

*Moving towards a developmentally  
appropriate response to youth problem  
sexual behavior*

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# Questions...

- ▶ Does any research show that youth registration protects community safety?
- ▶ Should youth registration be abolished?
- ▶ Does youth registration help survivors of sexual abuse?

# Youth registration—is a failed policy

- ▶ Fails to reduce sexual offending;
- ▶ Exerts unintended effects on juvenile case processing;
- ▶ Confers substantial risk of harm to child mental health, safety, living stability and schooling;
- ▶ Is associated with peer relationship problems, lower sense of safety, increased risk of suicide attempts and increased risk of sexual assault victimization (Registered youth are seen as vulnerable and subhuman by those around them);
- ▶ Costs governments \$10 to \$100 million *annually* to administer

# Registration doesn't protect against sex crimes being committed

- ▶ It doesn't work no matter how concerning the youth or offense is. Can't find one single positive thing that it does or any individual that it works for.
- ▶ It's a policy based on a myth that if you watch them you will catch them and it's just not true. *It doesn't work with any subset of youth*—researchers have looked at tens of thousands of cases in making this finding.

# Youth registration is racially disproportionate

- ▶ Black and American Indian people are over-represented in the population of registered juvenile sex offenders: 10% are Black, though they make up 3.7% of the state population; 4% are American Indian, while they represent 2.85% of the state population. This disproportionality only worsens racial inequalities in Washington and is another way in which youth registration is harmful.

# Young people's brains are still-developing

- ▶ Current brain science shows the many ways in which young people are not merely small adults. Adolescents continue to evolve intellectually and emotionally throughout their teenage years and into their mid-20s.
- ▶ They are particularly amenable to interventions that stress rehabilitation and treatment.

# Our experience working with youth...

- ▶ Youth registration delays case resolutions (and delays the commencement of treatment)
- ▶ Youth registration causes a great deal of stress for families
- ▶ Youth registration makes it hard for families to obtain housing—especially for individuals living outside Seattle
- ▶ Youth registration is very hard for youth to understand
- ▶ Registration limits educational and employment opportunities for youth and adults

# Treatment for youth convicted of sex offenses

- ▶ We are eager to discuss treatment responses like MST-PSB.
- ▶ Multisystemic Therapy-Problem Sexual Behavior (MST-PSB) is an adaptation of MST that targets youth who have committed sexual offenses. MST-PSB intends to reduce future problem sexual behavior and general criminal behavior. MST-PSB relies on intensive family therapy to identify and solve potential triggers and environmental factors that lead to problem sexual behaviors. The program targets and delivers its curriculum in the environments a youth navigates (i.e., home, school, the community). MST-PSB therapists visit three or more times a week for the average length of treatment, approximately seven months.
- ▶ Also interested in exploring - PSB-CBT School-Age Program (Problematic Sexual Behavior – Cognitive Behavioral Therapy): Children (ages 7-12; with OJJDP expansion, ages 9-14) with PSB and their caregivers.

Benefit-Cost Summary Statistics Per Participant			
Benefits to:			
Taxpayers	\$8,464	Benefits minus costs	\$8,197
Participants	\$1,938	Benefit to cost ratio	\$1.55
Others	\$16,224	Chance the program will produce	
Indirect	(\$3,635)	benefits greater than the costs	59 %
<u>Total benefits</u>	<u>\$22,991</u>		
<u>Net program cost</u>	<u>(\$14,794)</u>		
Benefits minus cost	\$8,197		



*If you carve out certain youth for inclusion on registry, do so with the knowledge that you are willing to sacrifice that group of kids to a failed, harmful policy that has egregious effects.- Dr. Elizabeth Letourneau, May 19, 2020, WA State Strategy Session*

- ❖ Youth registration and notification laws are associated with the **worst possible outcomes for youth**, including increased suicide attempts, increased solicitations by adults for sex, and increased sexual assault victimization.
- ❖ Dr. Letourneau and other leading researchers summarizing the relevant research and finding “**no scientific evidence that demonstrates any public safety benefit**” of subjecting youth to sex offender registration or notification requirements.
- ❖ Youth who engage in illegal sexual behavior are unlikely to repeat their offenses and are likely to respond well to evidence based interventions. There is simply no good argument for subjecting them to registration and notification, and many arguments against such a decision.

▶ **Youth registration is a failed, harmful policy that serves no public good.**

# Next Steps

WITH THESE ISSUES IN MIND WE DEVELOPED A PLAN TO  
ADDRESS THE ISSUE

# State team

- ▶ Organized a state team to discuss abolishing the harmful practice of youth registration.
- ▶ Initial members were:
  - ▶ Sen Jeannie Darneille, 27th Legislative District, Chair of the Human Services, Reentry & Rehabilitation Committee
  - ▶ Representative Tana Senn, 41<sup>st</sup> Legislative District, Chair of the [Children, Youth & Families Committee](#)
  - ▶ Shawn Sant—Franklin County Prosecuting Attorney and past President of Washington Association of Prospecting Attorneys (WAPA),
  - ▶ Stephanie Trolen—King County Prosecuting Attorney Office (KCPAO) Juvenile Operations Manager.
  - ▶ Judge Judith Ramseyer-- King County Superior Court, Chief Juvenile Court Judge and president of the Washington State Superior Court Judges Association (SJCA).
  - ▶ Judge Roger Rogoff--King County Superior Court Judge (Ret) and former member of the Sex Offender Policy Board and Sentencing Guidelines Commission.
- ▶ The “team” later broadened and included other prosecutors as well as key stakeholders like the Child Advocacy Centers, WCSDV, WCSAP, WACHYA

# State team

- ▶ Had a kick-off session on 5/19 with Dr. Letourneau
- ▶ Split into three workgroups
  - ▶ Workgroup 1—
    - ▶ All the policy pieces relating to youth and young adult sex offender registration
    - ▶ Changing names of offenses for problem sexual behaviors exhibited by youth
  - ▶ Workgroup 2-
    - ▶ How to support the proposed legislation and develop communication strategies
    - ▶ Discuss/plan for possible work sessions
    - ▶ Obtain and examine relevant data
  - ▶ Workgroup 3-
    - ▶ Catch-all for other possible reforms that may pave the way for more immediate interventions/treatment (explore eligibility for diversions/deferred dispositions; explore expanded treatment options)
    - ▶ Reclassifying violations of the Failure to Register statute which involve registration from a juvenile adjudication
    - ▶ Looking at multipliers (in terms of how a juvenile adjudication is used to increase an adult sentencing range)

# Workgroups Focused on following reforms

- ❖ Abolishing youth registration (understanding that it will impact those with current registration obligations, just as all changes to the registry do)
- ❖ Renaming offenses to more appropriately describe conduct
- ❖ Other related reforms including regarding Incest and CMIP
- ❖ Adding deferred disposition option to SSODA
- ❖ Reducing sentencing provisions (scoring) in adult court applicable to sex offenses committed as a minor to levels more commensurate with the penalties for the same offenses in juvenile court

# Work session with The Senate Human Services, Reentry & Rehabilitation Committee

- ▶ Regarding the harms of youth registration
- ▶ The session began with a 30-minute presentation by Dr. Elizabeth Letourneau
- ▶ There was then a panel with Tim Kahn, a certified sex offender treatment provider, recently retired King County Superior Court Judge Roger Rogoff, and Shawn Sant, the prosecuting attorney in Franklin County.

# Legislative effort SB 5123

- ▶ Pre-filed for introduction on 1.8.21.
- ▶ First reading, referred to Human Services, Reentry & Rehabilitation on 1.11.21.
- ▶ Public hearing in the Senate Committee on Human Services, Reentry & Rehabilitation on 1.19.21.
- ▶ Executive session scheduled, but no action taken, in the Senate Committee on Human Services, Reentry & Rehabilitation on 1.22.21 or 2.2.22.
- ▶ Executive action taken in the Senate Committee on Human Services, Reentry & Rehabilitation on 2.5.21; 1st substitute bill passed.
- ▶ Referred to Rules for second reading on 2.8.21.
- ▶ Rules Committee relieved of further consideration. Placed on second reading on 3.5.21.
- ▶ Senate Rules "X" file on 3.17.21

# The future...

- ▶ Washington has an opportunity to support both public safety and the healthy development of its youth.
  - ▶ Our current laws regarding youth registration fail to improve community safety.
  - ▶ They put our youth at greater risk of the worst possible outcomes.
  - ▶ And they disproportionately harm people of color.
- ▶ We are grateful for the SOPB's leadership on this issue and look forward with working with you all!



# Question and Answer

