

# SEXUAL OFFENDER MANAGEMENT BOARD

EST. 2011

Brad Little  
Governor



Certification/QA Sub-Committee  
March 11, 2022  
Idaho Department of Corrections

## **Members present (subcommittee):**

Dr. Michael Johnston, Chair  
Brian Marx, Vice Chair  
Paula Garay, Member  
Jeff Betts, Member  
Ted Pulver, Member

## **Others Present:**

Nancy Volle, Program Manager  
Jamie Lundy, AA2

## **Guest:**

Nate Baldwin, Proxy for Melissa Hultberg

## **Excused:**

Melissa Hultberg, Member

## **Call to Order**

Mr. Marx called the sub-committee meeting to order at 8:17 A.M.

## **Certification and QA Sub-Committee:**

- Mr. Marx moved that the subcommittee convene in executive session at 8:17 am to: Consider records that are exempt from public disclosure [I.C. § 74-206(1)(d)] chapter 1, title 74, Idaho code see I.C. § 74-106(9). The purpose of the subcommittee executive session is to consider applications for SOMB certification and to advise the board. It was seconded by Mr. Pulver. The vote was Dr. Johnston, Chair, aye, Ms. Garay, Member, aye, Mr. Betts, Member, aye.

Mr. Marx motioned to come out of executive session at 9:09am., the motion was seconded by Dr. Johnston. The vote was Ms. Garay, Member, aye, Mr. Betts, Member, aye, and Mr. Pulver, Member, opposed the vote to leave executive session.

- ❖ 9:09 am Following executive session, it was put on the meeting record Mr. Pulver questioned the Board's practice of verification of training and experience of all certified polygraph examiners, and general QA practices for polygraphers during

executive session. The Board was advised these topics are not on the agenda and are not topics for executive session given the general applicability to all providers. Further discussion was ceased until the topics are on a future agenda in open session.

Regular Meeting Minutes  
March 11, 2022  
Idaho Department of Correction

**Members present:**

Dr. Michael Johnston, Chair  
Brian Marx, Vice Chair  
Ryan Porter, Member  
Moirra Lynch, Member  
Paula Garay, Member  
Ted Pulver, Member

Matt Thomas, Member  
Jeff Betts, Member

**Others Present:**

Nancy Volle, Program Manager  
Jamie Lundy, AA2  
Karin Magnelli, Deputy Attorney General

**Guest:** Karen Clifford, Deputy DM of D4  
Jessica Kuehn, DAG  
Amy Campbell, ISP  
Nate Baldwin, Proxy for Melissa Hultberg  
Gabriel Hofkins, Provider Terry Reilly  
Jason Warthen, D4, P&P

**Excused**

Melissa Hultberg, Member  
John Dinger, Member

**Call to Order**

The meeting immediately began following Mr. Pulver's concerns.

**EXECUTIVE SESSION**

Mr. Marx motioned at 9:15am that the Board convene in Executive Session under I.C. §74-206(1)(d) to consider records that are exempt from public disclosure as provided in chapter1, title 74, Idaho Code (see I.C. § 74-106(9)). It was seconded by Ms. Lynch. The vote was: Dr. Johnston, Chair, aye; Ms. Garay, Member, aye; Mr. Thomas, Member aye; Mr. Dinger, Member, aye; Mr. Betts, Member, aye and Mr. Pulver, Member, aye.

Mr. Marx motioned at 9:17am to come out of Executive Session. It was seconded by Mr. Thomas; The vote was: Dr. Johnston, Chair, aye; Ms. Garay, Member, aye; Mr. Thomas, Member aye; Mr. Dinger, Member, aye; Mr. Betts, Member, aye and Mr. Pulver, Member, opposed the vote to come out of Executive Session.

**Board Business:**

**1.) Certification Applications (Action Item)**

- ❖ **SOMB 1:** Initial application for Senior Level Adult Treatment Provider. Mr. Marx motioned to approve Senior Level Adult Treatment Provider Certification for March 2022-1. It was seconded by Mr. Pulver and all remaining Board members present voted aye. **Motion carried.**

## **2.) December 2020-3 Disciplinary Review (Jessica Kuehn) Action Item:**

- ❖ Dr. Johnston recused himself at 9:25am.
- Mr. Marx moved to proceed with Ms. Kuehn proposing a voluntary surrender of certification. The Board will then release the suspension. It was seconded by Mr. Pulver and all remaining Board member present voted aye. **Motion carried.**
- ❖ Dr. Johnston returned to the meeting.

## **3.) Renewal Applications:**

- ❖ Ms. Volle advised the Board the following applications for renewal certification was approved:
  - a. March 2022-2: Senior Adult Treatment Provider
  - b. March 2022-3: Senior Adult Treatment Provider

## **4.) Minutes Approval for February 11, 2022: Action Item**

- Motion to approve February 2022 minutes was made by Mr. Marx. Motion seconded by Mr. Thomas and all members present voted aye. **Motion Carried.**

## **5.) Tiered Registry Discussion**

- a. Introduction Amy Campbell ISP SOR. Ms. Campbell will be attending future meetings to participate in further discussion.
- b. Risk Assessments
  - 1. LSI-R (PO Jason Warthen). Mr. Warthen presented and discussed his experience and findings of the LSI-R and how it relates to female sex offenders. This includes history, employment, family, financial and views.
    - The sample view is not large enough.
    - Female offenders are less likely to offend.
    - The LSI-R is not racially biased.
    - There is concern of States under reporting.

## **Break from 10:19am to 10:41am**

- ❖ Ms. Magnelli asked the meeting record reflect that during the break Mr. Pulver wanted to discuss the polygraph QA process, lack of verification of provider applications, open meeting and agenda requirements, concerns of providers and changes to the Board's standards. Board members Mr. Marx and Mr. Thomas were also privy to that conversation. Mr. Pulver was advised the conversation was inappropriate outside of an open meeting and the topics would need to be added to a future agenda. He was encouraged to review the Standards and submit any recommended changes to Nancy for consideration by the Board.
  
- 2. Static/Stable. The discussed the importance of deciding a direction. There are no problems with the Static/Stable. It is most used world-wide.
  - There needs to be a review of protocols and decision on tiers.
  - The downside of tiers is the cost of having different systems.
  - The upside of tiers is less chance of being challenged.
  
- 3. RM 2000. There was discussion and clarification of the RM 2000.
  - Discussion of risk tools.
  - There are issues with having separate registries.
  - Discussion of the financial burden.
  - The largest impact would be on ISP.
  - Each tier would need clarification and explanation.
  - Sherriff's office would like the registries to be useful.
  - The registries do not correlate with reduced re-offending.
  - The fiscal impact was shared with the Board.
  - Ms. Volle will reach out to Dr. Thorton regarding child pornography offenders to determine if he has any research he can share.

## **6.) Provider Concerns**

- a. Pricing of evaluation listed on website.
  - The price of doing business has increased significantly. The Board does not regulate the cost of charge.
- b. Treatment Plan Template.
  - Gabriel Hofkins discussed the current Terry Reilly Treatment plan. The primary concern is dealing with insurance companies.
  - The Board does not have a relationship with insurance companies.
  - Goal is optimizing the level of care for sex offenders.

Motion to exit the meeting by Mr. Marx and seconded by Mr. Thomas.

Adjourned at 12:03pm.  
Submitted by Jamie Lundy, AA2 SOMB