

California Sex Offender Management Board
December 18, 2008, 9:00 AM
California State University at Sacramento

Minutes:

Board Member Check-in

- Present (Quorum present)
 - Robert Ambroselli
 - Suzanne Brown-McBride (Chair)
 - Gerry Blasingame
 - Dave Gerard
 - Michael Johnson
 - Scott Kernan
 - Pamela King
 - Sophia McBeth-Childs
 - Janet Neeley
 - Nancy O'Malley
 - Tom Tobin (Vice-chair)
- Absent
 - Catherine Duggan
 - Judge Peter Espinoza
 - Jerry Powers
 - Angela Thompson
 - Diane Webb

Minutes

- Nancy O'Malley motions to defer acceptance of minutes until they have been augmented by Janet Neeley's notes. Motion approved by Board.

State Updates

- December 31 marks the end of the contracts CDCR extended to city practitioners for sex offender treatment. There is no treatment while sex offenders are within the system—now there will be no treatment when they return to the community.
 - Many consider this a public safety issue.
 - There has been a shortage of service providers who specialize in sex offender treatment, and current budgetary issues and the end of contracts will further reduce their number.
- Some members propose setting up committee to argue in favor of using state resources for treatment instead of GPS.
- Scott Kernan
 - Transient population went down about a hundred this month. This has been attributed to a new policy in which DAPO will not allow offenders to stay at a noncompliant residence more than two hours.
 - Budget problems has led to a discussion about our ability to house sex offenders and CDCR, who spent about 24 million dollars housing sex offenders last year, may have to “turn the spigot off.”
- Janet Neeley
 - There are 766 transient parolees currently in violation of PC 290, about 20 %.
 - Court cases
 - “Milligan” case established that in order for Jessica's Law restrictions to apply, the offense had to occur after the initiative was enacted. This ruling, if upheld, would then only subject about 200 parolees to Jessica's Law.
 - Another recent court case ruled that residency restrictions are punitive.
 - Both of these cases are being currently reviewed.
- Suzanne Brown-McBride—one of the tragedies of the current New York financial scandals taking place is the closing of the Jeht Foundation (Justice, Equality, Human

dignity, and Tolerance), which provided a lot of funding for public safety, such as the Innocence project and sex offender research.

Progress Report

- The Board is not required to give Legislature its formal recommendations until next year.
- Members edit Progress Report
 - Board agrees to recommend evidence-based approaches:
 - Specialized vertical prosecution
 - Support for containment model
 - The greater body of research on residency restrictions does not support that they reduce recidivism, and they are also a huge resource drain.
Residency restrictions:
 - Don't work
 - Have a terrible risk-to-resource ratio
 - Appear to unavoidably lead to clustering
 - Should be put aside in favor of a more collaborative approach that balances public safety, fairness, and control.
 - Members are divided on whether to make recommendations about registration.
 - Members discuss recommending the Board's sunset extension and decide to address the topic in executive summary.

Adam Walsh Act Statement

- Suzanne Brown-McBride wrote it, attempting to encapsulate the discussion members had last month concerning the Adam Walsh Act.
- Members discuss edits.
- Gerry Blasingame moves to accept the Statement as edited, Tom Tobin seconds, and Board approves.

Dashboard Paper

- Members offer edits.
- Board members debate whether to accept the Dashboard as edited or hold it until the January meeting, ultimately deciding to accept the paper.

Robert Coombs

- Hands out a flowchart which details the process for determining which bill provisions/issues should be approved by the Board, and describes how he developed the process.

Next month's agenda tabled due to time restrictions.

Polygraph Presentation

- Janine Gordon, ex-federal agent and vice-president of the California Association of Polygraph Examiners (CAPE), and Retired FBI Agent Ron Hilley, CAPE President give the Board some background on polygraph examination and discuss some current issues, such as unqualified examiners.
- They hope the Board will discuss what, if any, role polygraph will play, and offer to return in the future in order to provide a more in-depth presentation.

Next Month's meeting will take place January 15, 2009.