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## SMART HEARING

1. The Colorado Legislature instructed the SOMB to rewrite the Standard and Guidelines so the results adhered to best practices with Community Safety being primary. What generally accepted academic or professional best practice standards for accomplishing this rewrite did the SOMB use as a model? Were professionals having expertise in this field consulted? For example, there were no audio recordings done for any of the rewrite committees. The committee meetings are held during the normal workday Monday through Friday. An audio recording could have been put on the SOMB website so interested citizens could listen and give feedback if they could not attend in person. Why was transparency and accuracy in addition to involving as many persons as possible not a major consideration? The monthly SOMB meeting is recorded. Having recordings represent best practices for accomplishing an assignment this important? Was the speed of completion rather than accuracy and content what was accomplished? An audio recording is a functional tool to determine the validity of any questions that arise.
2. The Section 6 polygraph rewrite committee was chaired by Mr. Jeff Jenks and the SOMB staff support person was Mr. Lobanov-Rostovsky. Mr. Jenks is a listed SOMB polygraph examiner and Mr. Lobanov-Rostovsky's son is a listed SOMB polygraph examiner. Section 6 of the Standards and Guidelines covers the polygraph use, timing, and requirements for the listed SOMB polygraph examiners. The observation by the common man of the possible conflict of interest with Mr. Jenks chairing and Mr. Lobanov-Rostovsky being staff support for rewriting the polygraph standards and guidelines is unavoidable. Did anyone on the SOMB staff have concerns about the professionalism, appropriateness and perceived conflict of interest of these assignments? Was there any action taken? Not using the polygraph was never a discussion item. An audio recording of this committee's meetings would have been valuable in determining if a conflict of interest biased the direction of this rewrite.
3. The SOMB does no proactive over-site of the treatment providers as far as compliance with the Standards and Guidelines. Does the data collection that the legislature requires address compliance? What kind of data have the polygraph examiners and treatment providers supplied to the SOMB, what are the findings and has this been made public?
4. Is the SOMB in compliance with their administrative, record keeping, transparency and open records act requirements? Will the legislature request an audit of the SOMB by the Colorado Office of the State Auditor or should AFC or a concerned citizen request this?

5. Seven years is the length of time therapy records need to be kept. The SOMB has no purview over the Treatment organizations, only the individual therapists. Who is responsible for the records if a therapist discontinues practicing for whatever reason? Say a person petitions the court to remove them from the registry and they have waited 5, 10 or 20 years as currently required, who do they request their treatment records from if the judge asks for them. The therapist is no longer practicing or the provider is no longer in business. Who is required to physically keep these records and what happens to them after the 7 years has expired? Should these records be required to be given to the person when they leave treatment for whatever reason?
6. The public comments on proposed changes are not returned to the committee for discussion but are presented during the monthly SOMB meeting to the SOMB board members in attendance. What is the justification for this practice and does this comply with Best Practices?
7. The following email was received by some pre-registered individuals on Jan. 23, 2018 concerning a training on Jan. 25, 2018.

Dear attendee, This is a friendly reminder that you have registered for the **SOMB Introduction to the Adult Standards and Guidelines**. Training will begin promptly at 8am, with registration starting at 7:30am. This training is for **professionals only**. If you are not a professional that works with adult convicted sexual offenders in some capacity, please cancel your registration as soon as possible and contact our office and we can provide information on other training options.

Two pre-registered individuals who showed up for the training were not allowed admittance. At least two other non-"professionals" were allowed admittance.

Are common citizens not allowed information and training on the treatment process? The Adult Standards and Guidelines are available to the common citizen.

Thanks for your attention to these matters,

Respectfully,  
Advocates for Change Board of Directors