



STATE OF WASHINGTON
SEX OFFENDER POLICY BOARD

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SEX OFFENDER POLICY BOARD
SCTF Siting and LRA Placements
Sub-Committee Meeting
May 6, 2020 9:00am-11:00am
Skype Meeting

In Attendance: Leah Landon, Staff; David Flynn, Chair; Terrina Peterson, WASPC; Andrew Morrison, Contract Attorney; Sonja Hardenbrook, Snohomish Co. Public Defender; Jamie Weimer, WASPC; Cathi Harris, DOC; Rachael Seevers, Disability Rights Washington; Devon Gibbs, King County Prosecuting Attorney's Office; Lowell Porter, SCC; Alex Mayo, Washington Voices; Holly Coryell, SCC;

Meeting Notes

Welcome & Call to Order

Leah Landon (staff) called the meeting to order and discussed tips for participating in the virtual meeting. Meeting participants were asked to mute their microphones when not actively participating. The meeting was recorded (this includes the chat function) and can be provided upon request. Leah introduced David Flynn as the sub-committee Chair. Leah invited David Flynn, as well as all other participants, to introduce themselves.

Approval of Meeting Minutes

There were no previous meeting minutes to approve.

Meeting Objectives and Strategy

Objective 1: Develop an Overview of the Current State

Leah asked sub-committee members if they would like to begin by mapping the current state of SCTF Siting and LRA Placements, and if so, if these should be two separate process maps. Leah acknowledged that this may be a difficult process and approach due to the virtual meeting format, but that this would allow sub-committee participants to see the process as a whole as it currently functions.

Sub-committee members felt that process mapping was a good idea, and determined that the two processes should be mapped separately.

SCTF Siting Process Mapping

Leah asked members where they felt the process for SCTF Siting begins, and as such, where the process map should begin. Lowell Porter offered to provide background on the current process and ongoing work at the SCC regarding the SCTF Siting.

Lowell Porter: The SCC has been working on developing a path forward for SCTF Siting since early in 2018. A study was completed to scope the issue of additional SCTFs to be sited around the state. Using several projections, it was determined that the current 36 beds was not going to meet the projected need. It was determined that potentially, an additional 72 beds would be needed and the SCC was tasked with figuring out where to site those. Lowell specifically, has been tasked with this project. The main goal is to lay out a strategic plan for how to build the additional SCTFs that includes the various stakeholders.

The current plan the SCC is working from uses a regional model that is viable, defensible, and legal strategy for placing the SCTFs in 3 additional places within those regions, allowing for the additional 72-bed capacity. Members asked questions about the final product to be produced, and Leah explained that the sub-committee had been tasked with answering what factors should be considered when completing SCTF siting, and providing this information to the full SOPB for inclusion in their report to the legislature.

With the groundwork the SCC has laid mentioned by Lowell, it was determined that Leah would work with the SCC to map the current process they are working from and bring it back to the sub-committee to work from.

LRA Placement Process Mapping

Andrew Morrison: The Defense does most of the work on this, and they begin working toward an LRA when the client requests one.

Dan Yanisch: The Annual Review says whether the evaluator believes the client is prepared or ready for an LRA. The SCC CEO then has to concur with that opinion.

Andrew Morrison offered to provide a brief overview of the LRA process. An LRA plan has to be established before they are able to go to an LRA. Once a resident has a proposed plan, they still need to get into the court to have it considered. The annual review is one way to get a trial set on the issue of LRA. If the annual review does not support the LRA, the defense can still request an LRA. The ultimate authority for approving an LRA comes from the judge, so once the person has a plan and successfully has a trial set on their release, the prosecuting body can oppose or waive the trial. The judge will then review conditions and enter an order approving the LRA. Once the order has been entered, the person can begin the process of leaving the SCC on an LRA.

In many cases, the SCC is not involved in the LRA plan development until further down the road, and each defense attorney will go about this differently, and it is different by client as well. Andrew often begins by trying to find a therapist that the client is likely to form a strong bond

and working relationship with. Once a therapist has said yes, they try to place the client close to that therapist. Next, the defense begins the process of finding the actual housing based on specific needs for the client. This can take a year or more.

Andrew reiterated that this should be a much more holistic process that involves the SCC more.

Devon Gibbs: this is different by client, if a client has a strong connection to a certain area. The approach may vary based on the client's ultimate goals, where do they want to end up in the future when they are unconditionally released? Devon mentioned that this should be transitional, and placing them where they want to be will help them make community connections that support long-term stability.

Devon also mentioned that it can be difficult to get contracts for treatment providers with the SCC, due to cost, but there are several other barriers to locking in treatment providers.

Andrew Morrison: Many certified sex offender treatment providers do not want to work with this population specifically for several reasons, including the stigma around LRAs.

Leah asked when the SCC became involved in the process, and Andrew explained that the majority of the time the SCC is not involved until they are trying to determine the release date. Dan Yanisch explained that in the past, there was more SCC involvement in the form of LRA plans being provided to evaluators for the annual review but this does not happen as often. Both Holly Coryell and Dan mentioned that this is inconsistent, though Dan mentioned that he has started asking for this information when he begins the annual review process.

The group decided that since the LRA plan is mostly completed by the defense that Leah would work with Devon and Andrew to formulate the process map and bring it back to the larger group.

Next Steps

- Next Full Board meeting on May 22, 2020 from 9:00am-1:00pm
- Leah will send out Doodle poll to schedule next meeting
- Leah will work with the SCC to develop the start of a process map for SCTF Siting
- Leah will work with Devon Gibbs and Andrew Morrison to develop the start of a process map for LRA placements.

Meeting adjourned at 10:30am.

APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD

_____/s/
Sub-Committee Chair
David Flynn

Date