
Members Absent:  

Staff:  
Rachel Hughes  
(for Keri-Anne Jetzer)

Others Present:  
Amy Pearson, Office of Crime Victim’s Advocacy  
Shani Bauer, Senate Human Services & Corrections

I. CALL TO ORDER
Chairperson Andrea Piper-Wentland called the meeting to order. She asked everyone to introduce themselves.

II. APPROVAL OF MINUTES

MOTION #12-9: MOTION TO APPROVE APRIL 19, 2012, MEETING MINUTES
MOVED: Bev Emery  
SECONDED: Andrea Piper-Wentland  
PASSED: Unanimously

MOTION #12-10: MOTION TO APPROVE MAY 8, 2012, MEETING MINUTES
MOVED: Kecia Rongen  
SECONDED: Bev Emery  
PASSED: Unanimously
MOTION #12-11: MOTION TO APPROVE JUNE 14, 2012, MEETING MINUTES WITH NAME CORRECTION

MOVED: Bev Emery
SECONDED: Maureen Saylor
PASSED: Unanimously

III. MODIFICATIONS TO SOPB BY-LAWS
Chair Piper-Wentland explained that while Board members feel it is important to maintain transparency, the SOPB no longer falls under the OPMA requirement and is not bound by those rules. She also walked through several other minor change suggestions to the by-laws and then opened discussion to the members.

Judge Middaugh suggested adding language to the by-laws indicating that while the Board does not fall under the OPMA, all Board meetings will remain open to the public.

MOTION #12-12: MOTION TO APPROVE AMENDED LANGUAGE IN ARTICLE VI UNDER ARTICLE VIII
MOVED: Judge Middaugh
SECONDED: Bev Emery
PASSED: Unanimously

MOTION #12-13: MOTION TO APPROVE REMOVAL OF QUORUM NUMERAL LANGUAGE TO ARTICLE X
MOVED: Judge Middaugh
SECONDED: Bev Emery
PASSED: Unanimously

MOTION #12-14: MOTION TO APPROVE REMOVAL OF NONVOTING MEMBER LANGUAGE TO ARTICLE XII
MOVED: Judge Middaugh
SECONDED: Maureen Saylor
PASSED: Unanimously

Technical changes suggested by the Board include capitalizing “board” when referring to the Sex Offender Policy Board and capitalizing “Sex Offender Policy Board”.

IV. STATUTE OF LIMITATIONS REVIEW
Kecia Rongen provided a brief overview of the work the statute of limitations sub-committee completed on the statute of limitations as requested by Senators Hargrove and Stevens.

Ms. Rongen then reviewed some arguments for and against criminal statute of limitations.

Ms. Rongen needed to leave so Chair Piper-Wentland took the lead reviewing the recommendations of the sub-committee.
There was discussion about whether criminal and civil statute of limitations should be commensurate.

The original question was related to the effectiveness of extending statute of limitations in terms of successful outcomes of cases. Members noted that the Board did not have the time or the resources to do in-depth research into successful civil actions by victims or criminal prosecutions based on varying lengths of statute of limitations. However, from a policy perspective, this is proposed language for civil statute of limitations for sex offenses:

**MOTION #12-16:** MOTION TO ADD LANGUAGE TO EXTEND THE CIVIL STATUE OF LIMITATIONS FOR SEX OFFENSES UP TO THE 28TH BIRTHDAY IF THE ACT OCCURS WHEN THE VICTIM IS LESS THAN THE AGE OF MAJORITY

**MOVED:** Judge Middaugh  
**SECONDED:** Bev Emery  
**PASSED:** Unanimously

**DISCUSSION:** This is based on the limited research the Board was able to complete within the timeframe and available resources. Support for this extension includes the perpetrator is frequently located in the home and it takes longer for the child to become independent of the home; studies relating to brain development of youth; and emotional trauma suffered by children of sexual abuse. Additionally, this argument applied equally to the tort in general and that concerns were noted by changing just the civil statute of limitations for sexual abuse offenses.

The Board then addressed the criminal statute of limitations recommendations.

**MOTION #12-17:** MOTION TO INCREASE THE CRIMINAL STATUTE OF LIMITATION FOR RAPE 1 AND RAPE 2 OFFENSES, WHEN THE VICTIM IS LESS THAN THE AGE OF MAJORITY AT THE TIME OF THE ACT, UP TO WHEN THE VICTIM REACHES THE AGE OF MAJORITY PLUS 10 YEARS OR UP TO THE VICTIM’S 28TH BIRTHDAY, WHICH EVER IS LONGER.

**MOVED:** Bev Emery  
**SECONDED:** Maureen Saylor  
**PASSED:** Unanimously

**DISCUSSION:** The Board could find no reason to differentiate when the violation was reported and makes the limits consistent with other sex offense criminal statute of limitations.

The Board agreed that another vote would be needed once these changes had been made to the recommendation document.

V. **JEREMIAH THOMPSON CASE REVIEW**

Bev Emery, the chair of the Thompson Case Review Committee, and Amy Pearson briefed the Board on the background of this case.

Ms. Emery then walked the members through the findings in the draft report and then they reviewed the recommendations.

**Recommendation #1:**
“THE WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS (WASPC) INCORPORATE THE PROCEDURE AS A LAW ENFORCEMENT BEST PRACTICE IN THEIR SEX OFFENDER MODEL POLICY.”

**MOTION #12-18: MOTION TO WITHDRAW RECOMMENDATION #1**

**MOVED:** Jonathan Meyer  
**SECONDED:** Anmarie Aylward  
**PASSED:** Unanimously

Recommendation #1 refers to the practice where a Sheriff’s Office sends a list of possible juvenile sex offender attendees to the respective school and the school likewise confirms with the Sheriff’s Office of that student’s enrollment and attendance at the school.

**Recommendation #2:**

“RISK TO COMMUNITY AND THE NEED FOR MULTIPLE SERVICES not just the crime of conviction SHOULD BE TAKEN INTO CONSIDERATION FOR determining when PAROLE is imposed, JUST AS LEVELING, COMMUNITY NOTIFICATION AND REGISTRATION ARE BASED ON RISK.”

**MOTION #12-19: MOTION TO APPROVE RECOMMENDATION #2 WITH THE NOTED CHANGES**

**MOVED:** Judge Middaugh  
**SECONDED:** Maureen Saylor  
**PASSED:** Unanimously

**Recommendation #3:**

Amy Pearson noted that OSPI does not have a document called Model Policy. They call it the Best Practice and OSPI Policy Concerning Student Sexual and Kidnapping Offenders.

“THE SCHOOL PRINCIPAL MAINTAIN AUTHORITY AND PROVIDE AN OVERSIGHT ROLE. BEST PRACTICE AND OSPI MODEL POLICY concerning student sexual and kidnapping offenders ON SEX OFFENDER IN SCHOOL HAS THE PRINCIPAL MAINTAINING RESPONSIBILITY FOR MANAGEMENT OF SEX OFFENDERS AND ALL STUDENTS’ SAFETY IN SCHOOL. IT IS APPROPRIATE FOR THE PRINCIPAL TO SHARE INFORMATION WITH THOSE WHO NEED TO KNOW.”

**MOTION #12-20: MOTION TO APPROVE RECOMMENDATION #3 WITH NOTED CHANGE**

**MOVED:** Judge Middaugh  
**SECONDED:** Jonathan Meyer  
**PASSED:** Unanimously

**Recommendation #4:**

Amy Pearson suggested replacing “juvenile sex offenders” with “juveniles who sexually offend” throughout the document.

“IN THE STATE’S CONTINUOUS EFFORTS TO ESTABLISH AND MAINTAIN CONSISTENT PRACTICE, WE RECOMMEND THE DEVELOPMENT AND AVAILABILITY OF TRAINING FOR SCHOOL PERSONNEL, ESPECIALLY PRINCIPALS, REGARDING JUVENILEs who sexually offend SEX OFFENDERS, including THE SEX OFFENDER MANAGEMENT SYSTEM, RISK AND OFFENDER LEVELS.”
MOTION #12-21: MOTION TO APPROVE RECOMMENDATION #4 WITH NOTED CHANGES
MOVED: Anmarie Aylward
SECONDED: Maureen Saylor
PASSED: Unanimously

Recommendation #5:
“REQUIRE SCHOOL DISTRICTS TO ADOPT A SEX OFFENDER MANAGEMENT POLICY BASED ON THE OSI MODEL POLICY AND POST THE POLICY ON THE OSPI WEBSITE BY A DATE CERTAIN.”

MOTION #12-22: MOTION TO APPROVE RECOMMENDATION #5 AS STATED
MOVED: Maureen Saylor
SECONDED: Anmarie Aylward
PASSED: Unanimously

Recommendation #6:
“THE COMMITTEE RECOMMENDS THAT THE SEX OFFENDER POLICY BOARD (SOPB) CONDUCTS FURTHER STUDY on the effectiveness of notification and registration of juveniles who have committed sex offenses OF THIS ISSUE AND MAKE RECOMMENDATIONS FOR CONSIDERATION OF FUTURE ACTIONS.”

MOTION #12-23: MOTION TO APPROVE RECOMMENDATION #6 WITH NOTED CHANGES
MOVED: Maureen Saylor
SECONDED: Anmarie Aylward
PASSED: Unanimously

Recommendation #7:
“CONSIDER LANGUAGE TO THE CURRENT RAPE OF A CHILD 3 LAW THAT “IT’S A DEFENSE THAT BOTH VICTIM AND PERPETRATOR ARE IN HIGH SCHOOL AND NO FORCE WAS INVOLVED.”

Brad Meryhew suggested not including this as a policy recommendation but instead including it as a finding that other states are looking at the issue and that the Washington State Legislature may wish to address it as well.

MOTION #12-24: MOTION TO WITHDRAW RECOMMENDATION #7 BUT LEAVE THE FINDING AS STATED
MOVED: Anmarie Aylward
SECONDED: Maureen Saylor
PASSED: Unanimously

Chair Piper-Wentland noted that changes in the Summary portion of the report will reflect the motions above. The revised document will be emailed to Board members to vote on approval of revised document.
VI. ADJOURNMENT
Chair Piper-Wentland adjourned the meeting.

APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD

Chair Andrea Piper-Wentland

Date