



STATE OF WASHINGTON

SEX OFFENDER POLICY BOARD

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MINUTES

Registration and Notification Committee

Tuesday, March 9, 2010

9:00 a.m. to 12:00 p.m.

Washington Assoc. of Sheriffs and Police Chiefs

3060 Willamette Drive N.E.

Lacey, WA 98506

Committee Members Present:

Lindsay Palmer Co-Chair

Kecia Rongen Co-Chair

Carolyn Sanchez

Lori Ramsdell-Gilkey

Joanna Arlow

Dawn Larsen

Amy Pearson

Bev Emery

Brad Meryhew

Sarah McCulloch

Staff Present:

Shoshana Kehoe-Ehlers

Shannon Hinchcliffe

Andi May

I. Call to Order

Chair Kecia Rongen called the meeting to order at 9:10 a.m.

Ms. Rongen announced that Committee Member Lindsay Palmer, representative from the King County Sexual Assault Center, will now co-chair this committee.

II. Revise and Adopt Agenda

SOPB staff raised the issue that because there is not a quorum of Board members at this meeting, motions that pass may need to be ratified at the next meeting where a quorum is present. Staff will look into this.

MOTION #20: MOVED TO APPROVE THE MARCH 9, 2010 AGENDA.

Moved: Bev Emery

Second: Carolyn Sanchez

Passed: Unanimously

III. Approval of Minutes

MOTION #21: MOVED TO APPROVE THE AUGUST 2009 AND SEPTEMBER 2009 MINUTES.

Moved: Bev Emery

Second: Lori Ramsdell - Gilkey

Passed: Unanimously

IV. Workplan

A. Brainstorm

Ms. Rongen led the Committee in a discussion about what topics the Committee members would like to address during 2010. The following were identified:

1. Registration while under confinement (jails, group homes)
2. Risk Assessment/Leveling
3. Community Notification/Education
4. On-line Identifiers
5. Sex Offender Registration Fees
6. Registration of the homeless and transient sex offenders
 - a. Defining *Dual Registration* and *Fixed Residence*.
 - b. Comprehensive response to the *State v. Flowers* holding, (Washington State Court of Appeals, Div. 2 , 2010).
7. Juvenile Recommendations
 - a. Proposals from the 2009 report to the Legislature. The Committee plans to work on reaching common ground

with stakeholders on the proposals from the 2009 report to the Legislature.

- b. Develop a response to the challenges faced by juveniles in possession of commercial depictions of minors. (Specifically, the practice of texting nude or partially nude photos of peers, a.k.a “sexting”.)

B. Process

1. Build consensus among Board members earlier in the policy proposal process.
2. Ms. Hinchcliffe explained that it would be helpful if the committee and workgroups framed their outcomes to be similar and cohesive with each other. This will help in drafting the 2010 report to the Legislature.
3. Ms. Emery recommended that all workgroup and committee chairs, along with staff, meet to ensure sure that all work product meets a particular criterion. Staff will develop a proposed criterion and circulate it to the chairs for approval.

C. Priority Items for 2010

1. Risk Assessment/Leveling
2. Community Notification/Education
 - Last year the policy foundation was built for this component.
 - This year the workgroup and committee will focus on developing concrete/functional recommendations.
3. Juvenile Recommendations
 - Develop a proposal for *Distribution/Possession of Commercial Depictions of Minors Engaged in Sexually Explicit Conduct; “Sexting”*.
 - Developing eligibility criteria for the sealing of juvenile sex offender criminal history.

D. Workgroups

1. There was a proposal to give workgroups one hour during the monthly committee meetings to meet so the number of workgroup meetings are reduced and easier for the committee to reach consensus on workgroup proposals.
2. Develop a cohesive template for each workgroup.
3. Actual Workgroups:
 - Risk Assessment/Leveling (Chair: Bev and Ed Holmes)
 - Community Notification/Education (Chair Lindsay Palmer)
 - Registration: on-line identifiers; registration fees; dual Registration/Fixed Residence (defining); homelessness

(Flowers); relief of registration for out-of-state offenders; registration while under confinement (jails, group homes); review of 4.24.550 (Chair: Brad Meryhew)

- Juvenile: (Chair: Kecia)
- Legal Group: (Chair: Joanna Arlow)

Committee members volunteered for certain workgroups. During the next week, there will be another opportunity to sign-up via email. The workgroup lists will then be electronically distributed. Each workgroup will attempt to meet at least once before the next Committee meeting.

MOTION # 22: MOVED TO APPROVE THE FOLLOWING WORKGROUPS: RISK ASSESSMENT AND LEVELING; JUVENILE; REGISTRATION; COMMUNITY NOTIFICATION/EDUCATION; AND LEGAL ADVISORY/LEGISLATIVE.

Moved: Bev Emery

Second: Brad Meryhew

Passed: Unanimously

V. Adam Walsh/SORNA

The Committee discussed what this year's plan would be in continuing to implement the SORNA Act of the Adam Walsh Act. The following recommendations and suggestions were made:

- Recommend that the Board submit another one-year extension request (due July 2010).
- Recommend that the Board meet with a Washington State American Indian Tribe representative. Need to communicate and to the tribes that Washington State has a fairly comprehensive risk based registration and notification system, and demonstrate what that is. Request assistance in identifying the stakeholders in the tribes' sex offender management system.
- Ms. Hinchcliffe suggested that we put together a cost-benefit analysis for the Legislature regarding the enforcement of SORNA.
- Ms. Emery suggested the Board select four to six items and cost it out via AWA.
- The Washington State Patrol can compile information as to how many sex offenders would be in each tier based on the SORNA/offense based system, specifically what the overall increase in cost would be to Washington State.
- WASPC could tease out information as to how much more money it would be to verify sex offender addresses based on SORNA's tier system.

- The Committee recommended that the Board contact Governor's Office and navigate them through SORNA before submitting another extension request.
- Finally, because extension requests and other plans regarding Washington State's compliance with Adam Walsh must come from the Governor's Office and potentially has statewide financial consequences, the Committee recommended that this issue be given back to the Full Board.

MOTION# 23: MOVED TO REFER ADAM WALSH TO THE FULL BOARD

Moved: Bev Emery

Seconded: Carolyn Sanchez

Passed: Unanimously

VI. Session Wrap-up

The Committee discussed updates to Washington State 2010 legislation that relates to sex offender laws. SSB 6414 passed through both houses of the Legislature and has been referred to the Governor.

VII. New Business

There were no new business items.

VIII. Public Comments

There were no public comments.

XI. Adjournment

Ms. Rongen and Ms. Palmer adjourned the meeting at 11:15 a.m.

APPROVED AND ADOPTED BY THE REGISTRATION AND COMMUNITY NOTIFICATION COMMITTEE.

Kecia Rongen/Lindsay Palmer
Committee Co-Chairs

Date

Shoshana Kehoe-Ehlers

Date