



STATE OF WASHINGTON

## SEX OFFENDER POLICY BOARD

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# Bylaws & Policies

## BYLAWS

### **Article I: Name.**

The Board shall be known as the Washington State Sex Offender Policy Board.

### **Article II: Legal Authority.**

The Sex Offender Policy Board is formed pursuant to ESSB 6596, passed by the Washington State Legislature and effective July 1, 2008.

Per ESSB 5891, the Sex Offender Policy Board was moved to the Office of Financial Management, under the Sentencing Guidelines Commission, effective July 1, 2011.

### **Article III: Duties.**

The Sex Offender Policy Board duties are as follows:

At such time as the Governor or a legislative committee of jurisdiction may request, the Sex Offender Policy Board may be convened to:

- (1) Undertake projects to assist policymakers in making informed judgments about issues relating to sex offender policy.
- (2) Conduct case reviews on sex offenses as needed to understand performance of the sex offender prevention and response systems; or as requested by the governor or the legislative committee of jurisdiction. Reviews shall be conducted in a manner which protects the right to a fair trial.

### **Article IV: Officers of the Sex Offender Policy Board.**

- (1) The presiding officer of the Sex Offender Policy Board, denominated the "chair", shall be appointed by a majority of the voting members and serve a two-year term. An interim chair may be appointed by majority vote to act until an election is held.
- (2) The chair shall call and preside over all meetings of the Board, appoint the presiding officers and members of subcommittees, except as specifically provided herein, and do all such other things as are appropriate for or delegated to such officer by the Board.
- (3) The chair shall decide all points of order, unless two thirds of the voting members present vote to the contrary.
- (4) A vice-chair, appointed by a majority of the voting members, shall preside in the absence of the chair as well as act for the chair and the Board, under direction.

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- (5) In the absence of both the chair and vice-chair, an acting vice-chair, appointed by a majority of voting members present, shall preside at that meeting of the Board.
- (6) Any officer may be removed, with or without cause, by action of the Board. Any officer may resign at any time, by giving written notice to the Board. Any such resignation shall be effective on the date of receipt of such notice or at any later date specified therein, and the acceptance of such resignation shall not be necessary to make it effective.

**Article V: Members of the Sex Offender Policy Board; and Membership Terms.**

The Sex Offender Policy Board shall consist of thirteen (13) voting members as designated in RCW 9.94A.8673:

**A. Voting Members**

- a. a representative of the Washington Association of Sheriffs and Police Chiefs;
- b. a representative of the Washington Association of Prosecuting Attorneys;
- c. a representative of the Washington Association of Criminal Defense Lawyers;
- d. the chair of the Indeterminate Sentence Review Board, or the Chair's designee
- e. a representative of the Washington Association for the Treatment and Prevention of Sexual Abuse;
- f. the Secretary of the Department of Corrections or the Secretary's designee;
- g. a representative of the Washington State Superior Court Judges' Association;
- h. the Assistant Secretary of the Juvenile Rehabilitation Administration or the Assistant Secretary's designee;
- i. the Office of Crime Victims Advocacy in the Department of Commerce
- j. a representative of the Washington State Association of Counties;
- k. a representative of the Association of Washington Cities;
- l. a representative of the Washington State Coalition of Sexual Assault Programs; and
- m. The Chief Executive Officer of the Special Commitment Center or the CEO's designee;

**B. Consultation**

As appropriate, the Board shall consult with the Criminal Justice Division in the Attorney General's Office and the Washington State Institute for Public Policy.

**C. Membership Terms**

There are no term limits.

**D. Vacancies**

Any vacancy shall be filled by the appointing agency.

**Article VI: Meetings of the Sex Offender Policy Board.**

- (1) The Sex Offender Policy Board shall meet, when tasked by the Governor or a legislative committee of jurisdiction, at the call of its chair or upon request of any three members of the Board.
- (2) Subcommittees and advisory committees shall meet upon the call of their respective presiding officers.
- (3) Policies and rules relating to the calling of, frequency, and opportunity for participant discussion during meetings; member's absences; quorums; rules of order; forms of action; and voting procedures pertain also to subcommittees.

- (4) Members of the Sex Offender Policy Board may be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

**Article VII: Absences of Members from Meetings.**

Regular attendance at Sex Offender Policy Board meetings is encouraged. Any member who is unable to attend meetings regularly is encouraged to consider having another person appointed from their organization. Members are also encouraged to have other people from their organization attend as their designee when their own attendance is not possible.

**Article VIII: Quorum.**

A quorum for the transaction of business shall constitute no fewer than a simple majority of the voting members appointed or designated and in attendance at the meeting. The quorum shall be based on the number of members or designees present at the meeting, not the number of proxy votes present. The members present at a meeting at which a quorum is not present may elect to proceed with the business of the meeting subject to ratification of all action taken whenever a quorum is next present at a meeting.

**Article IX: Participation and Discussion during Sex Offender Policy Board Meetings, Rules of Order, and Forms of Action.**

- (1) Only duly appointed members of the Sex Offender Policy Board or their designees and such other persons as are recognized by the chair shall be permitted to participate in the discussion of any matter before the Board unless otherwise authorized by the chair or a majority of the members of the Board, present and voting. A period of time, as determined by the Chair, will be provided at the end of each regular and special meeting for public comment. Comments not provided during the meeting can be submitted via email to staff who will distribute them to members.
- (2) The business of the Sex Offender Policy Board shall be conducted in accordance with procedures employed by the chair or authorized by a majority of the members of the Board present, unless such rules are suspended or unless otherwise provided for by these rules.
- (3) The Sex Offender Policy Board shall act by the adoption of a motion or a resolution.

**Article X: Voting Procedures.**

- (1) Voting during meetings of the Sex Offender Policy Board shall be recorded.
- (2) The chairperson shall have the same voting rights as any other member of the Sex Offender Policy Board.
- (3) Only duly appointed members of the Sex Offender Policy Board or their designee with explicit authority shall be permitted to vote on any issue before the Board. Designation of another Sex Offender Policy Board member or other representative as a proxy vote is allowed with explicit authority;
  - a. The member must submit explicit authority for another person the member assigns as the proxy of their organization or another member of the SOPB to act as their proxy to vote to the chair or SOPB staff prior to the commencement of the meeting. This explicit authority must be submitted prior to the meeting in which the proxy votes.
  - b. If no explicit authority is presented to the chair or SOPB staff prior to the meeting, the designee may not vote. If the designee votes without explicit authority, the vote will not be counted.

- c. The chair will note the designee's authority to vote on the record at the meeting prior to the first vote being taken at the meeting.
- (4) Action by the Sex Offender Policy Board will be determined by a simple majority vote in accordance with quorum requirements.
- (5) Any member on the Sex Offender Policy Board or designated alternate who has a direct or indirect personal interest in a contract or application, or case review before the Sex Offender Policy Board will withdraw himself/herself from voting on that matter and explain the withdrawal on the record. The Sex Offender Policy Board member may, however, participate in discussions and answer questions from other Board members.

**Article XI: Staff.**

The Sex Offender Policy Board may be staffed by the Office of Financial Management.

**Article XII: Minutes.**

- (1) All meetings of the Sex Offender Policy Board and designated subcommittees will have staff available to make a written record concerning the actions of the Board.
- (2) Upon termination of the Sex Offender Policy Board meeting, the minutes shall be recorded by staff, and submitted to the Board members for review by the Board and any amendments or changes will be made. The Board will then adopt the minutes as final. Designated subcommittee notes will be recorded and distributed to subcommittee members. These notes will be automatically approved and adopted if there are no suggested changes.
- (3) The chair of the Sex Offender Policy Board will sign the approved Board meeting minutes. The minutes will then be placed in appropriate folders for a permanent record, subject to audit and public inspection.

**Article XIII: Change in bylaws.**

A section or subsection of the bylaws may be reviewed for change at the request of any voting member of the Sex Offender Policy Board.

A change in the bylaws must be approved by a simple majority vote of the Sex Offender Policy Board.

*These bylaws were amended January 18, 2024.*

## **POLICIES**

### **Process to Review Requests for Approval or Other Action**

Requests for action or comment from the Board by the Governor or a legislative committee of jurisdiction shall be placed on the agenda as soon as practicable at a Board meeting.

#### **Requests to the Board:**

1. Refer to a subcommittee (see below);
2. Create a subcommittee to review the subject matter requested;
3. Deny review due to low priority or lack of relevance; or
4. Schedule for full Board discussion

#### **Board Referrals or Direct Requests to Subcommittees:**

If the Board decides to refer a request by the Governor or a legislative committee of jurisdiction to a relevant Subcommittee, the Subcommittee may:

- Schedule the issue for review;
- Table the issue for later consideration; or
- Report back to the Board that review is not recommended within the foreseeable future.

#### **Report Back to Board**

After the Subcommittee has reviewed a request, it will report to the full Board with a recommendation.

*The Board amended this policy on September 19, 2016.*