



Washington State Senate

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David Schumacher
Director, Office of Financial Management
State of Washington
P.O. Box 43113
Olympia, WA 98504-3113

Dear Mr. Schumacher,

As Chair of the Senate Human Services, Re-entry, and Rehabilitation Committee, I request that the Sex Offender Policy Board (SOPB) convene pursuant to RCW 9.94A.8673 to undertake projects related to research and recommendations regarding youth who have committed sex offenses.

Over the course of the past year, the legislature has been deeply engaged on this topic. The Human Services, Re-entry, and Rehabilitation Committee held a work session on the issue of youth sex offender registration on December 2nd and has also considered and approved for further consideration SSB 5123. This bill was the culmination of a series of informal workgroup meetings over this past interim.

As SSB 5123 continues to move through the legislative process, it has generated conversations on several other matters pertaining to this population but not addressed by this legislation. In particular, we have received feedback that the system for treatment of youth who have committed sex offense requires examination and redress. While that is outside the scope of SSB 5123, I agree that to be successful in our goal of preventing these offenses from occurring, we need to ensure that our treatment system includes a coordinated community response to offending comprised of all stakeholders in order to be robust and effective. The community response should focus on reducing risk factors and increasing protective factors, promoting family stability and increasing ties to the community. Such a coordinated response is needed to recognize the harm experienced by victims of youth who have committed sex offenses.

In addition, SSB 5123 will only cover a portion of youth who have committed sex offenses. The legislature could not find consensus this year on a response to youth age 16 and 17 that are adjudicated of Class A or Class B offenses or those that are declined into adult court. These are several areas where we hope to rely on the expertise of the SOPB for policy recommendations.

The Sex Offender Policy Board (SOPB) serves to advise the governor and the Legislature on issues relating to sex offender management. The Legislature may request that the SOPB convene to undertake projects to assist policymakers in addressing issues relating to sex offender policy. Age appropriate response to youth who

commit sex offenses remains a critically important issue to not just my district, but the entire state. To that end, the Senate Human Services, Re-Entry, and Rehabilitation Committee formally requests that the SOPB undertake the following projects:

1. Conduct a review of current juvenile sex offender treatment programs in Washington including the availability, affordability, accessibility and efficacy of treatment resources available across the state and in institutional settings and an analysis of geographic disparity and recommendations for improvement to the current treatment infrastructure and availability of resources;
2. Conduct a review of the current juvenile sex offender policies in Washington State including:
 - a. Registration requirements for 16 and 17 year olds as well as minors being prosecuted in adult court and a comparison with other states;
 - b. Best practices and make recommendations for how describe these sexualized behaviors, how to name offenses relating to youth sex offenses; and how to differentiate between problem sexual behavior in children under 12 and youth who have engaged in harmful or illegal sexual behavior youth and are 12 or older;
 - c. Statutory requirements for declining youth who commit certain sex offenses into adult court. In addition, if an individual is prosecuted in adult court for an offense that occurred as a youth, how should that offense be classified.
3. To the extent that data is available, conduct an analysis of racial disproportionality of youth adjudicated or convicted of sex offenses or related offenses as well as an analysis of short- and long-term effects resulting from registration requirements and charging patterns across the state.
4. Review research regarding best practices for juveniles who commit sex offenses including evidenced based assessments and treatment, coordinated community response through MDTs that include victim service providers, with the goal of increasing community safety reducing recidivism and prevent sexual abuse
5. Make recommendations regarding juvenile sex offender policies and practices including improvements to treatment resources, registration policies for minors adjudicated or convicted of sex offenses, revisions to statute for names of offenses, statutory requirements for declining youth who commit certain sex offenses into adult court, and other relevant policies.

Over the past year, I have worked closely with a group of stakeholders that have been key to the progress we have made thus far. In your deliberations, I would strongly encourage that you consult with and involve the following organizations and individuals:

- Dr. Elizabeth Letourneau, Director of the Moore Center for the Prevention of Child Sexual Abuse at Johns Hopkins Bloomberg School of Public Health
- The Office of Public Defense (George Yeannakis)
- King County Department of Public Defense (Katherine Hurley)
- King County Sexual Assault Resources Center (Mary Ellen Stone)
- Harborview Abuse and Trauma Center (Laura Merchant)
- Children's Advocacy Centers of Washington (Paula Reed)

Two other valuable resources are WATSA (Washington Association for the Treatment of Sexual Abusers) and the Department of Health Sex Offender Treatment Provider Advisory Committee.

I would like to invite you and representatives of the board to present and report on these projects to the Senate Human Services, Re-entry, and Rehabilitation Committee during Assembly Days later this year and request that a final work product be transmitted by December 1, 2021. My constituents and I appreciate the efforts of the board members to accomplish this task. We hope that the information and recommendations can help inform the Legislature in advance of the 2022 legislative session.

Sincerely,

A handwritten signature in cursive script that reads "Jeannie Darneille". The signature is written in black ink and is positioned above the printed name.

Jeannie Darneille
State Senator, 27th Legislative District
Chair, Senate Human Services, Reentry, and Rehabilitation