



STATE OF WASHINGTON
SEX OFFENDER POLICY BOARD
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MINUTES
Registration and Notification Committee
Tuesday, March 10, 2009
10:00 a.m. to 1:00 p.m.
Washington Assoc. of Sheriffs and Police Chiefs
3060 Willamette Drive N.E.
Lacey, WA 98506

Members Present:

Brad Meryhew
Bev Emery
Sheriff Mark Brown
Kecia Rongen
Jeri Costa
Anmarie Aylward
Russ Hauge

Staff Present:

Shoshana Kehoe
Andi May
Shannon Hinchcliffe
Jean Soliz-Conklin

Others present:

Joanna Arlow, Policy Director, Washington Association of Sheriff and Police Chiefs;
Dianne Ashlock, Department of Corrections; Lisa Johnson, King County Prosecutor's
Office; Dawn Larsen, Washington Association of Sheriff and Police Chiefs; Sara
McCulloch, King County Prosecutor's Office; Lindsay Palmer, King County Sexual
Assault Resource Center; Amy Pearson, Office of Crime Victim Advocacy; Carolyn
Sanchez, Criminal History Records Supervisor of the Washington State Patrol

I. Call to Order

Chair Kecia Rongen called the meeting to order at 10:05 a.m.

II. Introductions

The Board members, staff, and other interested parties introduced themselves.

III. Approval of February 10, 2009 Minutes

The minutes were reviewed. The Board approved them with a correction.

MOTION # 8 APPROVE THE FEBRUARY 10, 2009 MINUTES

Moved: Sheriff Mark Brown

Second: Anmarie Aylward

Passed: Unanimously

IV. Offender Watch

Dawn Larsen, from WASPC, presented on Offender Watch, a registered sex offender tracking system used in Washington State.

Offender Watch is a product of Watch Systems, a similar system used in 8 to 10 states. The Offender Watch system is divided into two components, law enforcement case management and informing the public. It just went online in October 2008.

There are currently 33 counties using the system. It is entirely voluntary. The larger counties, King, Snohomish, Pierce, Clark, Yakima and Skagit are not using it. However, some of them are in the process of setting it up.

WSP and WASPC collaborate to provide the data to Offender Watch. DOC puts the initial information into the system. The county sends the sex offender information to WSP. WSP enters it into its registry and then sends the information to WASPC. (WSP is bound by Federal law to enter the sex offender information within 3 business days.)

Features of the system:

- It tracks SO when they move from county to county.
- Because this program is a centralized state database, there is no need to reenter the information each time the offender moves.
- This database can be easily accessed by any county.
- Information about the offender can continue to be added and updated.
- When the offender moves, the receiving county is immediately flagged. Upon arrival, the receiving county enters the information and notifies the

departing county. If the sex offender does not arrive on time, the departing county is alerted.

- The system can identify false addresses provided by a sex offender.
- The system posts information accessible to the public on Level 2 and 3 sex offenders. It also posts information on Level 1 sex offenders when they are out of compliance.

This presentation spurred some discussion about what information can the Sheriff's Office provide to the public upon request about registered sex offenders, especially Level 1 sex offenders. This is something that the Committee plans to further discuss in the future.

Ms. Larsen will provide follow up written materials for this Committee.

V. Legislative Report Helpful Hints

Jean Soliz-Conklin has a number of years experience working with and for the Legislature. She presented the Committee with helpful information to keep in mind when focusing their research plans and drafting recommendations for the November 1, 2009 Legislative Report. As part of her presentation she highlighted the Board's duties as described in SHB 2714. She also provided the Committee with tips about what the Legislature will be looking for in the Leg. Report . Some of these included:

- Ground the recommendations in research and practical data.
- Include a demographic description.
- What states were examined and what was the basis for adopting or rejecting state research/models.
- The Legislature will ask why the Committee selected certain best practices. Need to make sure the committee's research started off broad so the recommendations are solidly grounded

There was some discussion that the relief from registration statute is pretty vague. However, it is a tangible enough subject area to analyze and make recommendations for change to the Legislature.

VI. Workplan Proposal

The Committee developed a work plan several months ago and has been working to closely follow it. During the Committee's March 10th meeting, it discussed and agreed to include a series of milestones in its work plan. The milestones chart includes the committee and workgroups' research deadlines, workgroups' tasks, presentations, recommendations' deadlines, creating a fiscal impact statement, and putting together a public roundtable discussion after the Committee Legislative report recommendations have been drafted.

The Committee decided to cancel the April committee meeting to give the workgroups more time to focus on research.

Jean will be available to check in with the committee to say what she thinks the committee may be leaving out in its research and recommendations. She also mentioned that Jane Beyer may let this Committee use her research system.

MOTION # 9 ADOPT THE MILESTONE PLAN AS REVISED BY THE COMMITTEE DURING THE MEETING

Moved: Brad Meryhew

Second: Bev Emery

Passed: Unanimously

VII. Research Criteria

This committee is now underway gathering data and reviewing research from multiple sources and states to support its recommendations for the Nov 1st legislative report. Because of the multiple types of papers and studies the members have been locating, the committee asked for some guidance in identifying reliable research. Russ Lidman a professor from Seattle University and former director of WSIPP provided the Committee a research criterion.

After reviewing the criterion, the Committee adopted it. This criterion will be discussed at the full Board meeting as something for the entire Board to use when performing research.

MOTION# 10 ADOPT THE RESEARCH CRITERIA PROVIDED BY SEATTLE UNIVERSITY PROFESSOR RUSS LIDMAN

Moved: Bev Emery

Second: Anmarie Aylward

Passed: Unanimously

VIII. WSIPP and Committee Research

The Committee is working with WSIPP to figure out the scope of their research on sex offender registration and notification issues. Before submitting the contract, the Committee would like to review the articles WSIPP plans to use in its meta-analysis. This will assist the Committee in developing research questions for WSIPP to explore. After the WSIPP contract is settled, the Committee will determine the questions it would like answered in its own research.

IX. Use of Shannon's time

Shannon Hinchcliffe, policy analyst for the SGC, will have more research hours to devote to this Committee. She will still be working for the SGC. The Committee agreed that when the workgroups meet this month, they will identify areas for Shannon to research.

X. Workgroup updates

The workgroup updates are deferred to the next full Committee meeting. The workgroups will meet before the next Committee meeting to assess their research and plan their next projects. The workgroups will then present their research findings thus far to the Committee on May 12th. After each presentation, the Committee will have an opportunity to make suggestions to the workgroups about their research.

XI. New Business

The Division II Court of Appeals just released their decision on State v. Ramos. The respondent in this case was found guilty of failure to register, pursuant to RCW 9A.44.130(7) at a bench trial. He appealed on the grounds that the Legislature improperly delegated the classification of sex offenders to county sheriffs when they enacted RCW 4.24.550(6) and that the delegation violates the separation of powers. The Court found that because Mr. Ramos was not classified by any entity other than a sheriff, there was a violation of the separation of powers under the specific facts of the case.

The Committee discussed how the decision may impact the sex offender leveling system currently performed by the county sheriff. It recommended urging the Legislature to not immediately act upon the Ramos decision until the SOPB and others could develop a thoughtful and well supported response.

MOTION# 11 THE FAILURE TO REGISTER WORKGROUP WILL REVIEW THIS COURT DECISION AND REPORT BACK TO THE COMMITTEE.

Moved: Anmarie Alyward

Second: Bev Emery

Passed: Unanimously

XII. Public Comments

There were no public comments.

XIII. Adjournment

The meeting was adjourned, by Kecia Rongen at 1:00 p.m.

APPROVED AND ADOPTED BY THE REGISTRATION AND COMMUNITY NOTIFICATION COMMITTEE.

Kecia Rongen, Chair

Date

Shoshana Kehoe

Date