



Pierce County Council

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Public Safety, Human Services, and Budget Committee

Dan Roach, Chair
Derek Young, Vice Chair
Connie Ladenburg, Member
Jim McCune, Member
Pam Roach, Member

MEETING AGENDA

March 26, 2018 – 1:30 PM

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes: March 12, 2018
5. Presentation on the Introduction to the Community Liaison Deputy Program
Presenter: Chief Jim Heishman, Bureau Chief, Sheriff's Department,
(253) 798-3952
6. Presentation on the Sexually Violent Predators Report
Presenter: Mark Lindquist, Pierce County Prosecutor, (253) 798-7792
7. Other Business
8. Adjournment

*Regularly scheduled meetings are broadcast live and replayed on
channel 22 (Comcast and Click! Network) and on channel 20 (Rainier Connect).
Electronic meeting material can be accessed at www.piercecountywa.org/councilcommittees.
Video archives are available at www.piercecountytv.org.*

MINUTES
PUBLIC SAFETY, HUMAN SERVICES,
AND BUDGET COMMITTEE
March 12, 2018

(Note: These minutes are not verbatim. Video recordings are available at <http://wa-piercecountytv.civicplus.com/index.aspx?NID=100>. Audio recordings are available upon request.)

1. Call to Order:

The Public Safety, Human Services, and Budget Committee meeting was called to order at 1:57 p.m. by Chair Dan Roach.

2. Roll Call:

The Clerk called the roll.

Committee Members present: Dan Roach, Chair; Derek Young, Vice Chair; Jim McCune, Member; Pam Roach, Member, arrived following roll; and Connie Ladenburg, Member, was excused.

Staff present: Jeff Cox, Deputy Legal Counsel; Tom Swanson, Research Analyst; Tammi Lewis, Alice McDaniel, and Amy Cruver, Councilmember Assistants; Jason Escareno, Senior Legislative Analyst

3. Approval of Agenda: Without objection, the Chair advanced item 6 before item 5.

4. Approval of Minutes: February 26, 2018 Public Safety, Human Services, and Budget Committee. Young moved approval of the Minutes; motion seconded. The question was called; the Minutes were approved.

6. Veteran's Court Funding

Judge Jasprica discussed Veteran's Court Funding a letter from the Department of Veterans Affairs (a copy is contained in the meeting file.)

Michael Malone, Operations Manager, Pierce County District Court, discussed the Draft Veteran Treatment Court Eligibility Criteria (a copy is contained in the meeting file,) and answered questions of Committee Members.

5. Report on Dangerous Dogs

Brian Boman, Animal Control Supervisor, provided a PowerPoint presentation, (a copy is contained in the meeting file,) and answered questions of Committee Members.

7. Proposal No. 2018-10, Public Nuisances - Certain Marijuana Production and Processing Activities

An Ordinance of the Pierce County Council Amending Chapter 8.08 of the Pierce County Code, "Public Nuisances," Making the Growing, Storing, Production and Processing of Marijuana, Marijuana Plants and Marijuana-Infused Products Subject to Civil Penalties and Abatement Under Certain Circumstances and Barring the Same Activities from Criminal Penalties Under Certain Circumstances; and Setting an Effective Date.

The Clerk read the summarized title into the record.

Young moved to postpone the proposal indefinitely; motion seconded. The question was called; the Proposal was postponed indefinitely on a voice vote.

8. **Other Business:** None

9. **Adjournment:**

There being no further business, the meeting adjourned at 2:41 p.m.

Attest:

Cathy Sala
Committee Clerk

Approved:

Dan Roach, Chair

Date



“FAIR SHARE” PRESENTATION

Prosecutor Mark Lindquist & Investigator Dan Davis

**Public Safety, Human Services, & Budget
Committee Meeting**

March 26, 2018

“Fair Share” History

Department of Corrections

- In years past, a disproportionate number of offenders were released into Pierce County, increasing our crime rate and endangering public safety
- In 2007, Senate Bill 6157 was enacted into law
- The “fair share” provision of SB 6157 requires that, with some exceptions, an offender released from DOC is returned to the county of their first conviction

“Fair Share” History

Department of Corrections

- In 2017, we received notice from DOC that a King County Crip gang member was being released to an address in Pierce County
- Our investigator drove to the listed address and determined it was vacant
- We brought this information to the attention of DOC, which stopped the release of this violent King County offender into Pierce County

“Fair Share” History

Western State Hospital

- In 1980 Lawrence Butterfield was committed to Western State Hospital after being found not guilty by reason of insanity in a violent assault against his father
- The crime occurred outside of Pierce County
- In 2002, Butterfield was conditionally released into Pierce County despite him having no prior connection to this county

“Fair Share” History

Western State Hospital

- In 2010, Mr. Butterfield was charged with murder for stabbing his roommate to death
- The murder charge was dismissed when he was found not competent and not restorable
- The charge was refiled in 2013, 2014, and 2017 when our office received notice that Western State Hospital was again proposing to conditionally release him into Pierce County

“Fair Share” History

Western State Hospital

- A July 20, 2017 competency evaluation described Butterfield as having active auditory hallucinations
- Forensic Report: “Moderate to high risk for future serious dangerous behavior”
- In 2017, Prosecutor Lindquist wrote a letter to Governor Inslee asking him to intervene in the proposed release
- Today, Butterfield remains at Western State Hospital receiving quality treatment in a secure setting

Special Commitment Center

- Offenders have completed their criminal sentences at a DOC facility
- Before release from DOC, Level 3 sex offenders undergo a review to determine whether or not they should be referred for civil commitment to the Special Commitment Center as a Sexually Violent Predator
- Current SCC population is approximately 221

Sexually Violent Predator

- Has been convicted or charged with a crime of sexual violence; and
- Suffers from a mental abnormality or personality disorder;
- Which makes the person likely to engage in predatory acts of sexual violence if not confined to a secure facility

“Fair Share History”

Special Commitment Center

- In 2015, the law was amended to create a presumption that sexually violent predators being released from the Special Commitment Center on McNeil Island be returned to their “county of commitment”
- This is not occurring
- Need legislative fix
- “Fair Share” Investigator monitoring

Special Commitment Center's Transitional Facility

- The transitional facility is a secure 24 bed facility located on McNeil Island
- King County has a 6 bed transitional facility
- Once the sex offender is in the transitional facility, the goal is to transition them into the community

Special Commitment Center's Transitional Facility

- Currently there are 19 offenders in the Special Commitment Center's transitional facility
- Of the 19 offenders, only 5 are Pierce County cases

Less Restrictive Alternative

- Their goal is to move these dangerous sex offenders into the community
- In 2017, of the 23 planned releases from the Special Commitment Center's transitional facility, 19 were planned releases to Pierce County
- Only 5 of the 19 were Pierce County cases
- We need to stop this disproportionate dumping

Community Release Plan

- Pre-Transition Plan prepared by offender and his/her attorney
- Certified Sex Offender Treatment Provider responsible for developing treatment course, progress reports to the court, including violations
- Specified housing
- Pierce County is left out of this process

Court Ordered Less Restrictive Alternative Investigation

- Prior to authorizing release, the Superior Court for the county of conviction orders DOC to investigate the proposed plan and recommend additional conditions
- The completed plan is reviewed and approved by the same court
- For example, King County judges release into Pierce County
- Once the offender is released to housing in the community, DOC is responsible for supervision

History

- Multiple Convictions (1993-2002) for Child Rape/Child Molest in Walla Walla County
- Completed prison sentence and was determined to be a sexually violent offender in 2008
- Committed to the SCC and transitioned to the Secure Community Transitional Facility
- Annual review done in 2017, petitioned for and was approved for a less restrictive alternative in the community by Walla Walla Superior Court
- Plan approved by Walla Walla County releases Mackey to South Fawcett home in Pierce County

Justin Mackey



Walla Walla Superior Court

- Court found the South Fawcett home to be sufficiently secure to protect the community, as required by RCW 71.09.092(3)
- “There is no appropriate housing in Walla Walla County that can adequately protect the community,” according to Walla Walla Superior Court judge

Transitional Housing

- Transitional Housing Group (THG)
- Three adjacent houses on South Fawcett
- 31 beds



Goals: Vigilance and Early Intervention

- Establish working relationships with DOC/DSHS to improve communication
- Ensure proper and timely notice of offenders being released into Pierce County
- Ensure return of offenders by DSHS/DOC to their County of Conviction
- Strengthen RCW language through legislation

Goals: Vigilance and Early Intervention

- Community safety awareness
- Community action and support
- Review and scrutinize all Less Restrictive Alternative Plans
- Initiate a timely written response opposing any plan to release out of county offenders to Pierce County

Goals: Vigilance and Early Intervention

- Oversight of transitional housing and the agencies that provide it
- Accompany DOC and law enforcement on sex offender registration checks, initiate contact with onsite property managers, explore restrictions via zoning, business licenses, code enforcement

Goals: Vigilance and Early Intervention

- Improve monitoring of offender releases
- Early intervention to prevent dumping
- Enhance community safety



“FAIR SHARE” PRESENTATION

Dan Davis, Investigator

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