



STATE OF WASHINGTON
SEX OFFENDER POLICY BOARD

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SEX OFFENDER POLICY BOARD

September 15, 2022 1:00pm-4:00pm

Zoom Meeting

Members Present:

Blanche Barajas
Keith Devos
Jimmy Hung
Brad Meryhew
Christine Minney
Hon. Nelson Lee
Michael O'Connell
Jedd Pelander
Terrina Peterson
Mac Pevey
Lori Ramsdell-Gilkey
Richard Torrance
Jamie Weimer

Members Absent:

Linda Farmer
Shawn Sant

Staff:

Whitney Hunt, OFM

Members Represented by

Proxy:

Candice Yi for Keith Devos

Guests: Dominic Winter, DOC; Brandon Williams, DOH; Lorraine Lynch, KCSARC; Kathleen Hambrick CAGE; Joanne Smieja, WA Voices; Bruce Glant, CAGE; Alex Mayo, WA Voices; Lydia Schoen, Community Advocate; Kazuko Fowler, Community Advocate; Kecia Rongen; Emily Hancock, SCPDA; Corey McNally, DOC; Sonja Hardenbrook, SCPDA; Priscilla Hannon, SOTP; Brandon Duncan, WADOC; Anna Maria Ferretti, SCC, Megan Allen, KCSARC; Theodore Lewis, DOC; Lateisha De Lay; Keri-Anne Jetzer, OFM

IMPORTANT NOTE: The recording for this meeting is available upon request.

Meeting Notes

Welcome & Call to Order

- **Whitney** reminded meeting participants to mute their microphones when not speaking and asked them to use the chat function through Zoom whenever they would like. **Whitney** also reminded everyone that the meeting is being recorded and the recording is available upon request and there will be an opportunity for public comment at the end of the meeting during the “For the Good of the Order” section.

- **Brad** called the meeting to order and introduced himself and asked that board members introduce themselves.

Meeting Objectives

Approval of Minutes

Brad Meryhew asked the Board to approve the meeting minutes from August 18, 2022.

MOTION # 22-11: MOTION TO APPROVE THE AUGUST 18, 2022, MEETING MINUTES.

- **MOVED: Brad Meryhew**
- **SECONDED: Hon. Nelson Lee**
- **ABSTAINED: N/A**
- **PASSED: Unanimously**

Full Board Discussion: Proposed Recommendations, House Public Safety Committee Assignment

- **Brad** thanked the committee members for all of their hard work and effort that's been put forth so far. Today, **Brad** wants to discuss research findings from the subcommittee groups and help find consensus.

Lifetime Supervision Committee

- **Jamie** stated she does not have notes prepared from the group but is open to answer questions. Also, there are other members of the subcommittee here that can add feedback on the research.
- **Brad** asked **Jamie** to confirm that the groups findings suggest that too much supervision can be a bad thing.
 - **Jamie** stated that too much supervision isn't ultimately helpful. The research supports these proposals.
 - **Lori** stated she reviewed some of the literature and it seems to indicate the over a certain number of years violations fall off and the sex offense behavior desists after 10 years. One thing that needs to be considered is the financial costs of maintaining this system when it doesn't ultimately help every individual. The research does support that lifetime supervision is not helpful to a number of sex offenders.
 - For low-risk sex offenders it doesn't seem to have any effect after 3 years. The first year for all sex offenders is the most critical as far as violation and compliance goes.
- **Jamie** pointed out the first version of this recommendation has not been seen by the full subcommittee. The group discussed an earlier version but ran out of time at the meeting. The current version that the board is looking over now will be discussed during the groups next scheduled meeting.

- Additionally, the timelines shown are not yet agreed on by the entire committee; they are placeholders at this time.
- **Brad** added that there will be no voting on the recommendations today. The discussion will be geared toward refining and polishing the language and ideas presented.
- **Brad** asked **Jamie** to talk about the timelines shown and the rationale for them. Is there a different timeline that WASPC would be more comfortable with?
 - **Jamie** doesn't know if WASPC has any concerns about the timeline, but there are other stakeholders on the subcommittee that may be impacted, and the group is trying to balance any concerns those stakeholders have.
- **Brad** asked if the idea of tying the timeline to risk-levels sits well with the subcommittee.
 - **Jamie** stated that the discussions they've had are focused on community safety, and if lifetime supervision can be related to individuals' risk-level in the community, then that's something the group is comfortable with.
- **Jamie** and **Lori** agreed on the desire to borrow language from the DOC regarding individuals being found guilty of any serious or risk related violations. We just need to reference the exact policy.
- **Brad** recommended changing the language on bullet point No.3 "Not failed to complete all recommended treatment".
 - **Dr. O'Connell** suggested "Not failed to complete all recommended 'treatment related to risk of sexual re-offense'".
 - **Kecia** recommended it say, "Not failed to complete all recommended 'treatment related to the treatment as required in the J&S and ISRB Conditions'".
 - **Brad** agreed with this adjusted language.
- Concerning bullet point No.4, **Jamie** suggested it say, "Not failed to pay restitution or make regular payments towards restitution".
 - **Jimmy** added we need to think about if this suggestion is equitable to all individuals. There is also some disparity concerning victims.
 - **Brad** stated this recommendation should be sent back to the subcommittee for further discussion.
- **Brad** suggested removing the language concerning test results from bullet point No.5.
 - **Lori** agreed.
- **Brad** provided an overview of recommendation No.2 and the reasoning behind it.
 - **Jimmy** agreed with **Brad's** recommendation.
 - There was a general consensus for this recommendation.
- **Jamie** gave a brief overview of the subcommittee's third recommendation.
 - **Brad** added additional background and asked **Lori** if the ISRB can modify conditions.
 - **Lori** replied no, they can't modify court ordered condition. What they can do instead is impose a more clear or better condition.
 - An example of this is the court might have imposed a condition that is 10+ years old that an individual cannot access the internet, but in today's world that's unrealistic.

- **Mac** added that this recommendation might lead to strenuous legal battles.
- **Brad** stated this recommendation should also go back to the subcommittee for more discussion.

BREAK

Full Board Discussion: Proposed Recommendations, House Public Safety Committee Assignment – Continued

SSOSA & Sentencing Alternatives Subcommittee

- **Brad** began the discussion by offering background to this group’s recommendations and a summary of their findings.
- **Dr. O’Connell** added that there was considerable discussion supporting these alternatives by using existing actuarial tools.
- **Megan** added that there is a recurring thought in the group in using caution in how this recommendation impacts SSOSA in the future.
 - **Brad** agreed and added we need to be specific in our language and reasoning in this recommendation.
 - This new alternative should only be for certain individuals who have committed offenses.
- **Brad** shared that the first recommendation from this group is to simply leave SSOSA as is, with a few small tweaks.
- **Brad** and **Megan** share the belief that closing the loophole for SSOSA eligibility post-trial is extremely important concerning victims.
 - An idea is to require a plea of guilty.
- **Brad** asked what **Sonja** thought concerning funding for DOC for treatment and evaluations.
 - **Sonja** stated there is contention surrounding this because of entrapment issues.
 - **Megan** added that we need to determine what treatments could be offered if someone claims entrapment.

FTR & Washouts Subcommittee

- **Brad** stated there isn’t yet a consensus regarding this recommendation [washouts]. He believes that sex offenses should wash for non-violent future sex offenses only. Felony non-violent offenses would not score.
 - **Brad** will send out a list of non-violent offenses.
- **Whitney** added that this is not the only group that is struggling with washouts, and it is unlikely that another group within the SGC will be able to reach consensus.
 - **Keri-Anne** added that there will be further discussions in that group.
- **Brad** asked if they have looked at non-violent offenses.
 - **Keri-Anne** stated not at this time.

- **Terrina** stated that it was discussed that if the task force in SGC could not reach a consensus that the FTR & Washout Subcommittee doesn't want to submit a conflicting recommendation.
- **Mac** provided context that the task force within SGC will not work independently from the SOPB with regard to recommendations made. They rely heavily on what is decided here.
- **Brad** stated this is another group of recommendations that still need further discussion and dissection within the subcommittee.

5163 Implementation Subcommittee

- **Whitney** provided a rundown of the last subcommittee meeting and stated that they are on track to submit approximately 3 to 5 recommendations to the board for consideration.
- **Devon** stated she is confident that the group will reach consensus with their recommendations.
- **Whitney** added that **Emily Hancock** is back from leave and is once again serving as co-chair of the subcommittee.

Next Steps

- **Whitney** asked the board if an additional meeting is needed this month. She recommended this would be a wise decision to help the board reach their goal for the Legislature.
- The board agreed that an additional meeting would be for the best.
- There will be an additional meeting scheduled for September 29, 2022.
 - Whitney will send out the meeting details.

For the Good of the Order

- **Bruce** stated that he would like to propose a change to conditions of geographical boundaries for first time offenders as their greatest support groups are located where they live, and this can be especially difficult for individuals that are of younger age.
 - **Brad** stated this may be beyond the scope of the board at this time.
- **Alex Mayo** shared he is concerned and disappointed about the proposals put forth from the Lifetime Supervision Subcommittee.
- **Keri-Anne** reaffirmed what Mac said regarding the SGC relying heavily on the work that is done here in the SOPB in order to inform the task force's recommendations.

Meeting Adjourned at 3:58 p.m.

APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD

_____/s/_____
Chair Brad Meryhew

_____/9/29/22_____
Date