



STATE OF WASHINGTON
SEX OFFENDER POLICY BOARD

P.O. Box 43124 • Olympia, Washington 98504-3124 • (360) 902-0624 • www.ofm.wa.gov/sgc/sopb

SEX OFFENDER POLICY BOARD

September 22, 2017 9:00am-1:00pm
Washington Association of Sheriffs and Police Chiefs
3060 Willamette Dr NE
Lacey, WA 98516

Members Present:

Jedd Pelander
Michael O'Connell
Elena Lopez
Andrea Piper-Wentland
Jeff Patnode
Keri Waterland
Brad Meryhew
Roger Rogoff
Richard Torrance

Members Absent:

WA State Association of
Counties
Jonathan Meyer

Members Represented By

Proxy:

Candice Bock (Proxy: Jamie
Weimer)
Kendle Allen (Proxy: Jamie
Weimer)

Staff:

Leah Fisher

Guests: Daniel Yanisch; DSHS-SCC; Jason Murphy; Private Citizen

Meeting Notes

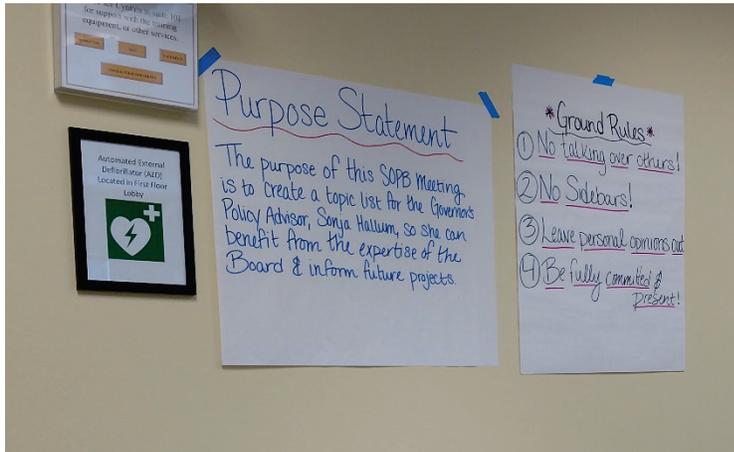
Welcome & Call to Order

Chair Waterland called the meeting to order and asked all in attendance to introduce themselves. After introductions, Keri explained to members the change in direction since the letter from the Governor's Office had been received. Keri discussed Sonja Hallum's request for a list of areas within sex offender management could be improved upon and explained that in today's meeting, members would be asked to follow a process facilitated by Leah.

Review Meeting Objectives and Meeting Strategy

Purpose statement: *"The purpose of this work group is to create a topic list for the Governor's Policy Advisor, Sonja Hallum, so she can benefit from the expertise of the Board and inform future projects."*

Leah explained to the Board that she had been in contact with a Lean Consultant, who had helped her developed a strategy for the meeting that would help members create a prioritized list of areas for improvement within sex offender management. Leah explained that there would be two exercises over the course of the meeting, and that she would act as a facilitator and keep the group on track with regards to time. After summarizing the process the Board would be using during the meeting and the exercises, Leah asked members if they were comfortable moving forward in this way or if there were other ideas. There we no objections to the proposed process.



Exercise #1

The exercise facilitated for the group involved the following approach:

- Leah and Keri met prior to the meeting and developed the following topic areas for the meeting (each was put on its own piece of chart paper, and referred to as a bucket):
 - Supervision
 - Sentencing
 - Registration
 - Juveniles
 - Sex Offender Treatment
- Jamie Weimer asked if Community Notification was included with Registration, and the group agreed it should be. The bucket was then labeled Registration/Community Notification. The group also decided to add a bucket for Civil Commitment.
- Leah provided examples of what fit within each bucket (pictures attached), and instructed members to ask for clarification when needed. Additionally, when something fit within two buckets or topics, the group agreed that the second topic number would be added to the bottom of the relevant sticky note to indicate where else it might fall.
- After explaining each of the buckets to the Board, Leah began with the Sentencing bucket and asked members to take their neon green sticky notes and write down what they felt worked with the sentencing of sex offenders. Using pink sticky notes, members were then asked to do the same with what they felt did not work with sentencing. Judge Rogoff was on the phone for part of the meeting, and during this time Leah would write his ideas down and add them to the chart paper.

- Upon completion, Leah collected the sticky notes and put “what works” on the left of the corresponding chart paper, and “what doesn’t work” on the right side of the chart paper. Leah then read each sticky note individually, and the group worked together to identify themes. When one sticky note matched in theme with another, they were paired together. The goal of this exercise was to determine large themes for each topic, so the Board could then discuss those themes in more detail.
- The Board was asked to complete this exercise for each of the remaining 5 buckets (Registration/Community Notification, Supervision, Juveniles, Treatment, and Civil Commitment).

Exercise #2

The exercise facilitated for the group involved the following approach:

- After working with the Board to identify the major themes around what works and what doesn’t within the 6 topic areas, Leah asked the Board to think of these themes when working on the next exercise.
- Board members were asked to pull out the document titled “Opportunity Scoring Worksheet” from their meeting packets. Leah asked members to score each of the six topic areas on a scale of 1-10 for both difficulty (1 being easy, 10 being extremely difficult) and for impact (1 having no impact on the system and 10 having a large impact). Members were asked to consider political climate, length of time it would take to implement, and whether the change would require statutory changes as well when scoring. After scoring each of the 6 areas, members were asked to turn their sheet into Leah and take a break.
- During the break, Keri helped Leah transfer the results from each sheet onto a PICK chart, with Impact on the vertical axis and Difficulty on the horizontal axis, the chart was broken into four quadrants (please see attached photos), Possible, Implement, Challenging, and Keep for Later. The majority of members felt that each area would be “challenging” to address, though some fell within the “possible” category.

Results

- After completing the PICK chart, Brad Meryhew expressed concern that in the past the Board has not considered political climate when making recommendations. The Board discussed this, and Keri explained that it is desirable to recommend things that are attainable, and part of that stems from support within the legislature. Leah explained that this may also provide an opportunity for the Board to build credibility and find a new “champion” within the legislature.
- Rick Torrance brought up that the Opportunity Scoring may have left some things out. For example, while one category as a whole may be more difficult to implement there may be certain themes within it which are attainable. The group agreed, and Leah said that the group could meet again in October, discuss the themes further, and then score

each theme within a topic instead of scoring just the topics. The Board agreed to this, and Leah said she would send a Doodle Poll to help with scheduling.

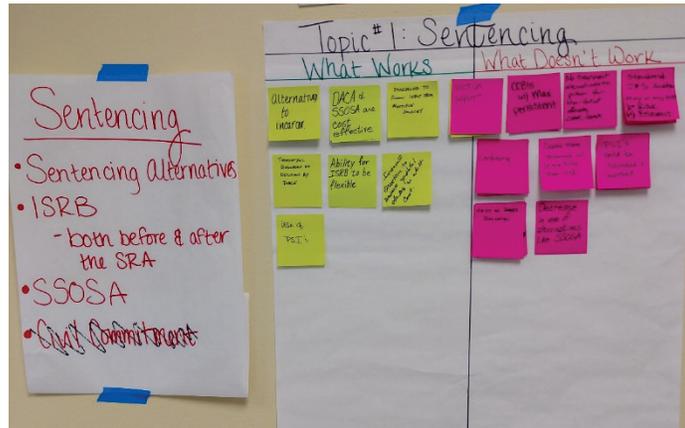
Next Steps

- Leah will send a Doodle Poll to the Board to determine when the next meeting will take place
- At the next meeting, members will review major topics areas discovered at the initial meeting and then participate in opportunity scoring for themes in each topic bucket.
- Themes will then be prioritized to complete the list for the Governor's Policy Office.

Parking Lot

- Difficult Re-entry Process

Sex Offender Sentencing



What Works

- Alternatives to incarceration are available
- The SSOSA Process
- Ability for multiple sources to provide input
- Thoughtful discussion of decision by judge
- Ability for the ISRB to be flexible
- Increased discretion to sentence youthful offenders in adult court
- Use of PSI's
- Victim Input

What Doesn't Work

- Victim Input
- Lifetime Supervision
- No treatment alternatives for those with non-contact offenses, CSAI, CSAM
- Standard J&S conditions may or may not be relevant to offender's risk
- Confusing
- Seems more concerned with crime title than risk
- Impacts of sentencing on supervision
- Limits on judges' discretion
- Decrease in use of alternatives such as SSOSA
- PSI's could be expanded or improved

Sex Offender Registration/Community Notification



What Works

- Use of empirical and validated tools for risk assessment and notification level
- ESRC
- OffenderWatch
- Community feels somewhat safer
- General deterrent impact
- Opportunities for low-risk offenders to make case to court to get off registry
- Address verification

What Doesn't Work

- Little oversight over unconditional releases from the SCC registering
- RSOs who travel instate for work and treatment
- Gets watered down
- Use of adult male actuarial tools for juvenile and female registrants
- Costly for local law enforcement
- Collateral consequences for offenders
- Repeated address verification visits well beyond statute requirements
- Registration of low-risk juvenile offenders
- Tied to offense not risk
- Potential additional harm to victims
- Fingerprinting consistency
- Lack of discretion for courts
- Data regarding relief of registration success
- FTR prosecution
- Release of full addresses after legislature said not to
- Inconsistent practices
- Out of state RSOs lack of records/info

Sex Offender Supervision



What Works

- Assures victims/community that offenders are being watched
- Assistance with housing
- Residential community treatment team (different perspectives)
- DOC community based treatment
- Specialized caseloads for SVPs and LRAs
- Risk based conditions
- CCO/PO coordinate with treatment
- Foundation of accountability

What Doesn't Work

- Lifetime supervision
- Lack of training for CCOs/POs
- GPS provides false sense of security
- Some rogue or overly aggressive CCOs
- Supervision level reduction
- Not everyone get DOC community SOTP
- Liability concerns trump risk management
- Pointless residency restrictions
- DOC add-on restrictions unrelated to risk/non-risk based conditions

Sex Offender Treatment



What Works

- Treatment works and is administered by risk
- Some SOTP by DOC in the community
- Treatment providers' peer construction/WATSA
- Good Lives Model
- Life skills and transition services starting early
- Knowledgeable and experienced treatment providers available
- Reunification with victims done in structured and safe setting

What Doesn't Work

- Treatment intensity not consistent
- Some people think sex offender treatment doesn't work
- Community SOTP and assessment too expensive for most people
- Polygraphs for juveniles
- Not enough DOC space in treatment for low-risk offenders required to be in treatment
- Advisory board not funded/active
- Wait to enter system to obtain treatment
- Slap-dash, cookie cutter evaluation and treatment
- Provider pool limited

Juvenile Sex Offenders



What Works

- Juvenile board cases
- Treatment can help bring families together
- Sentencing alternatives
- Record sealing option
- ESRC juvenile sub-committee
- Treatment programs/funded programs

What Doesn't Work

- Registration for young low-risk offenders
- Resources used for a low-risk population in general
- Treatment programs vary
- No contact orders for life, creates increase in foster care system
- Collateral consequences for offenders
- Tribal nations using Adam Walsh Act vs. non-tribal youth
- Ability to reassess risk once in the community
- Polygraphs for juveniles
- Youth with lack of placement get sent to institution and not considered for SSODA
- Access to justice for petitions for juvenile relief
- Public disclosure for level 1 juvenile offenders
- Need a good static/dynamic instrument
- Wait to enter system for intervention

Civil Commitment

Topic #6 : Civil Commitment

What works	What doesn't work
<p>RECENT INFUX OF \$ FOR CLINICAL DEPT</p> <p>Specific LRA caseloads</p> <p>Checks and balances w/ support of annual review</p> <p>Forensic evaluations</p> <p>Court Oversight</p> <p>Contain highest risk offenders</p>	<p>RCW 71.09 needs to be revisited and updated</p> <p>LIMITED LRA TREATMENT PROVIDERS</p> <p>Empirically supported assessments and treatment programs</p> <p>SVP TERM ITSELF IS PREJUDICIAL</p> <p>Expensive</p> <p>SCTF's are minimal</p> <p>Documentation: lack of documentation processes that impact the community</p> <p>The transition cliff</p> <p>PUBLIC HAS NO IDEA HOW THIS WORKS</p> <p>When bureaucracy trumps treatment and risk assessment</p> <p>Unconditional releases</p> <p>Juveniles are subjected to this process</p>

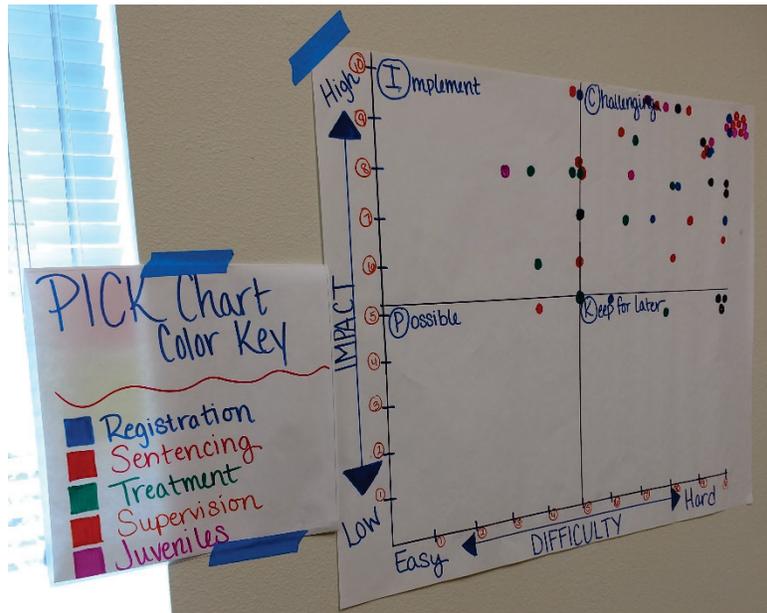
What Works

- Recent influx of money for clinical department
- Specific LRA caseloads
- Checks and balances with support of annual review
- Forensic evaluations
- Court oversight
- Contain highest risk offenders

What Doesn't Work

- RCW 71.09 needs to be revisited and updated
- Limited LRA treatment providers
- Empirically supported assessments and treatment programs
- SVP term itself is prejudicial
- Expensive
- SCTF's are minimal
- Documentation: lack of documentation processes that impact the community
- The transition cliff
- Public has no idea how this works
- When bureaucracy trumps treatment and risk assessment
- Unconditional releases
- Juveniles are subjected to this process

PICK Chart



Results:

- Participants were asked to rate difficulty of creating change, and impact on the system, on a scale of 1-10 for each of the six bucket items.
- Participants agreed that items that had the most impact would also be the most difficult to change (difficulty included political climate, resources, and statutory changes). This finding placed most buckets in the challenging category.
- Some participants though, felt that some buckets might have a high impact but be less difficult to implement.
- Based on these two main findings, board members asked that they be able to complete PICK charts on each of the buckets individually at the next meeting. As this would allow them to delve deeper into what areas within each bucket are causing high difficulty scores.

APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD

_____/s/_____
Chair Keri L. Waterland

Date