



STATE OF WASHINGTON  
SEX OFFENDER POLICY BOARD

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**SEX OFFENDER POLICY BOARD**  
**Treatment, Discharge Planning, and Conditions of Release**  
**Sub-Committee Meeting**  
May 6, 2020 11:00am-1:00pm  
Skype Meeting

In Attendance: Leah Landon, Staff; Michael O'Connell, Chair; Jennifer Williams, DOC; Terrina Peterson, WASPC; Shoshana Kehoe-Ehlers, OPD; Dan Yanisch, SCC; Andrew Morrison, Contract Attorney; Sonja Hardenbrook, Snohomish Co. Public Defender; Jennifer Ritchie, King County Prosecuting Attorney's Office; Jamie Weimer, WASPC; Jedd Pelander, DCYC-JR; Corey McNally, DOC; Michael Armes, Washington Voices; Rachael SeEVERS, Disability Rights Washington

**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 Michael O'Connell as the sub-committee Chair. Michael introduced himself before inviting other sub-committee members to introduce themselves.

**Approval of Meeting Minutes**

There were no previous meeting minutes to approve.

**Meeting Objectives**

**Objective 1: Overview of Current State**

Michael O'Connell invited each member to provide their thoughts on the current state of the processes involving treatment, discharge planning and conditions of release for SCC residents.

Andrew Morrison: Current system lacks an overall policy perspective. One way this is evidenced is how each stakeholder looks at what they are trying to accomplish. The public expectation is that we are transition folks who have this history back into the community long-term, and we often lack the long-term thinking that allows us to make sure a person will be successful 10-20 years down the road. Hopeful that we can figure out how to have the system as a whole look at the long-term success of individuals and how to help them with social skills, employment, etc.

Corey McNally: Finds the topic of treatment and discharge plans to be important as they are central and guiding documents on where you want the client to go. Always looking to improve treatment plans, etc. and by improving these we may be able to get to a more balanced system.

Treatment, Discharge Planning and COR Sub-  
Committee  
05/11/2020

May 6, 2020 Meeting Minutes

Dan Yanisch: Has been worried about the aging and special needs population for many years, and this is still a significant issue that needs to be looked at and addressed through significant treatment and discharge planning.

Jedd Pelander: Interested in the discharge planning and making sure that the discharge plans are followed through with in the community. There should be a cohesiveness between release and transitioning into the community. There needs to be more continuity of treatment, etc. between the SCC and when clients release into the community.

Jennifer Ritchie: Biggest concern with individuals coming out of the SCC, is the lawyers, defense/state, have no authority to put folks at the SCTFs and a lot of individuals then end up with the only choice of releasing into the community into an apartment where they feel increasingly isolated. More LRAs with individuals coming back to the island because they have cognitive issues, etc. that may be best served by an introduction into the community such as an SCTF. There may be a more successful release rate for individuals who go from SCTF, to LRA, to unconditional release. Clients get bored and have few interactions and liberties, they need that intermediate step. If there was a way to provide guidelines, etc. to the SCC to get folks to the SCTFs, that would be helpful.

Jennifer Williams: DOC/SCC Lean project recently looked at transitioning. There are significant problems with records management and issues with getting records on different clients. Proposal has been put together and would like the sub-committee to review it.

Michael Armes: Washington Voices is newer as an organization and they will be coming up to speed on a lot of the different issues. Interested in seeing whatever recommendations come out of the group that are supported by evidence-based research. Happy to assist with collecting all of this as well.

Rachael Seevers: Concern over treatment and discharge planning and how these components match up with resources in the community. Has done a lot of work with folks in the high acuity program, and the concern is that there isn't a lot of matching up with skills these folks need to be successful once they get into the community. Conditions of Release, having residents released to community supervision who are not given the supports they need may be less successful. Has seen a lot of violations that may be disability-related, or related to a lack of support when the client is in the community. Would like to see additional discussion around how these folks can be supported and integrated into the community, not just violated.

Shoshana Kehoe-Ehlers: the Defense is the one in charge of designing and creating the LRA plans. The number of folks qualifying for an LRA has gone up, but being able to get people out on an LRA is harder. Having this be defense led (Washington is the only state that does this), the attorneys have to go door-to-door asking people if they are willing to take these clients. The defense has no power, no money, and no ability to contract. Would like to see the SCC and DSHS have more of a role in this process so they can increase the number of folks on LRA, and enhance their safety in the community. In the past, there have been people who have died on the island, for a few different reasons, and the island has become an obstacle to ensuring that people

are safe and cared for. Finally, improved housing options would be ideal. A lot of people coming out are medically fragile or disabled in some way, and they need additional resources, they do not all fit into one box... there needs to be more individualized discharge planning.

Sonja Hardenbrook: Has had about 15 LRAs in the last couple of years and is continuing to get more. The SCC is in charge of treatment on the island but no involvement in this once the person is in the community except to pay for it. It is difficult for the defense to be working on and building these plans, because it is not their area of expertise. Would like DSHS and the SCC to have a greater role in the LRA planning process. Also, need to get rid of boilerplate conditions, the conditions should be individualized for each client. LRAs are also restrictive; they are not able to practice the skills they are expect to use once they are released. The Defense also continues to be available for the client after unconditional release, while the other agencies no longer have a role.

Terrina Peterson: Here because conditions and transition to the community is key to keeping the communities safe.

Michael asked if there was anything additional that had yet to be mentioned.

Sonja Hardenbrook: Over the last few years, there have been stakeholder meetings and this has led to the creation of a legislative proposal that was presented to both the House and Senate last year. In general, this was intended to give DSHS more responsibility in the LRA planning. The idea was a central entity that had more responsibility and money to take care of this. There was also discussion about removing the community protection program ban for LRA placements. Everyone in the stakeholder group was on board with this. Opening up the community protection program to these LRAs would address many of the disability resource issues currently seen.

Jennifer Williams: The last meeting held ruled out the lifting of the community protection program ban due to federal requirements. Sonja states that there is a difference of opinion on this.

Sonja Hardenbrook: There are also issues with federal Medicaid. The LRAs are not considered under this because it is not therapeutically focused enough. This legislation did not move forward during the 2020 session, but we hope this will be reintroduced in 2021. This will be in part presented at the next Full SOPB Board meeting.

Michael O'Connell: Interested in getting information on what other states are doing with their SCC programs. Sonja mentioned that Devon Gibbs is familiar with the programs in other states.

Leah will work with Devon to get additional information on this.

Rachael Seevers: Mentioned that the sub-committee should consider in part whether SCTFs should be part of a stepdown model. This is a good time to have this discussion as the SCC is preparing to build three more SCTFs.

Michael O’Connell: Liability concerns loom large in a lot of thinking and policies around these plans. The SOPB has a section in a recent report that discusses how liability concerns can get in the way with doing good work. Leah offered to send this document to the sub-committee.

Jennifer Williams: what does treatment-planning look like if someone has not progressed during treatment at the SCC, or what does discharge planning look like? This is not a one size fits all process and we should keep that in mind.

Michael O’Connell: Asked for clarification from Sonja on treatment and housing providers being involved in the process. Sonja clarifies that even if she has spent two years creating an LRA, it can fall apart if the SCC will not pay for the provider or housing, and it is difficult to get people to commit to being involved when they have to wait so long for a contract.

After additional discussion, the sub-committee determines that it would be appropriate to map the current process. The group decided to use Jennifer Williams’ process map as a starting point.

### **Process Mapping**

Jennifer worked through the process map that was developed through the SCC/DOC Lean Project. The map was a broad overview that was created to help people understand the process as a whole. The group discussed that there are a lot of areas where we try to fill in the gaps, as the process as a whole was not very well thought out.

Sonja Hardenbrook also had a process map from the defense point of view (King County focused), and presented this to the group.

### **Technology Proposal**

Jennifer briefly discussed the proposal she submitted that discusses electronic storage and information-sharing issues around the civil commitment process. Leah is forwarding the proposal to the 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 on merging process maps for the group to discuss at the next meeting.

Meeting adjourned at 12:55pm

## **APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD**

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Sub-Committee Chair  
Michael O’Connell

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June 1, 2020  
Date

Treatment, Discharge Planning and COR Sub-  
Committee  
05/11/2020

May 6, 2020 Meeting Minutes