



STATE OF WASHINGTON
SEX OFFENDER POLICY BOARD
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Minutes
Sex Offender Policy Board
Office of the Attorney General
800- 5th Ave. 20th FL
Seattle, WA 98104
February 19, 2009

Member Present:

Sheriff Mark Brown
Anmarie Aylward
Brad Meryhew
Bev Emery
Mary Ellen Stone
Andrea Piper
Andrew Neiditz
Hon. Dean Lum
Kecia Rongen
Henry Richards

Members Absent:

Maureen Saylor
Hon. Dean Lum
Brooke Burbank
Ida Ballasiotes
Jeri Costa
John Koster

Staff Present:

Jean Soliz-Conklin
Shoshana Kehoe
Stevie Peterson
Andi May

Others Present

Joe Hawe, US Marshall; Pat McClain, City of Everett; Amy Pearson, Office of Crime Victims Advocacy; Lisa Johnson, King County Senior Deputy Prosecuting Attorney; Tom Sahlberg, Indeterminate Sentence Review Board; Jill Severn



1. Call to Order

The meeting was called to order by the Chairman Russ Hauge at 1:38 p.m.

2. Introductions

- Board members and attendees introduced themselves.
- Russ informed the Board that Linda Ring Erickson will be a new SOPB member.

3. Approval of Minutes – January 15, 2009

MOTION # 5 APPROVAL OF THE JANUARY 15, 2009 MINUTES

Moved: Mary Ellen Stone

Seconded: Mark Brown

Passed: Unanimously

4. Executive Director's Report

- Hiring Update – Jean updated the Board that Shoshana Kehoe recently started as the Interim SOPB Program Director.
- Governors' Reform Initiative – Governor Gregoire released a list of Boards and Commissions that she recommended be cut for cost-saving purposes. The SOPB was not on that list. The Washington State budget forecast was released today. The State anticipates a significant shortfall.
- ESSB 5460 was just signed by the Governor
This bill prohibits any state agency from creating personal service contracts. It is effective until June 30, 2009.
 - Jean explained the difference between personal service contracts and inter-local agreements.
 - The SOPB staff will be looking into (1) whether inter-local agreements are exempt from this bill and (2) whether agreements with WSU and WSIPP qualify as inter-local agreements. The Office of Financial Management will assist in interpreting this bill.

For now, the Board will approve agreements/contracts with WSU and WSIPP pending financial approval.

- Citizen's Guide to Sex Offenders
Shoshana Kehoe presented on the plan and design for the Citizen's Guide. The Board previously contracted with Jill Severn to create this. The plan is to post this on the SOPB website. The members were given a draft outline of the guide to review. Members were asked to email their initial comments of the outline to Shoshana by March 2nd.

5. Ad Hoc Review Process Committee

Mary Ellen Stone and Bev Emery presented on the proposed review process. At the last Board meeting they were appointed to the Ad Hoc Committee to develop a process for reviewing requests made by anyone outside the Board for the Board's endorsement of a proposal or other Board action. There is a memorandum and flow chart explaining the process. Anyone requesting review by the SOPB may approach the full board or one of the committees. The proposal emphasized that requests made by the Governor and/or Legislature will be given priority.

There was a question as to how the Board will handle case reviews. The Chair recommended that the Board defer establishing a formal policy for case reviews at this time. At a later date, it will revisit whether it would like to amend the bylaws to include a review process for case reviews.

MOTION # 6 The Board adopts the Ad Hoc Committee's request review process outlined in its memorandum to the SOPB as a working policy.

Moved: Kecia Rongen

Seconded: Brad Meryhew

Passed: Unanimously

6. Committee Reports

• Sex Offenders in the Community Report

The Chair of this Committee, Mary Ellen Stone, reported that the Committee had a good discussion during its last meeting with Pat McClane and Doug Levy of the Everett Local Task Force. Mr. McClane and Mr. Levy presented the recommendations adopted by the task force to this Committee. The task force was created to develop a response system to community issues that may arise when sex offenders move into residential neighborhoods. Mr. McClane was present at the February 19, 2009 Full Board meeting.

Mary Ellen also reported that the Committee agreed it would be helpful to both the Committee and those in the community who rely on the Board, to do a literature review of materials addressing issues faced by both sex offenders and communities as sex offenders transition back into the community. Jean recommended the Committee consider contracting with WSU for the literature review. Jean will coordinate with Mary Ellen in notifying the Committee about proposed scope of the research

MOTION # 7 The Board commissions a literature review of materials to be decided by the Sex Offender in the Community Committee in an amount up to \$8,000.

Moved: Mary Ellen Stone

Seconded: Brad Meryhew

Passed: Unanimously

- **Sex Offender Registration and Notification Subcommittee Report**

Kecia, the chair of this committee updated the Board on several issues the committee addressed during the last month.

- The Committee had been asked to review the Adam Walsh Act (AWA) and provide the Board a recommendation as to how to proceed on the AWA requirements. Kecia provided an overview of the AWA. The stated goals are similar to the goals of the Community Protection Act. However, AWA would have a profound impact on the existing Washington State registration and notification process, especially with respect to the cost of implementing AWA's requirements. Cost of implementation is estimated at \$10.5 million. Failure to comply with AWA will result in the Federal Government withholding grant money provided to JAG close to \$300,000. Despite other states attempt to comply with the AWA, no state has been found to be in substantial compliance. The Committee listed some of AWA's requirements that would impact the Washington State registration and notification system:

- Sex Offenders who came back into the system would be subject to the AWA registration requirements.
- Juvenile sex offenders convicted of certain aggravated offenses would be required to register at age 14 y.o.; Washington State already requires juvenile sex offenders convicted of similar offenses to register at age 12.
- AWA's address and school notification requirements for juvenile sex offenders are more strict than Washington state.
- Under AWA, there would be a dramatic increase in juvenile sex offenders being assessed at a Level 3.

The Committee's recommendation to the Board is to not take a position on the Adam Walsh Act at this time, but continue to study research the AWA

The Board discussed that one of the overriding concerns is the very high cost of implementing the AWA. United States Marshal, John Lane was present for this discussion. The Board asked Mr. Lane who from the state level communicates with the Federal government regarding any questions or concerns about the AWA. Mr. Lane did not know who that person was at the time. Mr. Lane expressed that his office is not expecting a decision either at this time; he just wants the Board to continue analyzing the Act.

MOTION # 8 The Board will not take a position on the Adam Walsh Act at this time. It will continue to study and research the AWA.

Moved: Bev Emery

Seconded: Andrea Piper

Passed: Unanimously

- Kecia reported that WSIPP presented a research proposal to the Committee on registration and notification at its last meeting on February 10th. After listening to the presentation and committee discussion, the committee decided to ask the Board authorize WSIPP to complete a meta-analysis of studies on registration and notification research. WSIPP's report will include both adult and juvenile sex offender populations. The Committee will work with WSIPP on the exact scope of the study and contract language.

MOTION # 9 The Board authorizes a contract, up to \$13,000, with WSIPP to perform a meta-analysis on registration and notification research.

Moved:

Seconded: Mark Brown

Passed: Unanimously

The work groups are still collecting data in their respective areas. They are beginning to compile bibliographies of their acquired research. Dawn Larsen from the Offender will be presenting at the next Registration and Notification meeting.

- **Benchmarks Committee Report**

- The Committee Chair, Russ Hauge briefly reviewed the committee work plan with the Board. This Committee will be using the CSOM Protocol to assist in addressing the sex offender reentry and supervision components. The Committee will also be consulting with WSU in creating and implementing a survey of stakeholders. Representatives from the WSU social science research department will be attending the next Benchmarks meeting
- There was some discussion as to why the SOPB is primarily looking at WSU to perform the survey. The Board likes WSU because they are renowned in research; have a local office; and focus on criminal justice. Further, because the Board is already committed with WSU to have them perform a literature review, it will be more expedient and practical to work with them on several contracts. The Board is willing to consider other institutes in the future.
- The Benchmarks meeting will be rescheduled to Wednesday, February 25, 2009 from 10 a.m. to 12 p.m. at the Criminal Justice Training Center.

MOTION# 10 The Board directs staff to negotiate a contract that covers the work the Benchmarks Committee and Sex Offenders in the Community Committee. The Benchmarks Committee contract is subject that Committee's approval

Moved: Russ Hauge

2nd: Andrew Neidtz

Passed: Unanimously

7. Meeting Schedule

The Board must conduct two meetings per year around the State. There also some discussion about modifying the Board meeting schedule to quarterly. The Board frequently meets outside of the full Board monthly meetings in monthly committee meetings and workgroups. The Registration and Notification committee could especially use the additional time to work on research and preparation of the legislative report due in November 2009.

The Board agreed to defer the scheduling of the meetings on the other side of the state to the next April full Board meeting. The Board will have a better picture about what it will look like.

8. Other Business

Anmarie raised concern that due to budget cuts DOC and other agencies will be losing expertise in treatment and other areas. Anmarie would like a protocol for SOPB to be a home for other groups who are losing access to expertise because of the budget cuts.

9. Public Comment

There was no public comment.

10. Adjournment

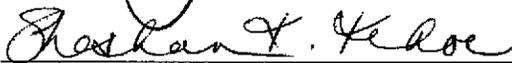
The meeting was adjourned by Russ Hauge at 3p.m.

APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD



Russ Hauge

4-16-2009
Date



Shoshana K. Kehoe

4-16-2009
Date