



**END OF SENTENCE REVIEW COMMITTEE  
LAW ENFORCEMENT NOTIFICATION**

**2018  
Annual Report**

A close-up, vertical view of an hourglass with golden sand. The top bulb is partially filled, and the bottom bulb is also partially filled. The background is a warm, golden-brown color with a subtle, repeating pattern of the word 'PROTECT' in a light, serif font, creating a textured effect.

# THE HISTORY

*The purpose of the Community Protection Act of 1990 was “to assist law enforcement agency’s efforts to protect their communities by providing relevant and necessary information. If the public is provided adequate notice and information, the community can develop constructive plans to prepare themselves and their children for the offender’s release.”*



## WHY WE DO WHAT WE DO

**The Community Protection Act of 1990 established community notification, sex offender registration, and sexually violent predator civil commitment in Washington State. It identified information sharing between government agencies and law enforcement as an area for improvement.**

# COMMUNITY PROTECTION ACT OF 1990

## BACKGROUND

The passage of the Community Protection Act was in response to several Washington State incidents to include:

- In September of 1988, Gene Raymond Kane walked away from a work release and raped and murdered Diane Ballasiotes, a 29 year old businesswoman. Kane was a convicted sex offender.
- In May of 1989, Earl Shriner raped and strangled a 7 year old boy and left him in the woods to die. Prior to committing this act, Shriner had disclosed a detailed plan to kidnap and torture future victims.
- In July of 1989, Mountlake Terrace Police Chief John Turner notified the community that an 18 year old male, who recently released from juvenile custody, had written plans to abduct and molest children.
- In September of 1989, Westley Allan Dodd lured two brothers (ages 11 and 10) to a secluded park. He sexually assaulted them and then repeatedly stabbed them to death. In October of 1989, Mr. Dodd encountered a 4 year old male in a park and took him home. He sexually assaulted him and murdered him the following morning. In November of 1989, Dodd snatched a 6 year old male out of a movie theater bathroom. The victim was able to escape and Dodd was captured. Dodd had previously been arrested and claimed to have over 50 victims under the age of 12.

In addition to the Washington State offenses, there were several high profile incidents nationwide influencing policy makers to include:

- May of 1979, Etan Patz is kidnapped and murdered in New York City
- July of 1981, Adam Walsh is kidnapped and murdered in Florida. The tragedy is later turned into a 1983 television film watched by 38 million people. US Congress passes the Missing Children's Assistance Act in 1984
- October of 1989, Jacob Wetterling was abducted and murdered in Minnesota

***"No one can bring our daughter back. The light has gone from our hearts. But, be assured, we will work and mobilize forces to get change and reform."***

Mother of the 29 year old victim in a letter to Governor Booth Gardner

# COMMUNITY PROTECTION ACT OF 1990

## MOBILIZE

Friends of Diane—Staged rallies, circulated petitions and demanded the passage of new laws addressing repeat sex offenders

Tennis Shoe Brigade—As a sign of child vulnerability, thousands of shoes were dumped at the steps of the state capitol

Talk Show Radio Hosts—Provided a forum for public outrage and created a demand for action

## RESPONSE

Governor Booth Gardner appoints Norm Maleng to chair the Community Protection Task Force, whose mission was to respond in a meaningful and responsible way to the public outrage over violent sex offenders reoffending

The task force included family members of victims, legislators, law enforcement, victim support groups, treatment agencies, judges, and attorneys

The task force held public meetings throughout the state and considered numerous ways to strengthen Washington State's law concerning sex offenses. The task force gathered the information and provided recommendations to the legislature

## PASSAGE

After receiving the Community Protection Task Force's recommendations, the 1990 Legislature developed an omnibus bill creating sweeping changes

In February of 1990, both houses of the legislature unanimously passed the Community Protection Act

Governor Booth Gardner signed the Community Protection Act into law on February 28, 1990

*"We held public hearings throughout the state and heard virtually the same concerns everywhere: longer sentences, better supervision, sex offender registration, and the idea of community notification."* Community Protection Task Force Member

# COMMUNITY PROTECTION ACT OF 1990

## SIGNIFICANT CHANGES

### COMMUNITY NOTIFICATION

Washington became the first state to have community notification, where law enforcement could notify the public regarding individuals who have been convicted of a sex offense. In 1995, Megan's Law required states to make information regarding sex offenders public.

### SEX OFFENDER REGISTRATION

Washington became one of the earliest states to enact sex offender registration, with the first being California in 1947 and Nevada in 1961. In 1994, the Jacob Wetterling Act (JWA) required all states to adopt registration laws. JWA was replaced by Sex Offender Registration and Notification Act (SORNA) in 2006.

### CIVIL COMMITMENT

Washington became the first state to have the ability to civilly commit individuals who posed a risk to sexually reoffend. To be civilly committed in Washington, a person has to have a mental disorder that makes them more likely than not to commit a predatory act of sexual violence if not confined to a secure facility.

### SENTENCING

The Community Protection Act created longer sentences for sex offenses, reduced good time, and created post prison supervision. It also established sexual motivation as an enhancement. For juveniles it eliminated "washouts" and required two years of supervision.

### TREATMENT

Community Protection Act provided funding for prison based sex offender treatment. It also created a certification process for sexual deviancy treatment providers.

### VICTIM SERVICES

Community Protection Act created the Office of Crime Victim Advocates, provided funding for enhanced victim services, and funded the Victim's Compensation Fund.

# COMMUNITY PROTECTION ACT OF 1990

## Information Sharing

The Community Protection Act Section 119 (see below) identified the importance of information sharing between agencies to include the Department of Corrections (DOC) Department of Social and Health Services (DSHS), and law enforcement. This was the impetus of the End of Sentence Review Committee

### Community Protection Act, Section 119

*“The legislature finds that sex offenders pose a high risk of engaging in offenses even after being released from incarceration or commitment and that protection of the public from sex offenders is a paramount governmental interest. The legislature further finds that the penal and mental health components of our justice system are largely hidden from public view and that lack of information from either may result in failure of both systems to meet this paramount concern of public safety. Overly restrictive confidentiality and liability laws governing the release of information about sexual predators have reduced willingness to release information that could be appropriately released under public disclosure laws, and have increased risks to public safety. Persons found to have committed a sex offense have a reduced expectation of privacy because of the public’s interest in public safety and in the effective operation of government. Release of information about sexual predators to public agencies and under limited circumstances, the general public, will further the governmental interests in public safety and public scrutiny of the criminal and mental health systems so long as the information release is rationally related to the furtherance of those goals.”*

*“Therefore, the state’s policy of this act is to require the exchange of relevant information about sexual predators among public agencies and officials and to authorize the release of necessary and relevant information about sexual predators to members of the general public.”*

# END OF SENTENCE REVIEW COMMITTEE

## ESTABLISHMENT

At the time of the passage of the Community Protection Act, DOC, DSHS and law enforcement had an existing committee to share information regarding offenders releasing from confinement without supervision. This committee was tasked to fulfill the requirement in Section 119.

Engrossed Substitute Senate Bill 5759, signed into law on May 14, 1997, established RCW 72.09.345 and the End of Sentence Review Committee (ESRC), where sex offenders preparing to release from confinement would be reviewed for the purpose of assigning risk levels, reviewing available release plans, and making appropriate referrals.

## HISTORY

Between 1990 and 1997, Washington did not have sex offender notification levels. Instead of making leveling recommendations, the committee issued three types of notifications. Teletypes for low risk offenders. Law Enforcement Alerts for high risk offenders, who may or may not be sex offenders. Special Bulletins for convicted sex offenders whose behavior/history was predatory.

Engrossed Substitute Senate Bill 5759 established sex offender notification levels based on the offender's risk to sexually reoffend within the community at large. The ESRC used the WSSORLC to provide recommended risk levels.

In 2001, the creation of Community Custody Board sentences occurred. The ESRC began reviewing these offenders prior to their first Indeterminate Sentence Review Board Hearing and provided recommended conditions.

In 2009, the ESRC stopped utilizing the WSSORLC for leveling purposes and began using the Static 99R and MnSOST-R to develop the offender's baseline level of risk.

In 2011, the ESRC began to review only offenders who were currently serving a sentence for a registerable sex offense or a sexually violent offense.

In 2015, the ESRC stopped using the MnSOST-R. The ESRC currently relies only on the Static 99R to set the baseline level of risk.

In 2017, the ESRC incorporated the new Static 99R coding manual. This included training for ESRC members and Law Enforcement Notification staff members.



# LAW ENFORCEMENT NOTIFICATION PROGRAM

## MISSION

To set our partners up for success in the pursuit of public safety through gathering, reviewing and disseminating information.

## ESTABLISHMENT

In order to support the End of Sentence Review Committee (ESRC), the Department of Corrections created the Law Enforcement Notification (LEN) Program. The LEN Program addresses the problem of information sharing first identified in the Community Protection Act. The LEN Program is the connection between the ESRC and our law enforcement partners. It is through this information sharing, that our communities are informed and as a result, safer.

## CURRENT PRACTICE

The LEN Program consists of 17 staff members. The program staff process files from referral through bulletin distribution to our stakeholders. Each step in our process is done with the idea of setting the next person up for success. At approximately 18 months prior to the offender's earned release date, (ERD) the administrative staff receive a referral from prison staff. Our Staff begin building both the physical and electronic file for the offender. At 12 months prior to ERD, records staff begins collecting documents to include court documents, mental health reports, sex offender treatment information, and police reports. This file material becomes the ESRC packet, which is used by the LEN Specialist to write the draft sex offender bulletin and score the Static 99R. The Static 99R, draft sex offender bulletin, and ESRC packet is presented to the ESRC. The ESRC reviews the materials and make leveling and referral recommendations. The file is returned to the LEN Specialist, who maintains the file until the offender is released. At approximately 30 days prior to release, the LEN Specialist will finalize the bulletin and hand it off to our administrative staff. The administrative staff scans all materials into OnBase, emails the bulletin to our law enforcement partners, and uploads all documents into Offender Watch. The LEN Program conducts the Static 99R for the purpose of setting contact standards for all individuals being supervised by DOC for a sex offense.

## STAFF AND MEMBERS

# Law Enforcement Notification Program

### Staff

Administrative: Sami Gwinn, Casey Kaech, Diane Lordier. Supervisor: Tessa Turnbow

Records: Sierra Cole, Mike Goolsby, Mike Ruhl. Supervisor: Rebecca Gisler

Specialists: Travis Adams, Frank Besaw, John Chinn, Chris Cruzan, Leonard Floyd, Kaylyn Lucas, Tom Perrine, Lynn Scott, Hilary Williams. Supervisor: Jacob Bezanson

# End of Sentence Review Committee

### Members

DCYF: Paul Seabaugh

DOC: Jacob Bezanson, Brandon Duncan, Michelle Kaiser, Mike Klemke, Lori Lawson, JC Miller, Tom Perrine, Liza Rohrer, Bill Swain, Jennifer Williams

DSHS: Lisa Copeland, Holly Coryell, Jeff Green, Jedd Pelander, Wendi Wachsmuth

ISRB: Matt Frank, Jill Getty

Law Enforcement: Jason Hammer, GayLynn Jackson, Jamey McGinty, Chad Matthews, Terrina Peterson



# THE NUMBERS

*“The job your team does is critical and the information is the most reliable of any/all that I have depended on for 10 years, both for prepping and making decisions.”*

**Former ISRB Member**



# Referrals

## 907

The LEN Program received 907 referrals in 2018. The referrals are generated by Classification Counselors for offenders requiring ESRC review. This includes offenders currently in prison for one of the following:

- A registerable sex offense to include a second and subsequent Failure to Register
- A sexually violent offense
- A current offense with sexual elements and was previously convicted of a sexually violent offense

*In 2018, the ESRC Referral Checklist form was no longer required to be submitted. We are hopeful this will reduce the workload for staff.*

## Referrals Received



# LEVELING DECISIONS

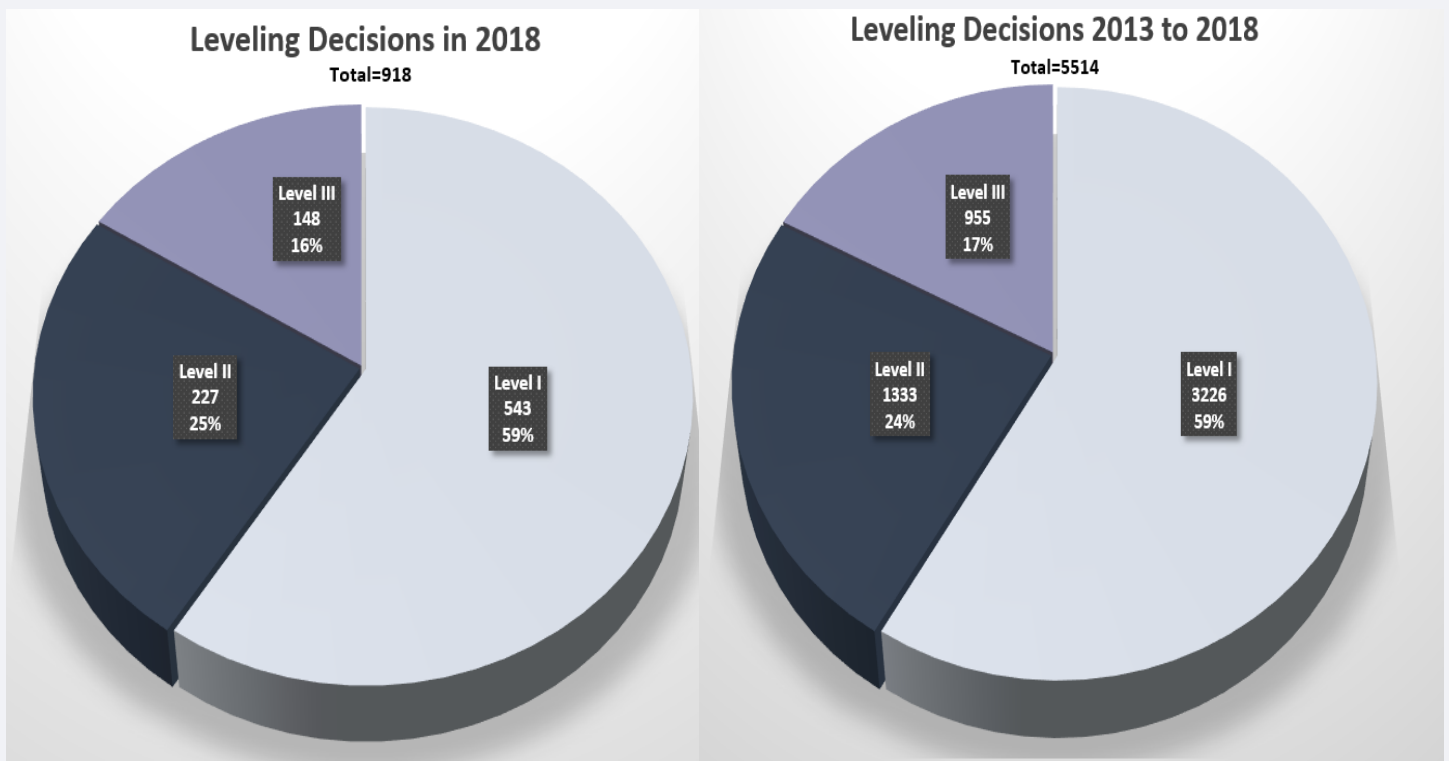
## LEVEL I, LEVEL II, OR LEVEL III...THAT IS THE QUESTION

The End of Sentence Review Committee (ESRC) is tasked in recommending risk levels to law enforcement for the purpose of community notification. A sex offender can be placed into one of three risk levels.

**Level I** is considered a low risk to sexually reoffend within the community at large. Level I sex offenders are typically not included in public websites unless they are homeless or non-compliant. A law enforcement agency must share their information with other appropriate law enforcement agencies. They may share information upon request to any victim or witness to the offense and any individual community member who lives near the offender's residence or where the offender expects to reside or is regularly found, and any individual who requests information regarding a specific offender. In 2018, ESRC recommended Level I for 59% of the cases they reviewed.

**Level II** is considered a moderate risk to sexually reoffend within the community at large. Level II sex offender information is posted to the public registered sex offender website. In addition to notification requirements for Level I offenders, a law enforcement agency is authorized to release relevant, necessary, and accurate information to public and private schools, child day care centers, family day care providers, libraries, business and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside, or is regularly found. In 2018, ESRC recommended Level II for 25% of the cases they reviewed.

**Level III** is considered a high risk to sexually reoffend within the community at large. Level III sex offenders are posted to the public registered sex offender website. In addition to notification requirements for Level II offenders, a law enforcement agency is authorized to release relevant, necessary, and accurate information to public at large. This may include publishing information in a legal newspaper with general circulation. In 2018, ESRC recommended Level III for 16% of the cases they reviewed.

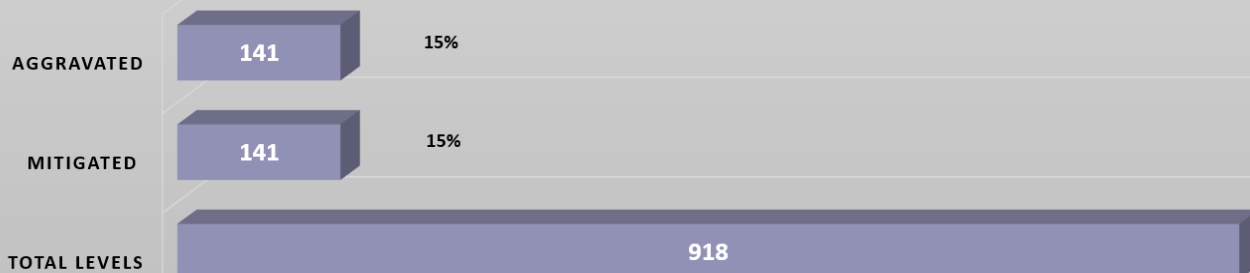


# MITIGATIONS AND AGGRAVATIONS

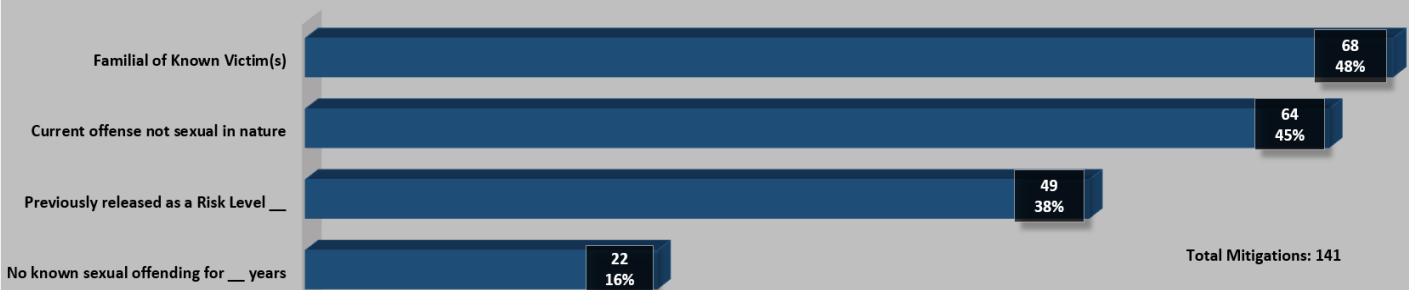
## WHO NEEDS TO KNOW

The Static 99R risk assessment provides the baseline level of risk for individuals reviewed by the End of Sentence Review Committee (ESRC). The Static 99R assesses the individual's risk to sexually reoffend at the time of release from their index sex offense and does not take all risk factors into account. RCW allows for a notification level change from this baseline level of risk if there are mitigating or aggravating factors that are rationally related to the individual's risk to sexually reoffend within the community at large. After ESRC reviews the sex offender bulletin and Static 99R, they will determine if there are any additional factors that impacts the individual's risk to the community at large. ESRC will vote to either mitigate or aggravate the individual's notification level or maintaining the baseline notification level, taking into account who in the public needs to know about this individual. ESRC may list multiple factors in their decision.

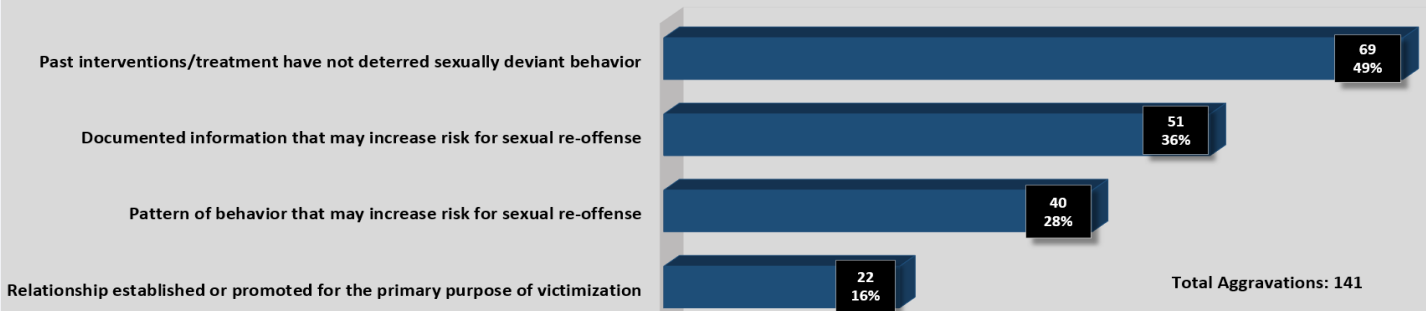
### AGGRAVATIONS AND MITIGATIONS IN 2018



### FOUR MOST COMMONLY IDENTIFIED MITIGATING FACTORS



### FOUR MOST COMMONLY IDENTIFIED AGGRAVATING FACTORS



# REFERRALS

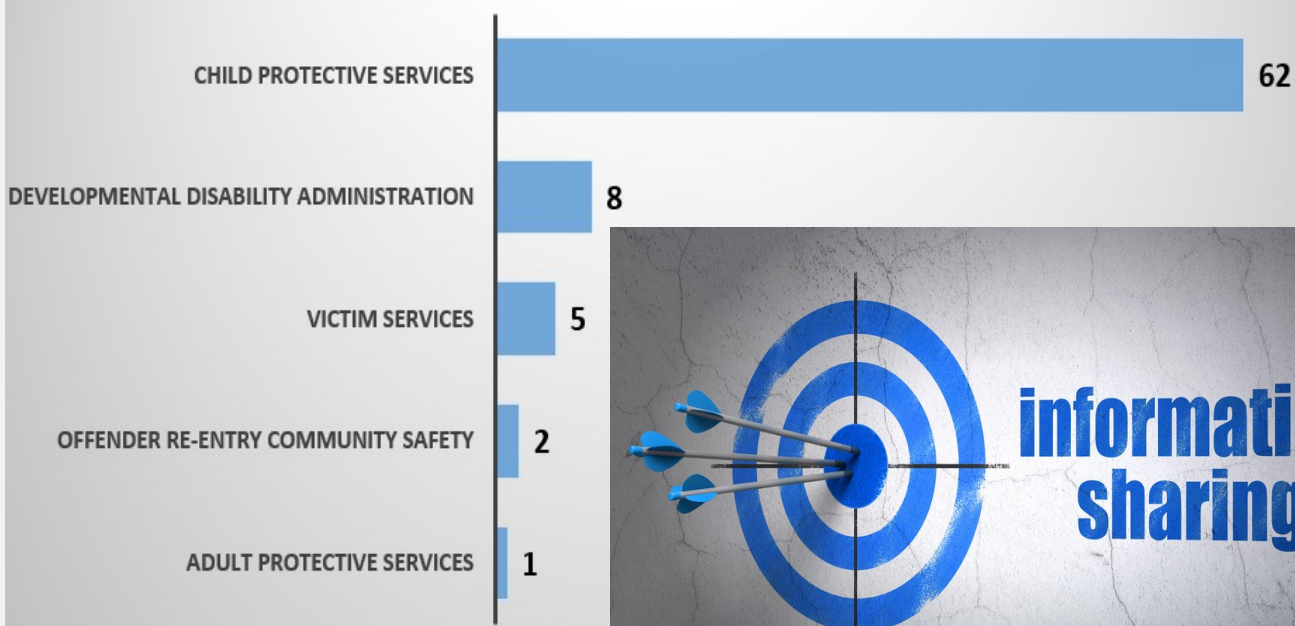
## SHARING INFORMATION WITH PARTNERS

In addition to being tasked with making leveling recommendations, the End of Sentence Review Committee (ESRC) makes appropriate referrals to stakeholders who are impacted by the offender's release. These agencies and programs include Child Protective Services, Adult Protective Services, Developmental Disability Administration, Offender Re-Entry Community Safety, and Victim Services.

An example of a Child Protective Services referral could contain the following elements:

During the review of file material, the Law Enforcement Notification Specialist finds information that the offender has developed a relationship with a woman since entering prison through letters and email. The offender has a history of sexually assaulting children. It is determined this woman has several children who all live with her. Although the offender will not be living in her home, it does appear that they are going to continue their relationship post release. This information is provided to the ESRC, who determine a referral to Child Protective Services is appropriate. Approximately 30 days prior to release, the Law Enforcement Notification Specialist will notify Child Protective Services through a letter detailing the concerns of ESRC. The information is provided to the local office who can then make contact with the woman and monitor the case. It is through this information sharing that we can help keep our communities safe and informed.

### ESRC Referrals in 2018



# INDETERMINATE SENTENCE REVIEW BOARD

## ESRC REVIEWED CASES



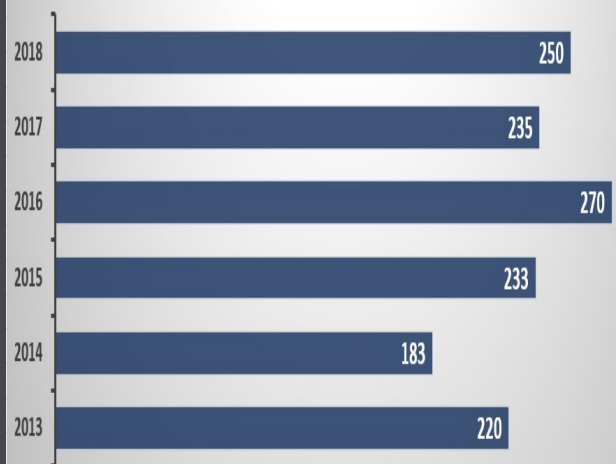
The End of Sentence Review Committee (ESRC) is required to review individuals under the jurisdiction of the Indeterminate Sentence Review Board (ISRB) to make leveling recommendations and referrals. The ISRB has jurisdiction over three types of cases: Community Custody Board, Juvenile Board and Parole.

## COMMUNITY CUSTODY BOARD

Community Custody Board (CCB) offenders are individuals who committed certain sex offenses on or after September 1, 2001. All CCB offenders are required to be reviewed by the ESRC prior to their first ISRB hearing. In addition to making a leveling recommendation, the ESRC reviews the conditions imposed by the Court and will recommend additional conditions related to their risk to re-offend. After ESRC review, the ESRC file material becomes the CCB Hearings Packet which is provided to the ISRB and a redacted copy to the offender.

In addition to the initial ESRC review, the Law Enforcement Notification (LEN) Specialist maintains the file. Prior to any subsequent ISRB hearing, the LEN Specialist will review new file material and write a letter to the ISRB detailing any updates or changes. In 2018, the ESRC reviewed 250 CCB cases.

Community Custody Board Reviewed Cases



## PAROLE

The ISRB has jurisdiction over offenders, who committed their offenses prior to July 1, 1984 and were sentenced to prison. These offenders are referred to as Pre-84 offenders. In 2018, in a response to a request of the ISRB, the ESRC began reviewing these offenders prior to their next ISRB hearing. In 2018, the ESRC reviewed fifteen Pre-84 offenders.

## JUVENILE BOARD

There are two types of Juvenile Board, Aggravated First Degree Murder and Long Term Juvenile Board. From 2017 to 2018, the ESRC reviewed seven offenders who were identified as Long Term Juvenile Board, meaning they were sentenced to 20 or more years for offenses they committed as juveniles. Prior to their ISRB hearing, the ESRC reviews the individual.



# DEPARTMENT OF SOCIAL AND HEALTH SERVICES

## ESRC REVIEWED CASES



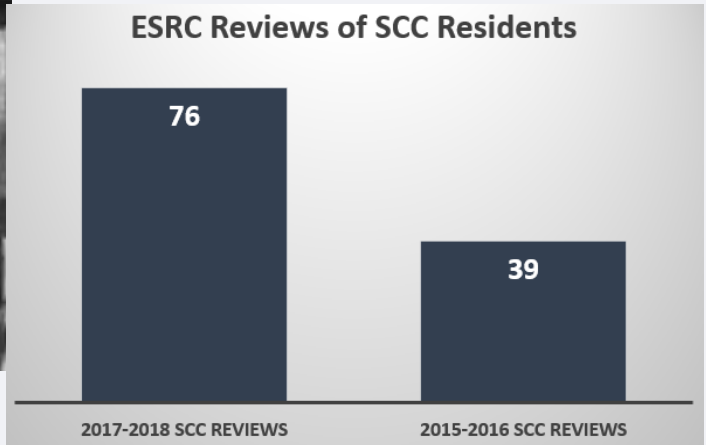
The End of Sentence Review Committee (ESRC) is required to review individuals releasing from state institutions to include the Special Commitment Center, Western State Hospital, and Eastern State Hospital. Individuals requiring review include those who are currently committed for a registerable sex offense, a sexually violent offense, or whose current offense is sexually related and they have a prior sexually violent offense.



### 195% INCREASE

The ESRC reviews residents of the Special Commitment Center (SCC) prior to an unconditional release or a release to a Least Restrictive Alternative (LRA) placement. From 2017 to 2018, the ESRC reviewed 76 SCC residents as they prepared for release. This is an increase of 195% from the previous two years.

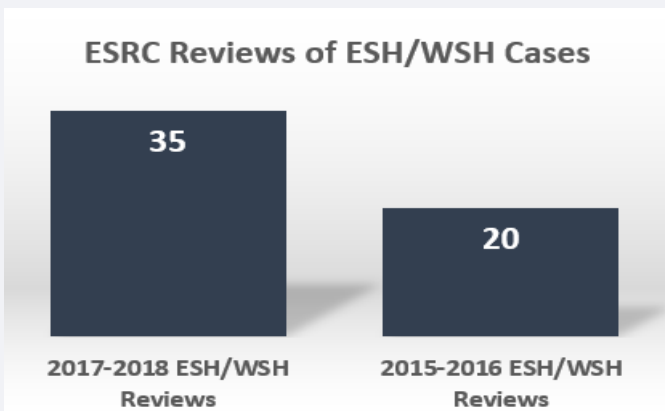
#### ESRC Reviews of SCC Residents



### 175% INCREASE

In the past two years, the ESRC has reviewed 35 clients of either Western State or Eastern State Hospitals. This is a 175% increase over the previous two years, when ESRC reviewed 20 residents.

#### ESRC Reviews of ESH/WSH Cases





# Sexually Violent Predator Subcommittee

## Sexually Violent Predator Subcommittee Referral

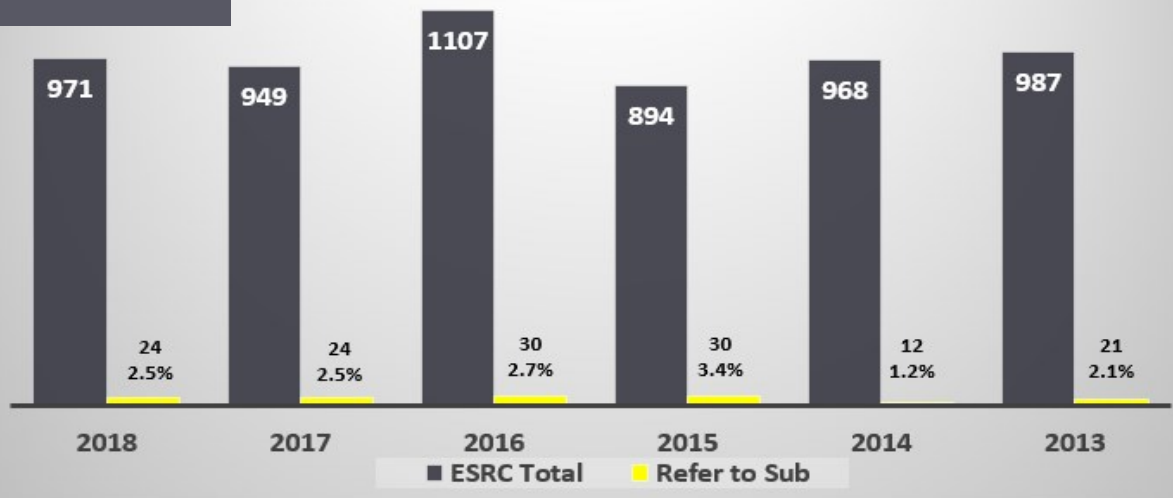
In addition to recommending notification risk levels, Community Custody Board conditions, and making referrals to stakeholders, the End of Sentence Review Committee (ESRC) refers individuals who appear to meet criteria as a sexually violent predator to the Sexually Violent Predator Subcommittee, to determine if a forensic psychological evaluation will be ordered. A sexually violent predator is defined as:

A person who has been convicted or charged with a sexually violent offense and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence if not confined in a secure facility.

# 2.4%

SINCE 2013, 141 (2.4%) OF THE 5876 INDIVIDUALS REVIEWED BY ESRC HAVE BEEN REFERRED TO THE SEXUALLY VIOLENT PREDATOR SUBCOMMITTEE

## Referrals to SVP Subcommittee



## Sexual Violent Predator Subcommittee Process

Once an individual has been referred to the Sexual Violent Predator Subcommittee, additional records are requested and made available to the ESRC and prosecutorial agency. Approximately a month after being referred, the Sexual Violent Predator Subcommittee will vote whether or not to recommend a forensic psychological evaluation.

# 83%

Of the 145 cases reviewed by the Sexual Violent Predator Subcommittee since 2013, 83% were referred for a forensic psychological evaluation.

# Forensic Psychological Evaluations



## FPE Process

### Due Dates

#### Offenders under the jurisdiction of the Indeterminate Sentence Review Board (ISRB):

Individuals with a maximum incarceration date of life, a FPE will not be completed until requested by the ISRB. For individuals under the ISRB with non-life maximum incarceration date, the FPE will either be completed approximately six months prior to their maximum date or when requested by the ISRB.

#### Offenders not under the jurisdiction of the ISRB:

The FPE will be initiated after the Sexually Violent Predator subcommittee and completed approximately 45 days prior to the individual's earned release date.

## FPE Process

### Record Gathering

Once it is determined when the FPE will be completed, additional records are gathered and provided to the prosecutorial agency.

### Evaluator Assignment

The prosecutorial agency will assign a forensic evaluator and provide them records for review.

### Interview

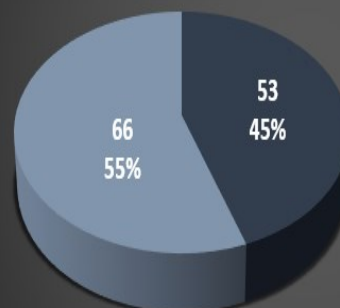
A LEN employee will set up an interview between the evaluator and offender, who can refuse or agree to the interview. An interview lasts several hours.

### FPE Report

The evaluator will write the FPE and make an opinion if the offender appears to meet or does not meet criteria as a sexually violent predator.



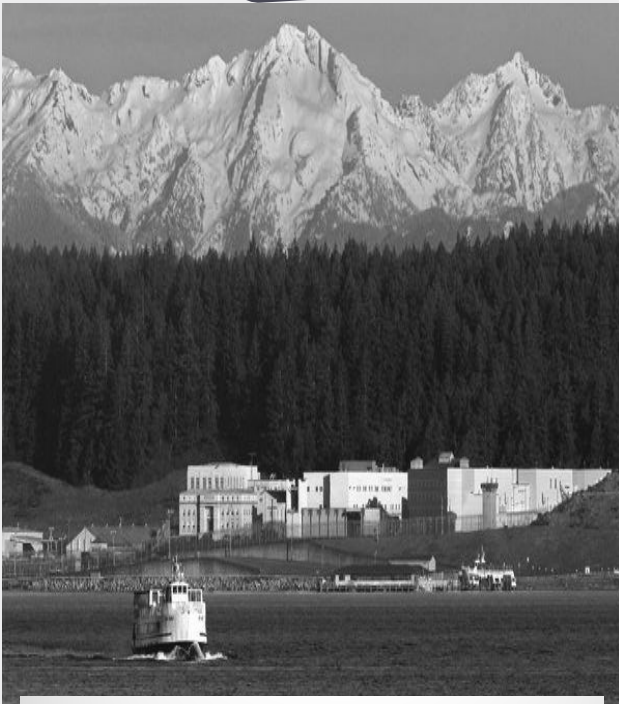
## Forensic Psychological Report Findings Since 2013



■ FPE Found Offender Not to Meet Criteria as a SVP  
■ FPE Found Offender to Meet Criteria as a SVP

119 FPE Findings

# Sexually Violent Predator Petitions

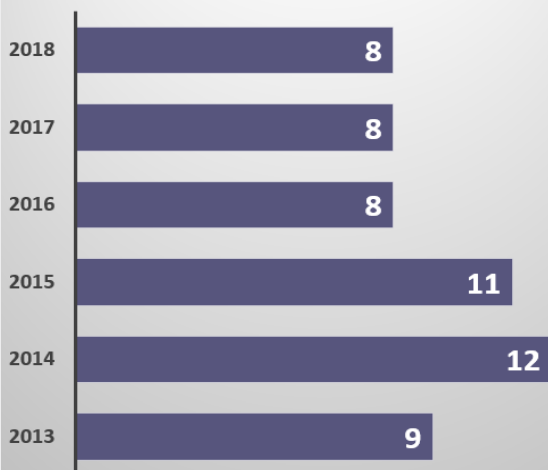


## Found to Meet Criteria

### Next Steps

If an individual has been found to meet criteria as a Sexually Violent Predator, the risk factors noted by the evaluator must be taken into account when making release decisions or investigating release plans. If the risk factors cannot be mitigated, the individual will remain in confinement until their maximum incarceration date. Prior to their maximum incarceration date, an updated Forensic Psychological Evaluation may be completed. In addition, the prosecuting authority will file a motion of probable cause prior to release. At the time of release, the offender will be transferred to the county jail pending a probable cause hearing. Often the offender will stipulate and be transferred to the Special Commitment Center pending a civil commitment trial.

Sexually Violent Predator Petitions Filed By Year



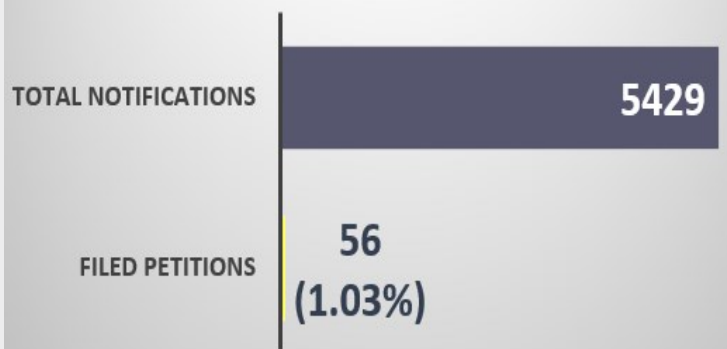
## 56 PETITIONS

SINCE 2013, 56 SEXUALLY VIOLENT PREDATOR PETITIONS HAVE BEEN FILED ON OFFENDERS LEAVING DOC CUSTODY

**1.03%**

Since 2013, the Law Enforcement Notification Program has distributed 5429 individual bulletins. Of those releases, only 1.03% (56) released to a sexually violent predator petition.

Sexual Violent Predator Petitions 2013 to 2018



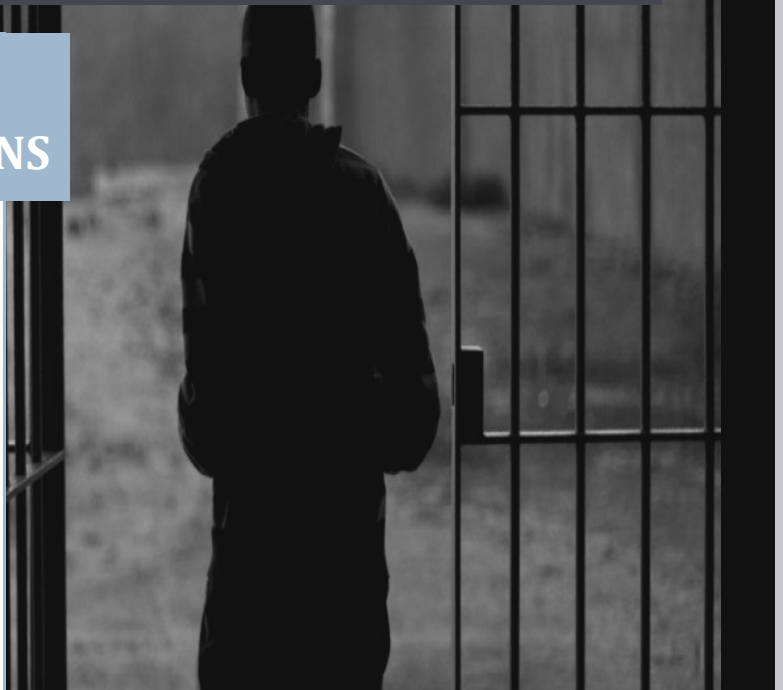
# Finalized Bulletins

5031

## SEX OFFENDER NOTIFICATIONS

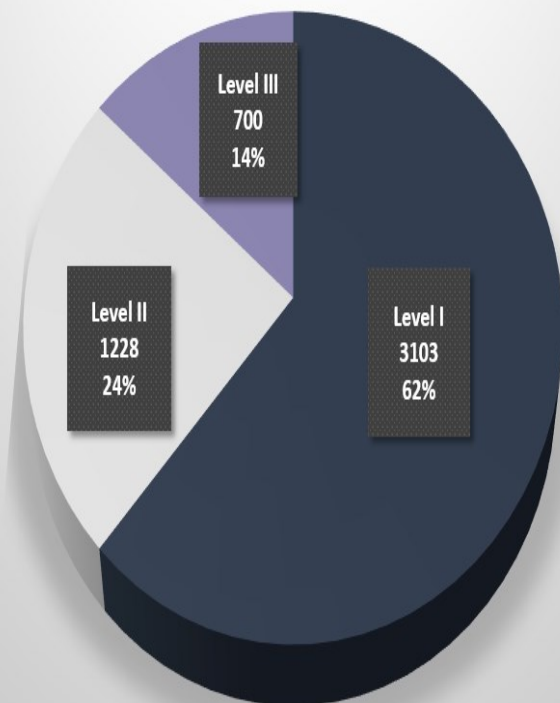
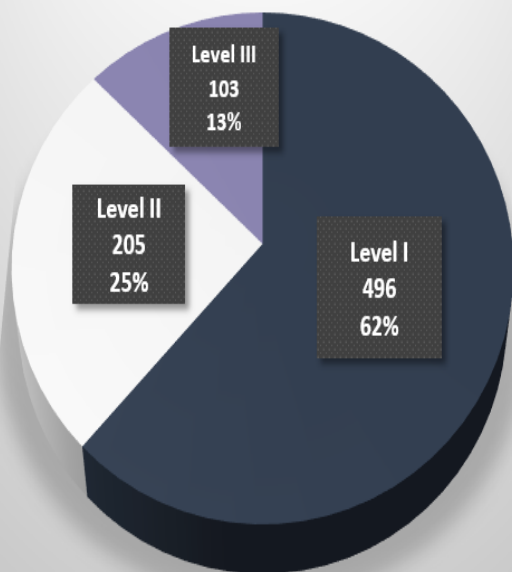
At approximately 35 days prior to the offender's release, a Law Enforcement Notification (LEN) Specialist will review all new file material to include treatment/mental health reports and infractions. The bulletin and Static 99R will be updated if needed. The offender release plan will be reviewed. At approximately 30 days prior to release, a finalized bulletin will be distributed to both internal and external stakeholders to include the DOC field office, prosecutor's office, and local law enforcement. The bulletin and file material will be uploaded to Offender Watch and OnBase for stakeholder availability.

Since 2013, the LEN Program has distributed 5031 sex offender notifications.



Sex Offender Notifications Distributed  
2013 to 2018

Sex Offender Notifications Distributed  
2018



# Setting Supervision Contact Standards



The Washington State Department of Corrections primary risk assessment tool, the Offender Needs Evaluation, was not normed to predict sexual recidivism. Due to this, the Static 99R is used to help determine contact standards for individuals currently being supervised for a sex offense. Contact standards direct the minimum amount of times a Community Corrections Officer is required to have face to face contact with an individual in the field, in the office, and with a collateral contact.

For individuals releasing from prison, the Static 99R is completed prior to their release and their contact standards are set at the time of intake.

For individuals not releasing from prison to include Out of State Offenders, Special Sex Offender Sentence Alternative (SSOSA), and Community Custody Jail, the Static 99R will be completed after the sex offense is entered into OMNI. For most, the contact standards are set while the individual serves their original jail time or within the first month of supervision.

## 20% HAVE INCREASED CONTACTS STANDARDS

Approximately 2700 individuals are being supervised for a current sex offense and have had a valid Static 99R entered into OMNI. Of those, 547 (20%) individuals have had their contact standards increased due to the Static 99R.

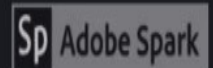


## 5892 ADDITIONAL REQUIRED CONTACTS

127 individuals had a Contact Risk Level Classification of either Low or Moderate, but a Static 99R risk level classification of High, requiring an additional 20 face to face contacts per year per individual.

419 individuals had a Contact Risk Level Classification of either Low or Moderate, but a Static 99R risk level classification of Moderate High, requiring an additional 8 face to face contacts per year.

# End of Sentence Review Committee 2018



[Click Here for Statistics Video](#)



Paused [DXVA]

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The background of the page features several slices of lemons, showing their characteristic yellow-orange color and segmented texture. The slices are arranged in a way that creates a sense of depth and freshness.

# STORIES OF SUCCESS

*“Alone we can do so little; together we  
can do so much.”*

**Helen Keller**





*Community First*



## STRENGTHENING PARTNERSHIPS FOR SAFER COMMUNITIES

In October of 2018, the Snohomish County Sheriff's Office Sex Offender Registration Unit and the Washington State DOC Law Enforcement Notification (LEN) Program teamed together to reduce the number of unranked sex offenders in Snohomish County. The lengthy process of obtaining documents and complexity of the Static 99R helped lead to over 180 offenders in Snohomish County not having an assigned sex offender notification level. For offenders not assigned a notification level, they are treated like a Level I and their information is not posted on the public website.

Over the course of several months, LEN Program Staff identified 70 offenders where DOC had previously completed the Static 99R. The Static 99R and corresponding file material was provided to Snohomish County and uploaded into Offender Watch (sex offender registration database). In addition, LEN Program Staff completed risk assessments on over 40 offenders and located file material on numerous other offenders. In all, the LEN Program was able to help reduce the number of unranked sex offenders in Snohomish County by 60%, leading to greater relationships between each agency and safer, more informed communities.

According to a Snohomish County Detective, LEN Program staff "maintained constant contact throughout helping our agency with leveling and have been a pleasure to build working relationships with. I look forward to future interactions based on those I have already had."



## **SPROUTING NEW IDEAS AND PARTNERSHIPS**

Since 2017, the Law Enforcement Notification (LEN) Program has traveled throughout the state to meet with Community Corrections Officers (CCO) and other field staff. This was completed in hopes of developing and strengthening partnerships, educating on our processes, and eliciting feedback. 1000s of miles have been driven to meet with staff.

This work has paid off in increased communication between the LEN Program and field staff as well as generating new ideas on how the LEN Program does business.

An example of increasing communication with CCOs occurred in 2018. An individual was reviewed by the End of Sentence Review Committee and a Level I recommendation was made. Several weeks later, a CCO received a letter from this offender detailing their plan to sexually re-offend upon release. The CCO knew to provide this information to the LEN Program and the individual was re-reviewed by ESRC. Eventually a forensic psychological evaluation was completed, which determined he appeared to meet criteria as a sexually violent predator. This increased communication helps keep our communities safe.

An example of developing new ways to do business was generated after a meeting with CCOs. The notification bulletin has been traditionally sent to CCOs 30 days prior to release, when the offender release plan has already been investigated. In 2018, this changed where now the draft notification bulletin is sent to the investigating CCO when the release plan has been assigned. Now the CCO will have additional information during their investigation.

In 2019, LEN Program Staff will meet with prison staff to include Classification Counselors to share program information, elicit feedback and develop partnerships.



## STATIC 99R CODING RULE CHANGES

### PARTNERING WITH THE SEX OFFENDER TREATMENT AND ASSESSMENT PROGRAM

At the end of 2017, the Law Enforcement Notification (LEN) Program and Sex Offender Treatment and Assessment Program (SOTAP) adopted the updated coding rules for the Static 99R, a sex offender specific risk assessment tool. The LEN Program and End of Sentence Review Committee (ESRC) utilizes the Static 99R to develop the baseline level of risk for sex offender notification, notify the Indeterminate Sentence Review Board of the offender's risk to sexually recidivate, and set contact standards for individuals under supervision for a sex offense. SOTAP uses the Static 99R for treatment prioritization.

The updated Static 99R coding rules, the first since 2003, proved difficult to master specifically around coding criminal history as either index, post-index, or prior to index. SOTAP and LEN staff met regularly to review the changes and ensure fidelity to the rules. In addition, the group sent numerous questions to the Static 99R developers, ensuring accurate scores. Over the course of the year, the teams developed new language and documents in order to convey concepts such as gaps of time in an individual's sex offense history. By August of 2018, there was a clear understanding on the rules around coding criminal history.

This understanding took approximately one year to achieve, during which time there was frustration and confusion. In addition to having this clear understanding, the team also developed a whole new Static 99R training program to include new PowerPoint slides, examples, and coding sheets. This new training program was created to ensure our stakeholders are able to confidently score the Static 99R. Over the course of the last year, LEN and SOTAP employees have led 20 Static 99R trainings, totaling over 200 participants, to include law enforcement, federal probation officers, forensic evaluators, ESRC members, Community Corrections Officers, and Classification Counselors.

Working together with SOTAP led to a better understanding of the Static 99R, which helps both programs identify individuals at greater risk of committing a new sex offense.

# MOVING FORWARD



*"We keep moving forward, opening new doors, and doing new things because we're curious and curiosity keeps leading us down new paths."*

**Walt Disney**

# MOVING FORWARD INTO 2019

In 2019, the Law Enforcement Notification Program will focus their time, resources and energy on the following goals and projects:

## Static 99R Clearinghouse

The LEN and SOTAP Programs will develop a web-based Static 99R Clearinghouse, where trained users of the tool will be able to review Q&As, score practice examples, and further their training. The site will be available for internal and external stakeholders



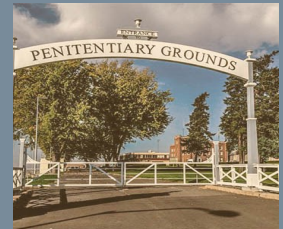
## Evidence Retrieval and Review

In 2019, the LEN Program will expand the amount of evidence we receive from prison staff. This evidence often points to sexual preoccupation and deviant sexual interests. As noted in the Stable 2007, these two dynamic risk factors are well-established predictors of sexual recidivism.



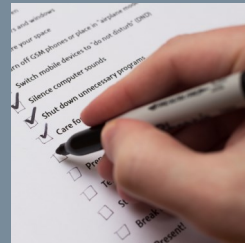
## Meet with Prison Staff Statewide

In 2019, the LEN Program will reach out to prisons and meet with staff in order to strengthen relationships, share information, and gain feedback.



## Record Gathering Process

Record gathering is the foundation of the LEN Program. In 2019, the LEN Program will develop a records request manual leading to a more consistent process. In addition, the LEN Program will continue to work on gaining access to Odyssey. The LEN Program will continue to absorb pre-commitment records gathering work from the Civil Commitment Program.



## Staff and ESRC Member Development

We will continue to look for new training opportunities for staff and ESRC members. We will be responsive to new ideas and seek to challenge each other, creating growth.

