



STATE OF WASHINGTON

OFFICE OF FINANCIAL MANAGEMENT

Insurance Building, PO Box 43113 □ Olympia, Washington 98504-3113 □ (360) 902-0555

SEX OFFENDER POLICY BOARD

October 23, 2015 9:00am – 12:00pm
Criminal Justice Training Commission
19010 1st Avenue S, Room C-101
Burien, WA 98148

Members Present:

Kecia Rongen
Andrea Piper-Wentland
Brad Meryhew
Jeff Patnode
Keri Waterland (proxy Jacob Bezanson)
Julie Door
Michael O'Connell
James McMahan

Members Absent:

Holly Coryell
Jonathan Meyer
Daniel Yanisch
Hon. James E Rogers
Richard Torrance

Staff:

Keri-Anne Jetzer

Guests: Shannon Hinchliffe, SOPB Contractor; Candice Bock, AWC; Jamie Yoder, WASPC; John Gower, HRC; Steve Kirkelie, City of Puyallup.

I. CALL TO ORDER

Vice-chair Jeff Patnode called the meeting to order and asked everyone to introduce themselves.

II. APPROVAL OF MINUTES

MOTION #15-6: MOTION TO APPROVE MEETING MINUTES FROM OCTOBER 2, 2015, AND OCTOBER 15, 2015 WITH CHANGES

MOVED: Michael O'Connell

SECONDED: Brad Meryhew

PASSED: Unanimously

Changes: October 2, 2015 – Michael O'Connell was listed as on the phone when he attended in person

October 15, 2015 – Michael O'Connell was listed as present and absent

III. ANALYSIS ON RELATIONSHIP BETWEEN CHAPTER 42.56 RCW AND RCW 4.24.550 PRESENTATION

Shannon Hinchcliffe presented to members on her analysis. From the perspective of the Board, she said, this is a comparison of apples and oranges. The purpose of the Public Records Act (Chapter 42.56 RCW) is different from the purpose of the Community Protection Act (4.24.550).

IV. REVIEW DRAFT LANGUAGE AND FINDINGS RELATED TO SSB 5154 SEC 16(a):

Brad Meryhew presented his findings to members. James McMahan commented that he would like to see some of the findings broadened to include all sex offender information so that it doesn't give the appearance of suggesting exemption of only level 1 and juvenile sex offender registration information. Brad asked what level 2 and 3 information he would not want to have disclosed. James replied that he feels all the arguments made about not disclosing information for level 1 offenders is applicable to level 2 and 3 offenders.

Next, James presented his findings and recommendations. He said the recommendations are the same ones that he read to the members at the last meeting.

MOTION #15-7: MOTION TO ADOPT THE RECOMMENDATION TO AMEND RCW 4.24.550 AND RCW 42.56.130

MOVED: Kecia Rongen
SECONDED: Brad Meryhew
PASSED: Unanimously

Amending language:

RCW 4.24.550 be amended to include the following sentence: "*Sex offender and kidnapping offender registration information is exempt from public disclosure under chapter 42.56 RCW.*"

RCW 42.56.130 be amended to include the following sentence: "*Information compiled and submitted for the purposes of sex offender and kidnapping offender registration pursuant to RCW 4.24.550 and 9A.44.130, or the statewide registered kidnapping and sex offender web site pursuant to RCW 4.24.550, regardless of whether the information is held by a law enforcement agency, the statewide unified sex offender notification and registration program under RCW 36.28A.040, the central registry of sex offenders and kidnapping offenders under RCW 43.43.540, or another public agency.*"

V. REVIEW DRAFT FINDINGS RELATED TO SSB 5154 SEC 16(b):

Brad Meryhew briefed members on this suggestions noting that he bulleted things that he noticed from Shannon's reports. He added that the members had also talked about adding penalties for misuse or unauthorized disclosure.

Shannon talked briefly about her summary document and what that will include.

Members discussed the timeline for completing a draft report.

VI. REVIEW DRAFT FINDINGS AND RECOMMENDATIONS RELATED TO SSB 5154 SEC 16(c):

Jeff Patnode presented his findings and possible recommendations to the members.

Members discussed what it means to for an offender to be able to 'petition'. Some believed that because they can send a letter to the sheriff, they have a means. Others believed that being able to send a letter is not considered a right to petition. The new language in the statute has only recently changed so it was unknown if counties are offering or will offer a way to petition, outside of the ten counties who submitted their petition forms.

After the discussion, there seemed to be agreement that:

- Law enforcement should create a process for offenders to petition for a risk-level review.
- The process should include a research-based list of criteria of what should and should not be considered for the process.
- The SOPB could suggest model policy for WASPC in regard to what those criteria should be.

Brad suggested that WASPC provide data to the SOPB on what law enforcement agencies are participating in the process one year after the change in the statute's language.

Members decided to table a recommendations vote until the next meeting while Jeff, James and Brad work on some draft language.

VII. REVIEW DRAFT LANGUAGE RELATED TO SSB 5154 SEC 16(d):
James McMahan presented his findings and recommendation. Brad suggested clarifying that it is not a mandatory policy.

MOTION #15-8: MOTION TO ADOPT THE RECOMMENDATION THAT THE LEGISLATURE TAKE NO ACTION ON THIS TOPIC

MOVED: Andrea Piper-Wentland
SECONDED: Kecia Rongen
PASSED: Unanimously

VIII. OTHER BUSINESS

IX. ADJOURNMENT

APPROVED AND ADOPTED BY THE SEX OFFENDER POLICY BOARD

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Chair Kecia Rongen

Date