



STATE OF WASHINGTON  
SEX OFFENDER POLICY BOARD

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**SEX OFFENDER POLICY BOARD**

April 17, 2020 9:00am-10:40am

Skype Meeting

Members Present:

Elyse Balmert  
Talcott Broadhead  
David Flynn  
Brad Manke  
Brad Meryhew  
Michael O'Connell  
Jedd Pelander  
Mac Pevey  
Roger Rogoff  
Richard Torrance

Members Absent:

WSACA (Vacant)  
AWC (Vacant)  
WAPA (Vacant)

Members Represented By

Proxy:

None

Staff:

Leah Landon

Guests: Jamie Weimer, WASPC; Terrina Peterson, WASPC; James McMahan, WASPC; Alex Mayo, Washington Voices; Michael Armes, Washington Voices; Corey McNally, DOC; Shoshana Kehoe-Ehlers, ODP; Kelsey-anne Fung, Senate Committee Services; Sonja Hardenbrook, Snohomish County DPA; Andrew Morrison, OPD; David Heppard, Freedom Project WA; Rachael Seevers, Disability Rights Washington; Jay Murphy, Washington Voices; Devon Gibbs, OPD.

**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 speaking, and asked to use the chat function through Skype to ask questions, make comments, etc. The meeting was recorded (this includes the chat function) and can be provided upon request. Leah then asked all members and meeting guests to introduce themselves.

**Approval of Meeting Minutes**

There were no previous meeting minutes to approve.

**SOPB Chair Voting**

As the SOPB has not met since fall 2017, the term for the Chair had expired. Members were given time to review the document including brief member bios, and asked to nominate members for the position of Chair.

- Brad Meryhew nominated Rick Torrance and Jedd Pelander
- Brad Manke nominated Jedd Pelander
- Jedd Pelander nominated Rick Torrance
- Talcott Broadhead nominated Elyse Balmert
- Brad Manke later nominated David Flynn

All four nominees felt they did not have the expertise or time to commit to being Chair of the Board and decline the nominations. David Flynn and Jedd Pelander volunteered for the Vice-Chair role. Leah requested volunteers and Brad Meryhew volunteered to fill the role of Chair.

### **Chair Voting Results:**

Unanimous approval for Brad Meryhew as SOPB Chair, Brad Meryhew abstained from the vote.

### **Vice-Chair Voting**

Jedd Pelander and David Flynn volunteered for the Vice-Chair role. Meeting participants voted through a Skype poll.

### **Vice Chair Voting Results:**

- David Flynn (4 yeas: Jedd Pelander, Mac Pevey)
- Jedd Pelander (5 yeas: Elyse Balmert, Talcott Broadhead, Brad Meryhew, Michael O'Connell)

Jedd Pelander was approved as the SOPB Vice-Chair.

## **Meeting Objectives and Project Strategy**

### **Objective 1: Review Assignment from the Senate Ways & Means Committee**

- Leah went over the new assignment from the Senate Ways & Means Committee with members as well as some important dates.
- Important Dates:
  - Final Date for Board requested changes:
    - October 14, 2020
  - Final report due to OFM Communications
    - October 21, 2020
    - As a legislative request this project must be reviewed by OFM Communications prior to submission to the legislature.
  - Final report due to the Legislature
    - December 1, 2020
  - Senate Assembly Days
    - December 1-2, 2020
    - The SOPB has been invited to present their findings during Assembly days and ideally a final report will be available prior to that.
- Mac Pevey asked if the Board would have the opportunity to review the final report prior to submission to OFM Communications. Leah noted that the October 14 date was when

the final edits should be in, and that the Board will be invited to review the report throughout the project.

**Objective 2: Sub-Committees**

- Prior to the meeting Leah had broken the project down into 5 sub-committees in an effort to make the project more manageable, and allow members to place their knowledge and expertise where they feel it will be most useful. Leah proposed the following sub-committees (item number corresponds to item on the project request letter):
  - Treatment and Discharge Plans – Item 1a
  - Conditions of Release for LRAS – Item 1b
  - SCTF Siting and LRA Placement Sites – Items 1c, 1d, and 1f
  - Community Notification for SCC Releases – Item 1e
  - SVP Placements in Community Settings – Item 3
- Mac Pevey: items 1a-1f seem to focus around capturing the current state in Washington, whereas item 3 focuses around recommendations.
- Michael O’Connell: items 1a and 1b seem closely related and the group should consider combining these into one sub-committee.
  - Talcott Broadhead echoed this thought.
- Brad Meryhew: sub-committees allow members to delve deeper into the material and invites subject matter experts to help determine what the sub-committees should look like.
- Talcott Broadhead: item 1 seems to be assessment, item 2 research, and item 3 is recommendations. This approach should be used within the sub-committees as well.
  - Brad Meryhew reinforced that the sub-committees should assess the situation, examine applicable research and provide recommendations for the Full Board to vote on.

Leah asked the Board if they would like to move forward with a sub-committee approach for the project. All members voiced their approval to move forward with sub-committees.

Leah referred back to some of the comments in the Skype chat box and asked for additional discussion on the topic of combining items 1a and 1b into one sub-committee.

- Andrew Morrison mentioned that some aspects of the process are separate as DOC completes separate tasks. Brad Manke agreed with this.
- Jedd Pelander: echoed that the conditions of release are separate pieces.
- Michael O’Connell: court-ordered conditions of supervision include treatment plans.
- David Flynn: Treatment plans are done by SCC and the conditions are done by DOC through the investigation process.

Leah asked Michael O’Connell to speak more about why he felt items 1a and 1b should be combined into one sub-committee. Michael explained that while the two are currently separate, that is part of the problem. There should be more coordination between treatment and discharge plans and how these end up in the court order.

- Brad Meryhew: by looking at this separately, we perpetuate the problem and by looking at them together we may be able to offer recommendations on whether the current state is correct or not. Michael O'Connell agreed with this statement.
- Brad asked David Flynn for his insight. David feels there should be more discussion around this, and while it may not be practical to combine the two in the end, it is worthwhile to have the discussion. Mac also agreed that this allows for the discussion and is worthwhile.

The Board determined that items 1a and 1b should be combined into one sub-committee titled Treatment Plans, Discharge Plans, & Conditions of Release.

**MOTION #20-1: COMBINE ITEMS 1A AND 1B FROM THE PROJECT REQUEST LETTER INTO ONE SUB-COMMITTEE.**

**MOVED: Brad Meryhew**

**SECONDED: Roger Rogoff**

**PASSED: Unanimously**

Leah moved on to Sub-Committee 2 which pertains to items 1c, 1d, and 1e.

- Sonja Hardenbrook: these are very distinct things and the LRA piece could go under the following item. SCTF siting is a statutory process through DSHS, whereas LRA placement is between attorney and client. It may not need to be distinct, but the way the current process is, they are.
- Brad Meryhew: Are we back to the previous discussion where they are currently separate, but they don't necessarily need to be and putting them together make some sense? Sonja confirmed this.
- Rachael Seevers: SCTF Siting is governed by statute while LRA is contract with the SCC. There are many statutory requirements for SCTFs but not for LRAs, but they are very different processes and the different requirements should be considered. Brad and Rachael discussed this further. Ultimately, Rachael said they could be done together but it is a heavy lift.
- Devon Gibbs: SCTF siting is more about building a facility whereas LRA placement has more to do with homes that already exist. Overall, Devon echoed Rachael's thoughts that the topics could be combined but are a large project. Devon also mentioned that the LRA placements are one of the "hot topics" and what people are getting up in arms about, not necessarily the SCTF sitings.

**MOTION #20-2: APPROVE SECOND SUB-COMMITTEE REVIEWING ITEMS 1C, 1D and 1F- SCTF SITINGS AND LRA PLACEMENTS.**

**MOVED: Mac Pevey**

**SECONDED: David Flynn**

**PASSED: Unanimously**

Further discussion also happened around Item 3, reviewing SVP Placements in the Community and whether this should be added to sub-committee 2.

- Michael O'Connell moved to add item 3 to Sub-Committee 2, Brad Meryhew seconded.

- Mac Pevey: Item 3 has to do with making recommendations. Mac recommends striking item 3 since it is already in a way included in the existing topics.

**MOTION #20-3: REMOVAL OF SUB-COMMITTEE FOR ITEM 3.**

**MOVED: Brad Meryhew**

**SECONDED: Jedd Pelander**

**PASSED: Unanimously**

Leah began the discussion around the third and final sub-committee, on Community Notification and SCC Releases.

- Brad Meryhew: is this a controversial or large topic?
- Jedd Pelander: this is driven by statutes but are there other pieces that fall into this, such as community meetings or if a community notification can't be completed.
- Sheriff Manke reiterated that this is a large topic and the community isn't interested in how they get there, but once the SVP arrives they are very interested.
- Shoshana Kehoe-Ehlers: community notification needs to be much more robust and completed earlier in the process. Rachael Seevers agreed with this.
- Leah Landon: there are some instances as well where when someone is unconditionally released from the SCC, there is limited time for notification from the SCC to local law enforcement and this can also create hiccups.

It is agreed that Community Notification for SCC Releases should be its own sub-committee.

**MOTION #20-4: CREATE THIRD SUB-COMMITTEE REVIEWING ITEM 3 – COMMUNITY NOTIFICATION FOR SCC RELEASES.**

**MOVED: Brad Meryhew**

**SECONDED: Mac Pevey**

**PASSED: Unanimously**

**Final Sub-Committees:**

- Treatment Planning, Discharge Planning, and Conditions of Release (Items 1a and 1b)
- SCTF Siting and LRA Placements (Items 1c and 1d)
- Community Notification and SCC Releases (Item 1e)

**Next Steps**

- Leah asked the Board how they wanted to determine their sub-committees. Brad mentioned that anyone is welcome to be on a sub-committee, it is not limited to Board Members. It was determined that Leah would compose a final list of sub-committees and send it to members and interested parties so people can volunteer for their committee of interest.
- Leah asked Board Members if the third Friday of the month worked for Full Board Meetings or if members would like a Doodle poll to be sent. It was decided that Leah would send a Doodle poll, but Brad Meryhew also mentioned that some people can only attend on those Friday mornings and folks should be considerate of that. Brad also mentioned that having a stable meeting time increases participation.

- Leah notified members that the next meeting would include a presentation from the Office of Public Defenders and Disability Rights Washington regarding their work on the 71.09 topic. Brad provided a quick overview of the group and its work.
- Leah asked for final comments from members and the meeting guests.
  - Jedd Pelander: there may be historical documents with information that would be of benefit to members. Leah offered to go through and identify this information for members.
  - Brad Meryhew: others should also step forward and volunteer to provide presentations to the Board. Leah agreed with this and asked anyone interested in presenting to the Board should email her.

Meeting adjourned at 10:35am.

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

\_\_\_\_\_  
Chair Brad Meryhew

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Date