

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

BOARD MEETING: VIRTUAL MEETING VIA GOTOMEETING PLATFORM

1.15.2021

10:30 A.M. –12:00 P.M.

Attendees

H. Coryell; L. Trifiletti; M. O'Connell; P. Hannon; M. Reese; P. Grant; D. Yanisch; C. McNally; J. Pelander; W. Cardona; D. Winter

Absent

R. Beattey; M. Kokko

Agenda

1. Welcome to Walter Cardona, the new Secretary and Dominic Winter, a new general board member!
2. Farewell to Maureen Saylor and many thanks for years of service on the WATSA Board. The Board would like to consider Maureen for a non-voting, emeritus position.
3. The Department of Health is forming an advisory board to reexamine laws related to SOTPs. H. Coryell was appointed as the DSHS representative. Agency designations are complete. There is a plan to have a public hearing at the end of March.
4. WATSA ordered a number of mugs with the WATSA logo through Zazzle to be distributed to Board members and as a gift to presenters.
5. R. Beattey plans to do a first read through of the bylaws before getting input from the Board.

DOC Update (M. Reese; C. McNally; D. Winter): The emergency rule was extended to allow for SO treatment to be conducted via telehealth. DOC hopes to solidify this into policy. There have been a large number of COVID cases in the institutions, but they are slowly returning to treatment. The DOC SOTAP policy draft has been posted for community feedback (<https://doc.wa.gov/information/policies/drafts.htm>). Since there has been a two-month hiatus from treatment, treatment staff are attempting to discern who qualifies for community-based treatment. Many inmates are reaching their release date but have not had a sufficient dose of treatment while incarcerated. There is concern the high number of untreated individuals will overwhelm community provider caseloads. The Monroe Corrections Complex is in outbreak status and treatment is likely to be interrupted. The DOC has minimized the number of transfers they are doing between facilities therefore there are treatment beds available that are not being filled.

SCC Update (H. Coryell; D. Yanisch): Elena Lopez is leaving her current position to move to Director of Sex Offender Treatment Programs and Transitions. John Gruenwald is stepping into the acting Chief of Resident Treatment role. There has been an increase in COVID cases and 17 staff have tested positive. Some vaccines are available for staff. Many precautions are being taken to contain the spread. Treatment is ongoing for residents with weekly individual sessions and no groups being held.

Juvenile Rehabilitation Update (J. Pelander): There have been no changes to treatment and sessions are continuing to be held virtually. They have been given 100 vaccine doses and have 98 eligible nursing and health staff. They plan to vaccinate people in community facilities and residents next.

Eastern Washington Update (P. Hannon): No updates.

Membership Update (M. Reese): We have 64 current members.

Meetings

February – Treating Sex Traffickers

March – Treating LRA clients

Business Items

Program Committee– The Board is in discussion about planning a conference for 2021. It will likely be virtual and in the first half of the year. Rather than having a multi-day conference, we will likely hold two one-day trainings. Topics and ideas are welcome.

Additional upcoming training opportunities: The SOTIPS/ ROSAC/ VASOR-2 training will be rescheduled, date TBD.

Membership Committee – N/A

Sex Offender Policy / Media Committee – The Sex Offender Policy Board (SOPB) does not have active projects at this time. Many recommendations from the last project are being incorporated into SB 5163 (see below). SB 5163 states the SOPB would monitor the implementation of the law.

Treasurer Report –The balance is \$45,364.70 with no outstanding debts. P. Grant is preparing the annual report and taxes.

Legislative Updates –

SB 5163: This bill, which effectively takes the recent SOPB report and puts it into legislation, was heard in committee on Friday, 1/22;

From the revised bill report’s summary of testimony:

Staff Summary of Public Testimony: PRO: The Sex Offender Policy Board 2020 report recommendations reflect wide consensus among a diverse group of stakeholders who work with this population. Serious efforts were made by the group to think practically about how their recommendations would be implemented in the real world and affect communities. This bill will shift the burden of finding and developing placements from defense counsel, who have an ethical obligation to their clients and cannot ensure equitable distribution of placements among the counties, to DSHS. DSHS is best suited to identify and contract with housing and treatment providers for when residents are ready for conditional release because DSHS can fully vet placements, take a birds-eye view of resources across the counties to ensure there are no disproportionate effects on any one county, use economies of scale, engage and involve community partners early on in the process, and ensure the placement is the best fit for the individual. The bill will bring consistency, community safety, transparency, accountability and structure to the LRA process. It will give individuals the right tools as they transition from the SCC to the community, ensuring they have adequate treatment, adequate housing, chaperones, available funds, and someone to assist with their successful transition into the community; this by definition makes communities safer. The bill has guardrails that will not only keep communities safe but protect the constitutionality of the civil commitment statute. It will also increase community confidence, infrastructure and coordination, and improve outcomes for transitioning individuals. It will also improve the court process and reduce court time and attorney expenditures.

The county of commitment approach is a failed model. There are many reasons why a person transitioning from the SCC cannot return to the county of origin, such as victim safety concerns

or lack of specialized resources that the person needs. The focus instead should be on fair share and equitable distribution of placements among the counties.

OTHER: DSHS will be facing new political and public pressures and liabilities that the current system has shielded them from. DSHS should have the same immunity that courts have in doing this work. This bill will require substantial new work at DSHS, and to successfully implement this legislation, significant fiscal resources will be necessary. There are many counties that currently do not have housing resources, a certified sex offender treatment provider, or persons willing to establish an environment where a placement would be appropriate. DSHS should cooperate with counties early on in the process to create resources and placements to facilitate fair share and balance the person's civil rights with community safety. Persons

Testifying: PRO: Senator Christine Rolfes, Prime Sponsor; Brad Meryhew, Washington Sex Offender Policy Board; Michael O'Connell, Washington Association for Treatment of Sexual Abusers; Sonja Hardenbrook, Washington Association of Criminal Defense Lawyers, Washington Defender Association, Snohomish County Public Defender Association; Shoshana Kehoe-Ehlers, Washington State Office of Public Defense; Devon Gibbs; Linda Farmer, Councilmember, City of Lakewood; Jennifer Ritchie, King County Prosecuting Attorney; Rachael Seevers, Disability Rights Washington; Daniel Davis, Pierce County Prosecutors.

OTHER: Joshua Choate, Washington State Office of the Attorney General; Sjan Talbot, Behavioral Health Administration, Department of Social and Health Services; David Flynn, Behavioral Health Administration, Department of Social and Health Services.

Persons Signed In To Testify But Not Testifying: No one.

For the full, revised Bill Report:

<http://lawfilesext.leg.wa.gov/biennium/2021-22/Pdf/Bill%20Reports/Senate/5163%20SBR%20HSRR%20TA%2021.pdf?q=20210126115224>

SB 5123: Creating a developmentally appropriate response to youth who commit sexual offenses.

<https://app.leg.wa.gov/billsummary?BillNumber=5123&Initiative=false&Year=2021>

There has been some opposition to this bill from victim advocacy organizations and law enforcement agencies.

Agenda items for future meetings

1. Update chapter bylaws
 - a. Training for new board members
2. Resource list on website for families of youth with sexual behavior problems
3. RSO study provided by Brad Meryhew
4. Chaperone training
5. Board member qualifications and expectations/ clarify when election should be sent out