

# SEXUAL OFFENDER MANAGEMENT BOARD

EST. 2011

Brad Little  
Governor



Certification/QA Sub-Committee  
August 12, 2022  
Idaho Department of Corrections

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

Dr. Michael Johnston, Chair  
Brian Marx, Vice Chair  
Jeff Betts, Member  
Melissa Hultberg, Member  
Gabriel Hofkins, Member

## **Others Present:**

Nancy Volle, Program Manager  
Jamie Lundy, AA2

## **Guest:**

Nathan Austin, Deputy Attorney General

## **Excused:**

Paula Garay, Member

## **Call to Order**

Mr. Marx called the sub-committee meeting to order at 7:54 A.M.

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

- Mr. Marx moved that the subcommittee convene in executive session at 7:55 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 Ms. Hultberg. The vote was Dr. Johnston, Chair, aye and Mr. Betts, Member, aye.

Mr. Marx motioned to come out of executive session at 9:05am., the motion was seconded by Ms. Hultberg. The vote was Dr. Johnston, Chair, aye and Mr. Betts, Member, aye.

Regular Meeting Minutes  
August 12, 2022  
Idaho Department of Correction

**Members present:**

Dr. Michael Johnston, Chair  
Brian Marx, Vice Chair  
Jeff Betts, Member  
Gabriel Hofkins, Member  
Moirra Lynch, Member  
Melissa Hultberg, Member

Matt Thomas, Member

**Others Present:**

Nancy Volle, Program Manager  
Jamie Lundy, AA2

**Guest:**

Breanne Speas  
Tina Trousue  
Jessica Kuehn  
Amy Campbell  
Jose Martinez  
Matt Owen  
Nathan Austin, Deputy Attorney General  
Daniel Dinger, Proxy for John Dinger

**Excused**

Paula Garay, Member

**Call to Order**

Dr. Johnston called the full board meeting to order at 9:13 am and the motion was seconded by Mr. Marx and all remaining members present voted aye.

- Introduction of Gabriel Hofkins as a new member to the Board. He is replacing Ryan Porter as the Judiciary Member.

**EXECUTIVE SESSION**

Mr. Marx motioned at 9:20am that the Board convene in Executive Session under *I.C. §74-206(1)(b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student, I.C. §74-206(1)(d) To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code (see I.C. § 74-106(9)) and I.C. §74-206(1)(f) To communicate with legal counsel for the public agency to discuss the legal ramifications of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated.* It was seconded by Mr. Thomas. The vote was: Dr. Johnston, Chair, aye; Ms. Lynch, Member aye; Mr. Betts, Member, aye; Ms. Hultberg, Member, aye.

Mr. Marx motioned at 9:27am to come out of Executive Session. It was seconded by Mr. Thomas; The vote was: Dr. Johnston, Chair, aye; Ms. Lynch, Member aye; Mr. Betts, Member, aye; Ms. Hultberg, Member, aye.

## **Board Business:**

### **1.) Negotiated Rulemaking: Docket No. 57-0101-2201**

- ❖ The Board was given a review of the Negotiated Rulemaking.
- ❖ Time was provided for any interested party to provide testimony regarding the Negotiated Rulemaking, no testimony was given.
- ❖ Ms. Lynch asked for an explanation of the reserved sections. Ms. Volle explained that it gives the ability to add rules in the saved sections in order to avoid renumbering each section with each addition.

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

- ❖ Dr. Johnston recused himself at 9:40am.
- Ms. Kuehn gave a brief overview of the ongoing case. Motion to approve the order to withdraw with changes to the language to show change of circumstances and certification has expired made by Mr. Marx. Motion seconded by Mr. Thomas and all members present voted aye. **Motion Carried.**
- ❖ Dr. Johnston returned to the meeting at 9:45am.

### **3.) Certification Applications: Action Item**

- Motion to approve the follow certification applications was made by Mr. Marx. Motion seconded by Mr. Thomas and all members present voted aye. **Motion Carried.**
- ❖ **August 2022-4: Initial Associate Adult Evaluator with Conditional Waiver**
- ❖ **August 2022-7: Initial Associate Adult Treatment Provider**
- ❖ **August 2022-6: Initial Associate Adult Treatment Provider**
- ❖ **August 2022-9: Initial Provisional Adult Treatment Provider**
- ❖ **August 2022-10: Initial Provisional Juvenile Treatment Provider**

- Motion to deny the following certification application was made by Mr. Marx. Motion seconded by Mr. Thomas and all members present voted aye. **Motion Carried.**

❖ **August 2022-5: Initial Senior Adult Treatment Provider**

**4.) Renewal Applications:**

- ❖ Ms. Volle advised the Board the renewals will be provided at the next Board meeting.

**5.) Provisional Applications: delegation of approval to Program Manager: Action Item**

- ❖ Motion to approve delegating the Program Manager to be able to approve initial Provisional applications was made by Mr. Marx. Motion seconded by Dr. Johnston and all members present voted aye. **Motion Carried.**

**6.) Minutes Approval for June 10, 2022: Action Item**

- Motion to approve June 2022 and July 2022 minutes with suggested recommendations was made by Mr. Marx. Motion seconded by Mr. Thomas and all members present voted aye. **Motion Carried.**

**7.) Budget:**

- ❖ Ms. Volle presented the budget to the Board for review.

a. Training (Action Item):

- Mr. Marx motioned to approve 3 Board Members to attend the "Equipping Those Who Serve and Protect" course including hotel and per diem. It was seconded by Mr. Thomas and all remaining Board members present voted aye. **Motion carried.**

b. Static/Stable trainer/training (Action Item):

- After discussion it was determined the cost estimate would be provided during the September 2022 Board Meeting.

- **Break 10:14am to 10:40am**

**8.) Tiered Registry presentation – Chris Lobanov-Rostovsky (Program Manager-Colorado SOMB)**

- ❖ Mr. Lobanov-Rostovsky presented information to the Board regarding the Colorado sex offender registry.

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

Adjourned at 12:03pm.

Submitted by Jamie Lundy, AA2 SOMB