

FOURTH ANNUAL RETREAT/CONFERENCE

MONTANA SEX OFFENDER TREATMENT ASSOCIATION

Chico Hot Springs

May 2, 3, 4, 2012

Wednesday, May 2:

MSOTA Member Attendance: Karen Baumann, Don Bell, Susan Bonin (a), Barb Bottomley, Michelle Davis (a), Brenda Erdelyi (a), Michael English, Gwen Farnsworth, Sam Griffel (a), Dawn Handa (b), Anne Harris, Sandy Heaton, Anne Headley (a), Blair Hopkins, Alice Hougardy (a), Fred Lemmons, Hal Lewis (a), Jim Myers, Chuck Newell, Chris Nordstrom, Marla North, Bob Page, Chris Quigley, Drew Schoening, Jeffrey Scogin (a), Mike Scolatti, Christa Smelko, Bowman Smelko, Mike Sullivan, Tracy Vaughn, Nina Wendt,

22 of 28 Clinical Members in attendance and represented a quorum,

8 of 10 Associate Members in attendance

Board Members Attending: John Rhodes (Federal Defenders Office), Dawn Handa (MT-DOC Probation and Parole)

Guests: Mark Schwarzkopf (Pine Hills YCF), Brenda Kneeland (Pine Hills YCF), Jodi KirKwind (Pine Hills YCF), Jake Leeper,

Meeting of the Board of Directors

The MSOTA Board of Directors was called together by President Bob Page at 1:35.

- Board Membership Review
 - Bob page will contact Judge Randy Spalding, and Kirsten LaCroix to see if they want to continue on the MSOTA board
 - Jon Moog has resigned as Board member
 - John Rhodes, Dawn Handa will continue on the Board
 - Officers Bob Page, President and Anne Harris, Secretary were present, Andy Hudak and Shawn Abbott were absent
 - Jean Keiley was not present for this meeting but will continue on the Board
 - A Board quorum was present with two directors and two members at large
 - Board membership nominees may be made and an election held with the general membership during membership meeting on Thursday.
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- The Board was given an update regarding 2010 changes to by-laws and mission

- Discussion: Should we recruit additional clinical members from the pool of clinicians who primarily focus on victims to create a broader membership base? No determination was made, the discussion generally favored to try an increase participation of victim advocates and therapists but the nature of membership category and role of involvement was left for further discussion at summer meeting. Several members said that they would talk to victims advocates to poll their interest in participating in MSOTA
- Dawn Handa discussed a proposed change to the Pre-Sentence Investigation statute to specify MSOTA Members for Risk Assessments
 - **PSI statute as it is currently written: (b) If the defendant was convicted of an offense under 45-5-502, 45-5-503, 45-5-504, 45-5-505, 45-5-507, 45-5-625, 45-5-627, 45-5-601(3), 45-5-602(3), or 45-5-603(2)(c) or if the defendant was convicted under 46-23-507 and the offender was convicted of failure to register as a sexual offender pursuant to Title 46, chapter 23, part 5, the investigation must include a psychosexual evaluation of the defendant and a recommendation as to treatment of the defendant in the least restrictive environment, considering the risk the defendant presents to the community and the defendant's needs, unless the defendant was sentenced under 46-18-219. **The evaluation must be completed by a sex offender therapist who is a member of the Montana Sex Offender Treatment Association or has comparable credentials acceptable to the department of labor and industry.** The psychosexual evaluation must be made available to the county attorney's office, the defense attorney, the probation and parole officer, and the sentencing judge. All costs related to the evaluation must be paid by the defendant. If the defendant is determined by the district court to be indigent, all costs related to the evaluation are the responsibility of the district court and must be paid by the county or the state, or both, under Title 3, chapter 5, part 9.**
 - There was discussion to propose a legislative change to delete the phrase “~~or has comparable credentials acceptable to the Department of Labor and Industry~~” to read “**has comparable credentials acceptable to the Department of Corrections,**”

Board Meeting was adjourned at 2:20 PM by President Bob Page

General Annual Membership Meeting:

The General 2012 Annual Membership Meeting was called to order by President Bob Page at 2:40

- Agenda review: items were added to the agenda from the floor
 - Discussion about fees for evaluations and treatment,
 - Assessment Fee Discussion:
 - OPD pays \$1,500 plus travel
 - One question is how fast the report is needed

- Economic status of the offender can be considered
 - Some start with a base line of \$1,500 but size and nature of case may increase the amount and includes travel
 - Teen offenders that require less review, may be done with less time, may cost less
 - Sometimes there are requests for risk assessment that is not a PSI, and there is a disclaimer issued that states specifically that these are not able to recommend Tier Levels, nor can they be used with deniers.
 - The prison rate is three ramen noodles and some horse hair
 - Nina, \$2,500 for risk assessment in Alaska plus expenses
 - US Probation Assessments are charged less
 - Mike Scolotti Child Porn evaluations are \$1,700 because clinician may be required to look at the pictures, but the descriptions of the images are available.
 - Treatment Fees
 - Marla \$50/hr for group or 1-1 Session
 - ORI uses MEDICAID rates, though not billed to MEDICAID per se, but the funds come from DPHHS/DDP funding
 - Billings provider reported \$270/Mo on average for combined individual and group treatment
 - Missoula provider uses \$190 outside of Missoula, and \$160 in Missoula (to remain competitive) for combined and group and individual, and fee is fixed whether they are in the chair or not, like a class tuition.
 - \$120/ hour for evaluation and/or treatment for all clients whether
 - Some Tier II offenders are reported to come from prison and see a provider for \$40 per session and only see counselor once per month
 - Issue comes down to rates in communities where there is competition for the same service.
 - Discussion about psychological testing and the new licensing rule.
 - LCPCs and LCSWs are ok for now but Montana Psychological Association is expected to attempt a new block in the next legislative session

Thursday, May 3

- Introductions, Discussion: Goals, mission, philosophy,
- Reading of minutes from Fall meeting, Moved, Seconded, Passed
- Announcement of new officers: President, Bob Page; Vice President; Andy Hudak; Treasurer, Shawn Abbott; Secretary, Anne Harris

Officer Reports,

- President
 - Annual Letter Today we begin our fourth annual MSOTA retreat and conference. Since last year, we have continued to grow financially as well as professionally. I believe that

communication between members has continued to increase outside of our formal meetings enhancing our personal and professional relationships. I have truly respected and enjoyed the honor of being the president and hope that I have contributed in some way to the overall growth of MSOTA. Over this last year, we have continuously reviewed the research and literature surrounding risk measurement systems and have responded accordingly through the modification of our standards.

As we move forward into this next year, I anticipate that we will continue to streamline the process of assessing risk, effectively evaluating and treating offenders, and continuing to focus on safety for both society and our clients. The membership committee is now chaired by Chris Nordstrom who has been working on new ways to increase our membership.

Welcome to Dr. Christa Smelko, our newest clinical member. Our committees continued to work together with diligence but have been frustrated with minimal participation of some members outside of regular meetings. I hope that we can continue to impress upon all the importance of living up to your obligations as members of the respective committees. Overall, I believe that we are continuously growing as an organization and with diligent commitment on our part; we will continue to do so again.

Again, I have appreciated the honor of my position as president and hold this position very seriously with my ongoing commitment to our organization's growth. If I am to continue in my position to another term I encourage all of you to contact me at any time with questions, concerns, criticism, and especially new ideas for the enhancement of our work in is a performance.

Respectfully submitted,

Robert N. page, Ed. D., President, MSOTA

- Bob requested updated email lists
- Vice President: No Report
- Treasurer
 - Savings
 - Checking
- Annual expenses
 - Dr. Mejia \$500.00
 - John Moog, mileage \$147.50
 - Chico Hot Springs -retreat \$4,388.50
 - Montec \$100.00 Space rent for Fall mtng.
 - Jean Kielely (lunch, Quarterly Meeting) \$107.00
 - Gwen Farnsworth (snacks, Quarterly Meeting) \$61.17
 - Chico Hot Spings--deposit \$250.00
 - Total: \$5554.17
 - Income--dues \$5033.00

Secretary

- Web site is typically updated within 24 hours of a request from members to post an event or change to the site
- Individual member's web pages can be posted in their membership directory listings.
- A professional web designer, Blaise Wrenn, has offered to set up web sites for MSOTA members at a discount. He offers complete design and hosting service so that member's supply him the content, and what they want their site to do and he will produce the finished product, including web address for Members' businesses. Blaise can be reached at (406) 493-0741

Discussion/descriptions of specific elements and requirements of different treatment programs.

Are all curricula similar?

How does the clarification process work in different programs?

Committee Reports Each committee to present updates and progress/new strategies on improving service performance/delivery with offenders

Ethics Committee Chair: Bob Page; Members: Mike English, Sandy Heaton, Nina Wendt, Jim Meyers, Jeffrey Scogin, Gwen Farnsworth, Chuck Newell

- **Mission:** Provide consultation services, investigations and resolutions, surrounding ethical issues and complaints involving MSOTA members
 - Location of clinical practices in buildings serving other populations, need to separate Offenders and Victims from being in same place, same time
 - Several members reported issues with landlords and fellow tenants.
 - Gwen and Michelle have their adolescent clients write outing plans that are signed off by therapist. For example, mall areas where kids concentrate are off limits.
 - False accusations are a concern.
 - Discussed protocol for filing ethics complaints regarding Clinical Members. Complaint process will be posted on the MSOTA web site

Legislative Committee Chair: Andy Hudak; Members: Sam Griffel, Mike Sullivan

- **Mission:** To improve community safety through education and legislation by coordinating with state government and other stake holders to influence public policy
 - Mike and Andy are meeting with DOC in the next couple months to open up dialogue about how DOC and MSOTA can work together better during the legislative session towards mutual goals.
 - Discussion to change penalties regarding statutory offenders
 - Offender 21 or under, and victim between 14 and 15 to not be subject to the current mandatory sentencing. The discussion evolved around psycho-neurological development for the offender.
 - Suggestion was to explore how other states have written their "Romeo and Juliette" laws
 - Bo said he would research other states statutes and email results to Membership,
 - For present the proposed legislation will be developed using offender age 25
 - The Legal reference is: **MCA:** a) If the victim is less than 16 years old and the offender is 4 or more years older than the victim or if the offender inflicts bodily injury upon anyone

in the course of committing sexual intercourse without consent, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years or more than 100 years and may be fined not more than \$50,000, except as provided in 46-18-219 and 46-18-222.

Membership Committee Chair: Chris Nordstrom; Members: Fred Lemons, Chris Quigley, Shawn Abbott, Karen Bauman, Charmaine Nicholson, Barb Bottomly, Tracy Vaughn , Ann Headley

Mission: To assess the competency of applicants for Clinical and Associate memberships according to MSOTA membership criteria and to encourage active recruitment of new members.

- Chris is gathering up applicants who are in process, but not moving forward in their membership process
- Persons missing pieces of their membership process should contact Chris Nordstrom regarding their status
- Chris is going to be contacting public service offices, colleges and Universities to encourage student membership to try and complete the written and oral test for Clinical membership, reducing the written test
- Clinical vs. open meetings. Sometimes the discussion at the membership meetings, cover material not relevant to Associates and guests, so Associates may excuse themselves
- Discussion to make the treatment providers at Pine Hills Clinical

Education/Public Affairs Committee

- Chair: Marla North, Don Bell, Blair Hopkins,
- Mission: (not previously defined)
 - There was a discussion and a general consensus to eliminate the Education/Public Affairs Committee, except for special needs for PA or special assignments from membership
 - Brenda: Community outreach, invitations to come into schools
 - Posting to web site the various types of treatment specializations and expertise that exists within the membership

Standards Committee

- Co-Chairs: Bo Smelko and Mike Scolotti; Members: Anne Harris, Kevin Wyse, Jean Keiley, Gwen Farnsworth, Don Bell, Drew Schoening, Marla North
- Mission: Establish and update standards for evaluation and treatment to promote the professional and effective delivery of services to sexual offenders and the community.
 - Discussion of what changed in the Standards over the past year, moving the Standards from a specifically directive model, to a broader range of evaluation tools and treatment practices.
 - What are the qualifications to provide evaluation and treatment services

- Request to Ethics Committee to address Clinical Members' compliance with current standards.
- There are possible changes to the Standards that need to be a discussion with the whole membership.

Interactive lunch and discussion about specialties, treatment philosophies, and best practices models for sex offender evaluations and treatment.

- Marla and Don Service area Lewistown/Central Montana provide:
- Sex Addiction Group, Incest Group, Sex Offender Group, Adult Victims, Couples Groups, Statutory Offenders (victims under 16)
 - Uses standard flat fee
 - Will treat deniers, who are Tier I, uses Marshall's approach to denial,
 - Polygraphs, by Don Bell
 - www.northbellservices.info
 - Chaperone Screening, and education
 - Clarification process begins early in treatment
- Karen Bauman, service area: Havre and Browning
 - Individuals know that there is a team involved in treatment decision
 - Does take deniers, Level I
 - One group to serve a spectrum of clients
 - Embraces individualized treatment plan
 - Struggles with modifying treatment porn offenders who had no acknowledged hands on offenses
- Pine Hills Adolescent Program
 - See Power Point on MSOTA WEB page, Members only site, under files: Miles City Folder, major program component is based on program by Phil Rich, published by Neari Press

Old Business:

- Process of Education Committee to get a trainer for us on the Static-2002-R
 - Who is the Audience? What do they use the Static training for?
 - Static training did not do well for participation last time Marla brought a trainer in
- CSOM Conference in Bozeman in August 2012, Mike and Bo are presenting, Chris and Bob P will participate. Conference may include Static, Stable, Acute as well as Community Supervision
 - Desire for CSOM to include more on technology, internet,
- Results of the change in treatment standards that affect offenders when they change treatment programs.
 - Proposal to change to Standards on page 11 by Mike Scolotti:
 - Discussion: How is accountability maintained if the offender chooses to leave for example when they reach a confrontation in treatment and want to avoid accountability
 - How should the PO and treatment provider make a responsible decision when a client wants to change

- Chris Q described clients ditching current provider because of disagreement over protocols, not so much for lack of therapeutic bond, but to manipulate provisions of treatment/community supervision.
- Dawn Handa reflected that Pos are not required to stipulate a provider,
- In general, MSOTA providers discourage transfer between programs. In order to transfer programs, the following set of conditions must be met:
 - The client is not leaving group due to a violation of treatment rules
 - The client is not merely avoiding difficult issues
 - The client has paid any outstanding balance to his initial therapist, or a financial agreement has been reached between the client and initial therapist
 - A meeting is held between the client, P.O. and the two therapists.”
 - **This change was MSP**

New Business:

- Facilities that accommodate for clients with disabilities (Mike English).
- **Motion from Membership Committee: To eliminate the application fee for Associate and Student Affiliate members, and to reduce the annual dues to: \$50.00 for same. Effective immediately” MSP**
- **Motion: That Student Affiliate and Associate Members are only required to attend one meeting per year. MSP**
- **New Board Member nominee: Motion to invite Jenny Kaleczyc, Region IV administrator for Montana Public Defenders as a new Board member, MSP**
- Recruitment of new members: to seek persons involved with treating victims to participate in MSOTA as allied providers and to provide more education between both set of providers
- Marla: Discussion on Risk Assessment on porn
 - Use of tools for Evaluation: Bo the MSOST was referenced on the ATSA
 - What tools to use with offenders who have only child porn,
 - Mike Scolotti for Federal Risk Assessment: Polygraph, Abel,
 - Use of language that may state that **“there is an indication that this person presents low risk, or this person does not have high risk factors,”**
 - Low risk does not mean anything other than comparison to the sample population, and does not address the specific characteristics of this individual.
 - Risk is not in reference to the grossness or heinousness of the crime
- Chaperone and Supervision Training, issue of liability as providers when we sign off on Chaperones
 - Most programs require training, acknowledgement of offense,
 - Miles City, clients have to pass certain level in program and chaperones are trained.

Dates and locations for summer and fall meetings,

- Summer Meeting: July 13th 2012, 10AM Bob Page hosting on the Missouri River,
- Fall Meeting: October 12th 2012, Butte, Chris Quigley hosting
- Annual Meeting 2013, Wed, Thurs, Fri the second week of May at Chico

Case Reviews/Peer Feedback: Discussion about specific cases and outcomes.

Karen shared that she had had a case where the client wanted to “float” through time in treatment and was taken back to court to extend probation to allow client sufficient time to complete treatment.

Annual meeting adjourned at 2:50, membership began case consultations with each other.

Friday, May 4:

Coffee Social/Interactions.

Special Presentation by Dawn Handa:

- How DOC is addressing offender/victim issues and perspectives
- Special Presentation: Alice and Miles City staff: presenting on new program at Miles City

Special Presentation by Suzy Boylan, Deputy Missoula County Attorney:

- Issues and perspectives surrounding the Grizzly football players’ charges and related matters.

Treasa Glinnwater, Montana Board of Social Workers and Professional Counselors:

- New rules surrounding psychological testing and evaluation procedures.
 - Issue revolved around the assumed lack of training of MA level practitioners to competently conduct psychological testing
 - The Department of Labor is suppose to monitor the joint meetings between the LCSW and LCPC Board
 - Psychologists proposed a total of 6 credit hours of classroom instruction to be qualified to conduct “psychological” testing, of specific concern: Training in Intelligence testing, and personality testing
 - The Board of Examiners proposed grandfathering in everyone who has been doing “psych testing” who have been doing testing for three years.
 - A committee was appointed to include 3 LCSW and 3 LCPC counselors who are currently engaged in Psych testing
 - Supervision would include completing 6 psych evaluations and have them signed off on by a qualified supervisor
 - Rule: if you want to be grandfathered in you have to provide an affidavit that as a practitioner you meets the qualifications established by the Board. Effective June 2011.
 - New graduates will need to meet the academic qualifications of the additional 6 credit hours.
 - There will be no certification from the Board
- There is a suggestion that the Board of Psychologists may fight the outcome of SB 235

- The psychologists wanted to include Child Custody Evaluations restricted to psychologists. The Board passed rules regarding MA level practitioners doing Child Custody Evaluations.
- The accepted rules, adapted from the State of Ohio are posted on the MSOTA web site

Interactive lunch: Introductions of members, specialties, interests, etc.

- Dr. Lindsey Doe, DHS, Dynamic presentation on: Clinical sexology,
 - History of sexual healthcare,
 - Effects of eroto-ethnocentricity,
 - Methods of healthy coaching of sexuality.

4:00 PM Closure, discussion on seminar usefulness, ideas for fifth annual conference, 2013