JSOAP2 may not be fully capturing risk associated with AI-generated known imagery. And the things that they're including now, I think, are really helpful for people when they're reading these.

to think, oh gosh, this says, you know, high risk. That means that, you know, that this child is going to reoffend, you know, that type of thing. So.

Mm.

YA Young, Anna

So I'm saying good language, I think, from our evaluators.

Yeah, that is good language.

YA Young, Anna

Yeah.

Okay, well, I think we have some kind of come to the decision around some of that and we can finalize that and take a vote on that. When we sit down to talk about the overall structure of the psychosexual and the domain discussion that we were having.

Um...

Item C, we've kind of already talked about. Item D is request for any additional.

Agenda items for next time.

Think we have enough to talk about next time if we all kind of do our homework and come back together and use the time to pound out like we just did with respect to the use of scales, like decision around the structure of the psychosexual.

Does anyone else have other thoughts?

Just a question. So the guidelines then, Monday's meeting, are we saying we'll wait for the ending?

We're saying that we still have more work to do around the issue of the problematic sexual behavior definition and the multidisciplinary team definition. And once those are finalized and we've kind of figured out how to put those into the overarching structure, then we can come back and take a vote on the acceptance of the guidelines with

those two things being in it.

Thanks.

And we did place that on the agenda for the larger board for Monday's meeting in light of today's. I wanted it on there in case you were ready to move forward with the board, but I think based on today's decision, we should table that in the larger board meeting until the subcommittee can make a recommendation.

Right.

Unless someone has something to...I feel like we need to talk about it. I want to ask for a motion to adjourn today's meeting.

A motion to adjourn.

Second?

Second.

All in favor. Oh, sorry. I'm not good at taking a vote after that. All in favor say aye, please.

Aye.

Opposed. All opposed.

Meeting Adjourned.

So, with that in mind, we're gonna adjourn the meeting.

YA Young, Anna

Thanks everyone. See you Monday.

Jenna Mitchell

Thank you. Thank you, Judge Young, for running the meeting for us there for the 1st 30 minutes. I appreciate you.

YA Young, Anna

COVID was useful. I did learn how to do that, so.

Jenna Mitchell

Thank you.

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