



STATE OF WASHINGTON
SEX OFFENDER POLICY BOARD

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SEX OFFENDER POLICY BOARD

July 20, 2023 1:00pm-4:00pm

Zoom Meeting

Members Present:

Jimmy Hung
Brad Meryhew
Blanche Barajas
Michael O'Connell
Jedd Pelander
Keith Devos
Terrina Peterson
Richard Torrance
Jamie Weimer
Christine Minney
Sonja Hardenbrook
Mac Pevey
Hon Nelson Lee

Members Absent:

Shawn Sant

Staff:

Whitney Hunt, OFM
Keri-Anne Jetzer, OFM

Members Represented by

Proxy:

Guests: Alex Mayo, WA Voices; Jennifer Williams, DOC; Joanne Smieja, WA Voices; JD Nielsen, OCVA; Elena Lopez, BHA; Emily Hancock, SnoCo PDA; Devon Gibbs, King Co. Public Defense; Andrew Morrison, attorney; Lorraine Lynch, KCSARC

IMPORTANT NOTE: The recording for this meeting is available upon request and/or can be viewed on TVW [here](#).

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, shared and reviewed the duties of the SOPB, and stated there will be an opportunity for public comment at the end of the meeting during the “For the Good of the Order” section.

Meeting Objectives

Approval of Minutes

Brad asked the board to approve the meeting minutes from June 1, 2023.

MOTION # 23-8 MOTION TO APPROVE THE JUNE 1, 2023, MEETING MINUTES WITH AMENDMENTS TO PROXY LIST

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

SGC/SOPB Assignment Discussion

- **Michael O'Connell** asked what prompted this project.
 - **Keri-Anne** explained that some time ago, it was discovered that the DOC were inadvertently releasing individuals early because their good time was calculated into the release date. Through that investigation and many meetings, it was discovered how complicated the SRA is and that it had existed for nearly 40 years without a major review. Afterward, the Legislature asked the SGC to conduct a review of the SRA.
 - The Criminal Sentencing Task Force (CSTF) looked at the SRA in depth and put forth proposals and recommendations, one of them in the form of a new sentencing grid.
- **Keri-Anne** shared a pre-recorded video of a SGC presentation about the proposed sentencing grid which can be watched [here](#).
- **Brad** asked how the new grid treats other current offenses (individuals convicted of multiple charges)? I.e., scoring for prior and current offenses.
 - **Keri-Anne** didn't have an answer for the question at this time.
- **Michael O'Connell** stated it sounds like new resources may be needed such as work releases and halfway houses.
 - **Brad** pointed out this was not included in the proposal and is not something the SOPB will need to cover in these discussions.
- **Michael O'Connell** asked about the state funded nature of this. Will it include SOSSA?
 - **Keri-Anne** stated she wasn't aware of SOSSA being considered from previous CSTF conversations.
- **Michael O'Connell** also noted that this appears to go in the opposite direction of the research pertaining to individuals convicted of a sex offense that are related to the victim.
 - **Brad** noted that these are not issues that are before the board today.

- **Keri-Anne** next shared a copy of the guiding principles for the re-ranking project and explained that the SOPB is expected to make recommendations for minor adjustments to the location of ranked offenses from their position on the current standard sentencing grid to the proposed standard sentencing grid. Some larger adjustments may need to be looked at.
- **Keri-Anne** shared a draft copy of the proposed standard sentencing grid which included mid-points and stated it will be sent out to the board.
- **Keri-Anne** next shared the general scoring rules for the standard sentencing grid and explained that specific offense multipliers are largely eliminated.
- **Keri-Anne** next shared sex offense charging data spreadsheet including conviction and court charging data and explained how the data is compiled and broken down.
 - **Brad** asked how the SOPB would use the conviction data.
 - **Keri-Anne** explained it depends on the perspective you want to take - some look at the average sentence length while others look at what a judge determines the range should be.
 - The charging data may or may not be of use to the SOPB.
- **Brad** asked **Keri-Anne** and the board how the BIPOC data informs this process. The data that's out there shows us that BIPOC represents 25-30 percent of people convicted of these crimes. If there are signs of systemic racism in this data, how, if at all, do we punish those crimes?
 - **Hon. Nelson Lee** noted that from the King County perspective, the vast majority of cases are resolved through plea bargaining and most Judges tend to go along with those agreed recommendations. How cases get charged, negotiated, and resolved play into these numbers.
 - **Brad** asked if we need to think about how if at all we use this data in terms of sentencing levels.
 - **Hon. Nelson Lee** agreed.

Vice Chair Replacement

- **Jedd Pelander** is stepping down from his role of Vice Chair of the SOPB and **Brad** asked that one of the current board members step in to fill the vacancy.
 - The nominee would serve the remainder of **Jedd's** term which ends in January when the positions of Chair and Vice Chair would be voted on again.
- **Richard Torrance** stated he is interested and will speak to his team about it before making his final decision.
- This agenda item will be added to the board meeting on August 3, 2023.

BREAK

SGC/SOPB Assignment Discussion (Resumed)

- **Keri-Anne** shared a report from Washington State Institute for Public Policy which examined racial disproportionality. This report is not offense specific, but it is available for individuals to review for those that are interested.
- **Jedd** clarified that were not any class A offenses on the sheet **Keri-Anne** provided.
 - **Keri-Anne** confirmed yes, not yet.
- **Jedd** asked the board if there was any information anyone is lacking going into this process.
 - **Mac** stated it would be helpful to look at RCWs for each of the crime types.
 - **Whitney** stated she can add definitions to each of the crime types or link to the RCWs.
- For determinate plus individuals, **Jill** noted it may not be possible to remove them from the data as all determinate plus individuals are Class A, but she will find out.
- Given what we've covered today, **Jedd** asked what next steps we should take.
 - **Mac** asked if it would be best to form a subcommittee within the SOPB to tackle this work.
 - **Jedd** confirm that the SOPB will serve as its own subcommittee with the possibility to include missing voices to the conversation.
- **Keri-Anne** added that we will work under the assumption that the ranking levels will remain where there are unless there are policy reasons to change them.
- **Michael O'Connell** asked we could we start talking about the sex offenses on the grid or wait till the next meeting.
 - **Whitney** shared the WA Adult Felony Sex Offenses Handout for discussion.
 - The board discussed how some of the sex offenses are ranked.

Next Steps

- Project deadline is October 3, 2023.
- Next Full Board meeting is scheduled for August 3, 2023, 1:00PM-4:00PM.

For the Good of the Order

- **Jedd** approved the meeting transition to public comment.
 - **Whitney** reminded meeting participants that public comments would be limited to 90 seconds and stated that comments could also be submitted via chat.
- Public comments were receive and a full recording of public comment can be found [here](#).

Meeting Adjourned at 3:52 PM

APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD

_____/s/_____
Chair, Brad Meryhew

_____/1/18/24_____
Date