

SOSN QUARTERLY MEETING
TILLAMOOK COUNTY 7/27/10 – 7/28/10

(NEXT MEETING: LANE COUNTY, 10/26/10 – TIME/LOCATION TO BE ANNOUNCED)

ATTENDANCE:

Seth Prouser – Marion Co.
Corey Mooney – Clackamas Co.
Ashley Handley – Wasco Co.
Lisa Close-McGraw – Umatilla Co.
Bill Kramer – Josephine Co.
Trin Monahan – Columbia Co.
Vi Beaty – OSP
Kari Henderson – Linn Co.
Dru VanRiper – Lake Co.
Debbie Moss – Jackson Co.
Kevin Doohan – Washington Co.
Darren Hoschouer – Douglas Co.
Brett Lind – Linn Co.
Jeff Wood – Marion Co.
Katherine Gotch – Multnomah Co.
Annie Williamson – Compact
Jennifer Landers - Lincoln Co.
Megan Hornby – DHS
Lucinda Gardner – Polygraph Examiner

Josh Hall – Benton Co.
Nadine Purington – Multnomah Co.
Susie Strom – Hood River Co.
Genelle Bennett – Josephine Co.
Brenda Carney – Columbia Co.
Dodie Gillespie – Tillamook Co.
Randy Settell – Yamhill Co.
Maureen Robb – Linn Co.
David Moss – Jackson Co.
Laura Powers Carson – Multnomah Co.
Bill Wilkenloh – Klamath Co.
Robert Ashby – Douglas Co.
Kevin Karvandi – Marion Co.
Pat Schreiner – Multnomah Co.
Bill Sawyer – DOC
Dawn Persels – Compact
Warren Bird – DHS
Derry York – Polygraph Examiner

TUESDAY, 7/27/10 1PM – 5PM

- **Introductions**
- **Nomination of 3rd Chairperson:** Laura Carson nominated Brenda Carney. The nomination was given a second, and a vote was passed in favor.

- **VI BEATY – OSP**

N.O.D. Forms: Staff has been trained and information shared about which offenders NOD forms are completed for – PREDATORY. Once designated a predatory sex offender (PSO), always designated. Also, if at any time a community notification was completed while PSO was on supervision, you must mark “YES” on the NOD form. Also remember that only the PSO’s who expired as “HI” will be listed on the OSP website. *Only the “worst of the worst” are put on the website, and if they are on supervision, it is up to the PO to give OSP/SORU the info to post.*

ADAM WALSH ACT (AWA): Oregon received it’s second 1-year extension to comply with the AWA. Vi will be going to Washington DC to meet with other states that have not yet complied with AWA. OR will have until 7/27/11 to comply, or there will be a 10% cut across the board in the Byrne Grant funding. Florida, Delaware and Ohio are currently the only states in compliance. If AWA is adopted, at a minimum, there will be a huge increase in registration requirements, and all Fail to Register convictions will be felonies with up to a year in prison. Additionally, the federal government is releasing information on offenders for whom OR Statutes currently prohibit the release of information – primarily juveniles.

UPCOMING LEGISLATION: OSP/SORU trying to post all *convicted adult SO’s* on the website. It would only include descriptors and supervision info; no address info.

VIDEO CONFERENCE REACH-IN @ WARNER CREEK: Was a good experience, but was “shushed” by the counselor who stayed in the room with the inmates. Hoping to request that for future reach-ins, counselors and/or CO’s do not remain in the room with the inmates to allow them to be more open with

their questions and interaction with presenters. Vi would also like to have some additional time at the end of the session to answer any questions about inmates' specific cases.
(OSP cont'd)

REGISTRATION UPON RELEASE FROM PRISON: Release counselors will begin registering SO's at the time of release.

HB2333: 2009 change -- SO can be relieved from registration for multiple charges/convictions, as long as it is only ONE/SAME victim. For example: *One* sentencing with *multiple* convictions for qualifying crimes with only *one* victim – ***OR*** -- *multiple* sentencings and convictions for qualifying crimes with the *same* victim.

RULEMAKING AUTHORITY: OSP/SORU will soon have the authority to write relief statutes.

SURVEY FOR UPGRADES: A survey was conducted re: paying for upgrades on the SORU system. 88% resulted that management wouldn't pay to maintain the current system / 86 % wouldn't pay to purchase a new system. It has been quoted at \$195K the 1st AND 2nd year for a new system... we now pay \$4,000/year to maintain the current system.

• **DAWN PERSELS & ANNIE WILLIAMSON – INTERSTATE COMPACT**

Dawn will be staying with the Compact office through the end of the year.

COMPACT OFFICE REPRESENTATION: (see attached handout)

Annie Williamson – SOON

Ruby McClure – FAUG

Chris Nunnery – Release Counselors

Nicole Kellogg – Extradition Officer (Maternity Leave)

Dawn Persels – SOSN

Ryan Jordan – Transport Officer, cross-training as an Extradition Officer.

WARRANTS & EXTRADITION: A *nation-wide warrant* **must** be issued when offenders fall under ICAOS rules. Judges must understand this is a FEDERAL law, and they *shall* abide by the rules. If judges refuse to sign a nation-wide warrant, contact the Compact office. The Governor's office may need to take action.

Most extraditions tend to be for Sex Offenders, BUT they will extradite for misdemeanors if they are under ICAOS rules. The Compact website has some information on extradition, but Dawn will see if something can be sent out to the Counties to share with judges and DA's.

CALIFORNIA & WASHINGTON: There have been many issues in CA & WA, which have become political (Clemmens case in WA was Compact). It is very unlikely that WA will accept any discretionary cases, but if it is a good supervision plan, Compact may intercede, if necessary.

CA now has "non-revocable parole", which is a lesser level of supervision than our inactive status. If you receive notice from CA that an offender is now on non-revocable parole, **close the file**.

CA is a bifurcated state; meaning probation is supervised separately from parole. Many county/probation offices have been closed, and are only periodically monitored. Expect longer wait times on transfer and violation responses.

RESOLUTION: If there is a dispute over a case, Compact may intercede, and it can be taken to the Compact Commissioners or the national office for a ruling.

COUNTY OFFICES: Each County has their own field Compact coordinator – know who they are. Also make sure they understand the requirements for SO reporting instructions/investigations. We need that extra time to check out proposed residences.

COURTS & ATTORNEYS: Compact reps attended the OR Criminal Defense Attorney Association meeting, and it was noted that Bench Probations seem to be causing the biggest problems, especially misdemeanors, Conditional Discharge, Deferred Sentencing and Diversions. The Courts are responsible for following the Compact rules and processes; if they don't want to deal with it, they should adhere to alternative sentencing for those offenders wanting to move, or who live out of state.

- **JEFF WOOD, PAT SCHREINER, BILL SAWYER – PEER REVIEW**

CPC reviews have prompted reviews for Community Corrections offices. The first review was initiated last year with Benton County. They interviewed PO's, the director, offenders, DA's and judges. The second review was this year at Douglas County, and an upcoming review on 8/24 – 8/25/10 with Linn County. Washington County and Umatilla County have requested to have a peer review completed.

This is a work in progress. We are looking at management, caseload management, collaboration with the community and community partners, as well as evidence-based practices: What can we improve as an agency, and what standards are/aren't being met.?

Oregon is one of the first states to pilot the project.

- **KATIE GOTCH – STATIC 99 / STABLE / ACUTE / TRAINING**

STATIC 99 & STATIC 99R: The only change is the age revision (see attachment). Automation changes may be made within 10 mos. The only score changes will be fore "LOW", from 0 to 1, to -3 to 1. The hope is that the system will be able to automatically make the changes for the current Static-99's completed in DOC400, vs. requiring counselors and PO's to re-create them.

STATIC 99 IN CIS: Comments need to be included on the assessment. Info should also be included about where/how you obtained the information for verification (PSI, police report #, polygraph, etc.).

UPDATING STABLE/ACUTE: Remember that you can update or re-assess the Stable/Acute as needed: new info? Violations? Concerns?

The goal is to keep the tools valid without being overly laborious for the PO's to do (i.e., LSCMI). There was not a lot of response from group when asked how assessments were working for them. Katie reported that OR is ahead of the curve with use of assessments and collaboration.

INTER-RATER RELIABILITY: Training will be done regionally vs. at SOSN meetings. PO & Director support is needed for the regional training so *all* SO PO's get the training, not just those who attend SOSN.

"Booster" Training Sessions: Group was asked what they would like to have for refresher training:

- 1) Interview skills. PO's would like to have actual Stable interviews recorded to view as training tools.
- 2) More info on scoring: Associates/influences, emotional identification with children
- 3) All around, targeted review of specific domains.

- **PAT SCHREINER – CASE PLANS**

Work is being done to clean up and simplify the LSCMI case plan, and the question has come up about creating a case plan for SO assessments. The idea is to collaborate statewide info about what we want in a case plan that would be user friendly and useful; it should also be more collaborative with the offender so they feel they are part of the process.

Agreed to have BP Committee work on gathering info. Will review current examples from LSCMI case plan revisions. (See attached handout)

WEDNESDAY, 7/28/10 9:00AM – 12:00PM

- **PAT SCHREINER – SOSN MEETINGS**

Discussion about how we conduct the meetings, where we have the meetings, and how often SOSN meets:

- 1) Teleconference?: NO.
- 2) Would directors consider shared expenses and/or rooms for overnight stays?
- 3) One day sessions and centrally located?

It was agreed by group that the next meeting would be scheduled as a 1-day session, and a training session may be attached for the second day.

- **WARREN BIRD AND MEGAN HORNBY – DHS (Licensing & Quality Care)**

NURSING & ASSISTED CARE SERVICES, MEMORY CARE FACILITIES:

- * Facilities are evaluated/surveyed every two years.
- * Residents must meet the qualification and eligibility requirements for services: they must be dependent on medical or daily care, including dementia.
- * Administrators currently do not release SO status to employees or residents, even though it is public information: Concern about HIPPA violations and/or interference with service or support for patient.
- * There is no policy yet re: sharing SO information, and only predatory SO's are being notified on.
- * In some counties, PO's are not sharing SO status and/or conditions with the facilities

Funding is being considered to open specialized homes in the community for SO's who have been at the Oregon State Hospital, but who are no longer receiving the benefit from services.

Group recommended DHS create a policy for SO clients, and include a personal history form or questionnaire, background check, and release of information for criminal records. Utilize specialized evaluators and your local community corrections offices.

- **DERRY YORK – POLYGRAPH EXAMINER POLYGRAPH BEST PRACTICES
(SEE ATTACHED POWER POINT)**

POST-CONVICTION POLYGRAPH: Many types of testing: SO, DV, A&D, Financial Crimes, etc.

Oregon has some of the toughest licensing requirements, while CA & WA have none. OR currently requires 30 hours of continued education every 2 years, and the APA is considering some minimum requirements, as well.

Clients with major medical, physical and/or psychological issues may have problems being tested; speak with your polygraph examiner before scheduling an appointment.

It is best to find a polygraph examiner who speaks the client's primary language; you may get a Court certified interpreter.

There is a maximum of five (5) 1.5 hour tests per day.

Habituation/familiarization (frequent/consecutive testing with one polygraph examiner) is a concern for poly validation. Try to use at least two (2) different examiners.

Specific issue polygraphs have the highest reliability.

The more info you provide the examiner, the better the test. You can include PSI, police report, PV reports or assessment info. (See attached info sheet example)

COUNTER-MEASURES: Attempt to create a false-negative outcome, or an effort to defeat/distort the test (abnormal breathing, foot tapping, muscle clenching, etc.).

INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION* QUICK GUIDE

Persons under supervision for certain crimes **CANNOT LEAVE THE STATE OF OREGON OR MOVE TO ANOTHER STATE** without permission from the Interstate Compact Administrator of Oregon and the other state. This rule applies to defendants on supervision for **ANY felony**. It also applies to defendants on supervision (including bench probation) for a **MISDEMEANOR**, if:

- ❖ The person is placed on probation or under court supervision for more than one year, and
- ❖ The offense falls into one of four categories:
 - **An offense in which a person has incurred direct or threatened physical or psychological harm:**
 - The commission of, or attempt, solicitation or conspiracy to commit:
 - Assault IV. ORS 163.160(2)
 - Menacing. ORS 163.190
 - Recklessly endangering another person ORS 163.195
 - Criminal mistreatment II ORS 163.200
 - Unlawful use of electrical stun gun, tear gas, or mace II ORS 163.212
 - Child neglect II ORS 163.545
 - Endangering welfare of a minor ORS 163.575(1)(a), (b), (c), or (e)
 - Strangulation. ORS 163.187
 - Stalking. ORS 163.732(2)(a)
 - Violating courts stalking protective order ORS 163.750
 - Harassment ORS 166.065(4)
 - Intimidation II. ORS 166.155
 - Application of controlled substance to body of another ORS 475.910(1)(d)
 - Vehicular assault of bicyclist or pedestrian. ORS 811.060
 - Reckless endangerment of highway workers ORS 811.231
 - The attempt or conspiracy to commit a class C felony:
 - Assault IV. ORS 163.160(3)
 - Assault III. ORS 163.165
 - Assaulting a public safety officer. ORS 163.208
 - Coercion. ORS 163.275
 - Criminal Mistreatment I. ORS 163.205(1)(b)(A)
 - Stalking. ORS 163.732(2)(b)
 - Intimidation I. ORS 166.165
 - Failure to perform duties of driver to injured persons. ORS 811.705(2)(a)
 - **An offense that involves the use or possession of a firearm**
 - The commission of, or attempt, solicitation or conspiracy to commit
 - Unlawful Possession of a firearm. ORS 166.250
 - Unlawful possession of machine gun, short-barreled firearms, silencers. ORS 166.272
 - Attempt or Conspiracy to commit a class C felony crime involving weapons:
 - Unlawful use of a Weapon. ORS 166.220
 - Possession of a weapon by certain felons. ORS 166.270
 - **A second or subsequent DUII(Prior successful diversion does not count)**
 - **Sexual offenses requiring registration in the sending state (See ORS 181.594)**
 - Sexual Misconduct. ORS 163.445 (if the offender is at least 18 years of age)
 - The commission of, or attempt, solicitation or conspiracy to commit:
 - Sexual Abuse III. ORS 163.415
 - Encouraging child sexual abuse III. ORS 163.687
 - Contributing to the sexual delinquency. ORS 163.435
 - Private Indecency, if prior conviction for crime listed in ORS 181.594(4). ORS 163.467
 - Failure to Report as Sex Offender ORS 181.599
 - Attempt or Conspiracy to commit a class C felony:
 - Rape III. ORS 163.355
 - Sodomy III. ORS 163.385
 - Sexual Abuse II. ORS 163.425
 - Incest. ORS 163.525 (If the offense involved a child victim)
 - Encouraging child sexual abuse II. ORS 163.686
 - Promoting prostitution. ORS 167.012
 - Public Indecency, if prior conviction for crime listed in ORS 181.594(4). ORS 163.465
 - Burglary II. ORS 164.215, if committed w/ intent to commit any of the offense listed above.

* These rules apply pursuant to the Interstate Compact on Adult Offender Supervision, ORS 144.600 et sec. The elements of the crime of conviction determine whether the defendant is subject to the Interstate Compact. There may be crimes that are not listed here that are subject to the Compact. If you identify such a crime, please contact Dawn Persels (Dawn.M.Persels@doc.state.or.us).

STATIC-99R Age Item Change

- ◆ Research found that the original STATIC-99 did not fully account for age at release and that new age weighting had greater predictive accuracy.
- ◆ Similar results were found across both rapists and child molesters.
- ◆ **Basic Rule:** Score -3 to 1 point depending on the age of the offender when they are released from their index sex offence referencing the table below.

AGE	SCORE
18 to 34.9	1
35 to 39.9	0
40 to 59.9	-1
60 or older	-3

Translating Static-99R scores into risk categories

<u>Score</u>		<u>Label for Risk Category</u>
-3 through 1	=	Low
2, 3	=	Low-Moderate
4, 5	=	Moderate-High
6+	=	High

Sexual Offense Specific Risk Factors and Case Plans

What is a case plan?

A case plan is a formalized document outlining the areas of risk, need and responsivity which create the foundation for case management of an offender.

Why do we do case planning?

A case plan is similar to a treatment plan— it outlines the areas of risk, need and responsivity which require targeted interventions and programming in order to reduce an individual's recidivism risk and improve lifestyle functioning. Case planning provides guidance for supervision as it identifies which areas of risk and need require attention, as well as specific responsivity factors that may interfere with progress and/or require special intervention strategies. Case planning should be conducted in collaboration with the offender as it also provides the offender with a concrete explanation of their expectations and goals on supervision.

How can sexual offense specific risk factors be incorporated into a case plan?

Many case plan documents were developed from general criminogenic research. If the case plan being utilized is based on general criminogenic instruments (such as the LS/CMI), below are some suggestions for conceptualizing sexual offense specific risk factors into the case plan.

- Think the "Big Four":
 - Antisocial Associates
 - Significant Social Influences
 - Capacity for Relationship Stability
 - General Social Rejection
 - Antisocial Attitudes
 - Lack of Concern for Others
 - Negative Emotionality
 - Cooperation with Supervision
 - Hostility Towards Women
 - Sexual Preoccupation (excitement seeking)
 - Antisocial Behavior
 - Impulsivity
 - Poor Problem Solving Skills
 - Non-Sexual Violence Convictions
 - Numerous Prior Sentencing Dates
 - Prior Sex Offences
 - Antisocial Pattern
 - Lack of Concern for Others
 - Early onset of criminal activity
 - Versatile and pervasive criminal history
 - Specialized assessment
- Sexual Offense Specific Risk Factors
 - Emotional Identification with Children
 - Sexual Preoccupation
 - Sex as Coping
 - Deviant Sexual Preference

COLUMBIA COUNTY COMMUNITY CORRECTIONS

901 PORT AVE.
ST. HELENS, OR 97051
503-397-6253 FAX: 503-397-6645

POLYGRAPH INFORMATION SHEET

REFERRING PERSON/AGENCY: _____

CLIENT NAME: _____

TESTING DATE: _____ **TIME:** _____

TYPE OF POLYGRAPH: **SO MAINT** **SO FD** **DV COMPL.**
(Circle one)

DV HIST. **SPECIFIC ISSUE** **A&D**

OTHER: (Explain: _____)

WHAT ARE ISSUES TO BE TESTED?:

- 1.
- 2.
- 3.

DATE OF INCIDENT/ARREST (if applicable): _____

SUPERVISION BEGIN DATE (if applicable): _____

TREATMENT BEGIN DATE (if applicable): _____

DATE OF LAST POLYGRAPH (if applicable): _____

DATE OF VIOLATIONS WITHIN TIME PERIOD TO BE TESTED: _____

TIME FRAME YOU WANT TO BE TESTED: _____

WHO'S PAYING? (Circle one): **Client (NO CHECKS!)** **TX** **P&P**

PLEASE RETURN TO POLYGRAPH EXAMINER PRIOR TO TEST DATE
