

# SEXUAL OFFENDER MANAGEMENT BOARD

EST. 2011

Brad Little  
Governor



Certification/QA Sub-Committee  
December 9, 2022  
Idaho Department of Corrections

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

Michael Johnston, PhD., Chair  
Brian Marx, Vice Chair  
Paula Garay, Member  
Melissa Hultberg, Member  
Gabriel Hofkins, Member

## **Others Present:**

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

## **Guest:**

## **Excused:**

Jeff Betts, Member

## **Open Session**

A call to order for open session at 8:10am. Review of Complaint P-2022-3. The discussion involved the agreement to hire an investigator to determine which agencies should be informed as well as other licensing boards. The investigation should also determine if any Standards were violated.

## **Call to Order**

Dr. Johnson called the sub-committee meeting to order at 8:21 A.M.

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

- Dr. Johnston moved that the subcommittee convene in executive session at 8:22 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 Paula Garay, Member, aye and Mr. Marx, Vice Chair, aye.

Mr. Marx motioned to come out of executive session at 9:24 am., the motion was seconded by Ms. Garay. The vote was Dr. Johnston, Chair, aye and Ms. Hultberg, Member, aye.

- Break 9:26am-9:38am

Regular Meeting Minutes  
December 9, 2022  
Idaho Department of Correction

**Members present:**

Michael Johnston, PhD, Chair  
Brian Marx, Vice Chair  
Paula Garay, Member  
Moirra Lynch, Member  
Gabriel Hofkins, Member  
Melissa Hultberg, Member

Matt Thomas, Member  
John Dinger, Member

**Others Present:**

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

**Guest:**

Meredith Manning  
Shelly Osborne  
Jose Martinez  
Dr. Walter Campbell  
Dr. Heather Hainstock  
Brooke Dudry  
Dan Montgomery  
Breanne Speas  
Alana Minton  
Ilona Csik  
Amy Campbell

**Excused**

Jeff Betts, Member

**Call to Order**

Mr. Marx called the full board meeting to order at 9:39 am and the motion was seconded by Ms. Lynch and all remaining members present voted aye.

**EXECUTIVE SESSION**

Mr. Marx motioned at 9:39am that the Board convene in Executive Session under 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. Lynch. The vote was: Dr. Johnston, Member, aye; Ms. Hultberg, Member, aye; Ms. Garay, Member aye, Mr. Thomas, Member, aye and Mr. Dinger, Member, aye.

Mr. Marx motioned at 9:41 am to come out of Executive Session. It was seconded by Mr. Dinger; The vote was: Dr. Johnston, Member, aye, Ms. Lynch, Member, aye; Ms. Hultberg, Member, aye; Ms. Garay, Member aye and Mr. Thomas, Member, aye.

**Board Business:**

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

- ❖ Motion to approve the following certification applications was made by Mr. Marx. Motion seconded by Dr. Johnston and all members present voted aye. **Motion Carried.**
- ❖ December 2022-1: Initial Associate Juvenile Psychosexual Evaluator

**2.) Renewal Applications:**

- ❖ Ms. Volle advised the Board the following applications for renewal certification were approved:
- ❖ November 2022-1: Senior Level Adult Treatment Provider

**3.) Minutes Approval for November 4, 2022, regular Board meeting minutes and November 22, 2022, Special meeting minutes: Action Item**

- ❖ Motion to approve the November 4, 2022, minutes and November 22, 2022, Special minutes with suggested corrections was made by Mr. Marx. Motion seconded by Dr. Johnston and all members present voted aye. **Motion Carried.**

**4.) Open Meeting Violation Cure-November 22, 2022**

- ❖ **Adoption of proposed rule as pending: Action Item**
- ❖ Ms. Magnelli explained the location of the Special meeting on November 22, 2022, was not listed on the special agenda that was posted, to cure this concern, Ms. Magnelli called for a re-vote on the Adoption of Proposed Rule as Pending.
- ❖ Motion to approve the re-vote was made by Mr. Marx. Motion seconded by Dr. Johnston and all members present voted aye. **Motion Carried.**

**5.) DISYS Website Contract: Action Item**

- ❖ Motion to approve the DISYS Contract was made by Mr. Marx. Motion seconded by Dr. Johnston and all members present voted aye. **Motion Carried.**

**6.) Board Room Improvements: Bypassed as previous concerns have been addressed.**

## **7.) IATSA Conference Discussion-Shelly Osborne**

- Ms. Osborne gave an update on the conference schedule and an explanation for the schedule change.
- Ms. Osborne will submit a request for funds to be reviewed during the January meeting.

## **8.) Tiered Sexual Offender Registry Discussion.**

- Ms. Volle presented a PowerPoint outlining former discussions. There is still a question of what will be made public.
  - Public knowledge could mislead the public and could be cause for harassment.
  - There was discussion of a female tool. The population is too small for research and a very small amount reoffend.
  - Continued discussion on purpose of tiers, length of time and exit dates.
  - Tiers will be based on risk and helpful to law enforcement.
  - Board must decide how it will be implemented, staffed, and where it will be housed.
  - January discussion to be around changes to risk, re-offense and if it is a sex offense or not.
  - Board members are not in favor of tiers being public (this was not a vote).
  - The effected agencies would be ISP, IDOC (POs), and Sheriff's office. There could also be a short-term cost to the institutions. All will have a fiscal impact.
  - Discussion of Constitutional Rights with who pays for someone being reassessed.
- Break 11:12am-11:23am
    - An Aggravated Offense PowerPoint was sent showing definitions.
    - The aggravated offenses are important to the Prosecutors.
    - There was discussion of age, level of crime and risk relatable to tiers.
    - There was suggestion of a Sub-committee being formed to work out details.
    - There is discomfort with the use of chronological age, developmental level matters.
    - Would like to discuss further during the January meeting.
    - The topic of an assessment tool for females is still a concern.
    - Amy Campbell noted there are currently 152 female sex offenders in Idaho with an unknown of how many are non-aggravated.

Adjourned at 11:59am.

Submitted by Jamie Lundy, AA2 SOMB