

# WASHINGTON STATE CHAPTER OF THE ASSOCIATION FOR THE TREATMENT OF SEXUAL ABUSERS

**BOARD MEETING**  
**04.17.2015**  
**11:30 A.M. – 1:00 P.M.**

## **Attendees**

B. Judd (by phone); M. O'Connell; L. Paxton; K. Rongen (by phone); L. Trifiletti

## **Absent**

H. Coryell; M. Kirkpatrick; D. Knoepfler; J. Landon; M. Pinedo; M. Saylor; P. Spizman; J. Wheeler

## **Agenda**

1. WATSA Conference 2016
2. WATSA-sponsored CEs for Summer Institute conference
3. Retreat schedule
4. Malcolm Ross visit to May WATSA board meeting

## **Business Items**

1. Leslie Helmus- ½ day on Friday March 3<sup>rd</sup>; Natalie Wilcox- full day on Saturday March 4<sup>th</sup>
2. The Summer Institute conference is being put on by US Probation and CPTS at Edmonds College in July. Dan Knoepfler presented last year and his presentation was so well received they invited him back and others. Three presentations are being put on by WATSA board members (M. O'Connell on SO treatment 101; M. Pinedo on assessment and treatment planning with Latino clients; D. Knoepfler & L. Trifiletti on risk assessment). The question was raised as to whether WATSA is willing to offer CEs for attendance. The group consensus is WATSA will only offer CEs for the three presentations listed above.
3. The retreat schedule has been finalized and information will be going out soon with the finalized schedule. This needs to go out ASAP as the retreat is fast approaching. There seems to be pros and cons to changing the retreat date. Cons- runs into graduations, gay pride, and father's day. Pro- it is nice to have some time between the retreat and the ATSA conference.
4. Malcolm Ross from the AG's office will be attending the May board meeting. The board meeting will convene at 11:30 and Malcolm will arrive by noon. K. Rongen has been coordinating the visit and reported Malcolm is very willing to attend. The purpose of the meeting will be to open dialogue between the AG's office and WATSA, exchange perspectives, and set a precedent for communication on future legislation that is relevant to SOs.

### **Program Committee–**

Will meet after the May meeting.

*Additional upcoming training opportunities:* None at this time.

*Eastern WA chapter issues:* None at this time.

### **Membership Committee –**

No update at this time.

## **Sex Offender Policy / Media Committee –**

### **SSB 5870: Per email correspondence with Michael O’Connell:**

Earlier I wrote about this bill, designed to protect minors from conversion therapies, i.e., aversive therapies to make gays straight. While a generally good idea, I wondered how this could affect SOTPs. After some additional research, I sent the sponsor of the bill, Sen. Marco Liias, the following message. I was limited to 1000 characters:

The original bill made an exception for dealing with criminal behavior. The substitute bill makes an exception for therapies that are within the standards of practice for a license holder, as provided by Department of Health rules. Sex Offender Treatment Providers (SOTPs) sometimes use aversive counter-conditioning to reduce arousal to deviant sexual stimuli. WAC 246-930 only refers to this issue: in Section 310 regarding use of plethysmography to assess sexual arousal patterns and therapeutic progress in Section 320 regarding evaluation and progress reports should address patterns of sexual arousal and in Section 410 where continuing education subjects can include sexual arousal assessment and reconditioning. As the bill is currently written, the Department of Health rules for SOTPs may not be sufficiently explicit to qualify under the exemption. I am an SOTP with an office in Lynnwood and a board member of the Washington Association for the Treatment of Sexual Abusers.

The WAC makes vague reference to arousal reconditioning and there may be concerns for providers who are doing arousal reconditioning with juveniles. M. O’Connell has spoken with a number of providers who work with juveniles and it appears this practice is not common and seems to be generally falling out of favor with adults as well. If this issue arises in the future it may need to be addressed with DOH and changes may need to be made to the WAC.

### **SSB 5154: Per email correspondence with Michael O’Connell and Kecia Rongen:**

The bill clarifies that the public notification law is how the community is given information about the sex offender registry. This should not to be done under the Public Records Act. A number of people exploit the Public Records Act to cause alarm in the community and create unnecessary costs to public agencies. Sheriff’s offices have received massive public records requests for their entire databases on sex offenders. This bill would provide clarity from the Legislature that notification and release of information is not governed by the Public Records Act. The courts have struggled to deal with the two conflicting statutes: the Public Records Act, and the community notification statute. Under the Public Records Act, public officials are not to consider the identity of the requester or his or her reason for the request. However, under the community notification statute, any disclosures beyond what is required to be posted online must meet a three part test or a set of guidelines that conflict with the Public Records Act. There is a request for an amendment that would make the bill remedial and retroactive. Various stakeholder groups have participated in the crafting of this legislation. This bill should be passed as written. The defense bar is supportive of maintaining the privacy of its clients subject to the registry where possible and is supportive of the housekeeping provisions of the bill.

EFFECT: Retains the original provisions of the bill but makes the following changes:

- Removes provisions which would make sex offender and kidnapping offender information exempt from public disclosure **under the Public Records Act**.
- Requires the Washington Association of Sheriffs and Police Chiefs (WASPC), upon receipt of a public records request for sex and kidnapping offender information, to refer the requestor, in writing, to the appropriate agency or agencies for submission of the request. Provides that WASPC has no further duty to respond to such public records requests.
- Requires a person who is required to register as a sex or kidnapping offender who has notified the county sheriff of plans to travel outside the United States to notify the sheriff if the plans to travel are cancelled or postponed no later than three days after the cancellation or postponement, or on the scheduled departure date, whichever is earlier, instead of three days after the departure date provided in the notification.
- Allows offenders who travel outside the United States due to a work or family emergency, or who travel routinely outside of the United States for work purposes to give notice of travel at least 24

hours in advance of travel instead of at least 21 days, as is required for all other registered offenders.

- Clarifies that a person who is required to register as a sex or kidnapping offender who moves to a new county notify the sheriff of the new county within three business days of moving.
- Removes the provision in the bill that limits the Department of Corrections' authorization to disclose sex and kidnapping offender information to law enforcement agencies only.
- Requires the Sex Offender Policy Board to review and make findings and recommendations regarding: 1) public disclosure of sex and kidnapping offender information and the relationship between current laws on public disclosure; 2) best practices from other states regarding public disclosure of sex and kidnapping offender information; 3) ability of registered sex and kidnapping offenders to have their risk level classification reviewed and whether there should be a uniform statewide policy for review; and 4) guidelines established by a sex offender policy workgroup addressing community notification and how public access to the guidelines can be improved.

This bill has passed the house (98-0) and is back to the Senate. It is expected it will pass without issue. The SOPB is being asked to review the public disclosure piece and to examine best practices from other states. They will be asked to make recommendations on guidelines for community notification and how the process can be improved. Many concerns were raised in the meeting about public access to our client's records. There have been cases where a client's SSOSA evaluation was able to be accessed through the King County Prosecutor's website. This highlights the importance of password protecting documents containing client information in order to remain HIPPA compliant.

**Budget Committee** – current balance: \$46,566.53. The conference generated \$22,447.86 in revenue, but there are some additional bills so this number is subject to change. Overall, it appears some money was made from the conference.

*Other Issues:* Concerns were raised about the frequency of reminder emails for WATSA meetings and trainings. In addition we will want to make sure the address and directions are included in the reminder emails.

### **Agenda items for future meetings**

1. Website management