

Washington State Criminal Sentencing Task Force Meeting

December 3, 2020 8:45am-2:30pm

ZOOM Meeting

Meeting Goals



Meeting Goals

- Check-ins & updates
- Consensus deliberations on remaining recommendations for inclusion in 2020 report
- Review and provide input on draft 2020 report.

Task Force Purpose



Task Force Purpose

The Washington State Criminal Sentencing Task Force was established by the Legislature in 2019 to review state sentencing laws, including a consideration of the report of the Sentencing Guidelines Commission required by section 129, chapter 299, Laws of 2018.

The task force shall develop recommendations for the purpose of:

- a) Reducing sentencing implementation complexities and errors;**
- b) Improving the effectiveness of the sentencing system; and**
- c) Promoting and improving public safety.**

AGENDA

8:45am
Review Agenda, Groundrules

9:05am
Introductions

9:25am
**Updates: Facilitation Team
and Co-Chairs**

9:30am
**Consensus Deliberations on
Revised Remaining
Recommendations**

10:30am
BREAK

10:40am
**Cont. Consensus
Deliberations**

12:00pm
Break

12:20pm
**Working Lunch – Cont.
Consensus Deliberations**

1:00pm
**Review a-c Description for
Rec #48**

1:20pm
**Review and Provide Input on
Draft 2020 Report**

2:00pm
Break

2:10pm
Action Items/Next Steps

2:15pm
Questions from Observers

2:30pm
Adjourn

ZOOM: Virtual Meeting Groundrules

Mute your audio: Whether you've joined by phone or video, please mute your audio until just before it's your turn to speak.

Join by Video: We encourage everyone to join by video (recognizing that bandwidth issues may prevent some from using video) Personal presence is important for collaborative group meetings, and even more crucial for virtual meetings.

Gallery view: Please select gallery view (in top left corner of your computer screen), so you can see everyone & not just the speaker.

ZOOM: Virtual Meeting Groundrules

Chat: On the bottom “menu” bar on your screen (or in the participant box on a mobile device app) you’ll see a “chat” button. We have disabled the private chat function to adhere to your groundrule of no side conversations. You can chat to the entire group, and Molly will manage the discussion.

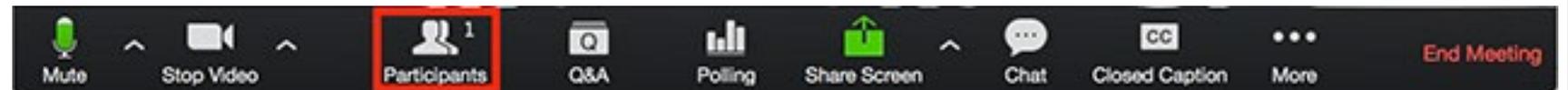
Phone Participation: For those only on via phone, we will facilitate discussion similar to in-person meetings. During discussion, we will start w/Task Force members “in the room” (those on Zoom using “Raise Hand”) then ask those on phone if they have questions or comments.

ZOOM: Virtual Meeting Groundrules

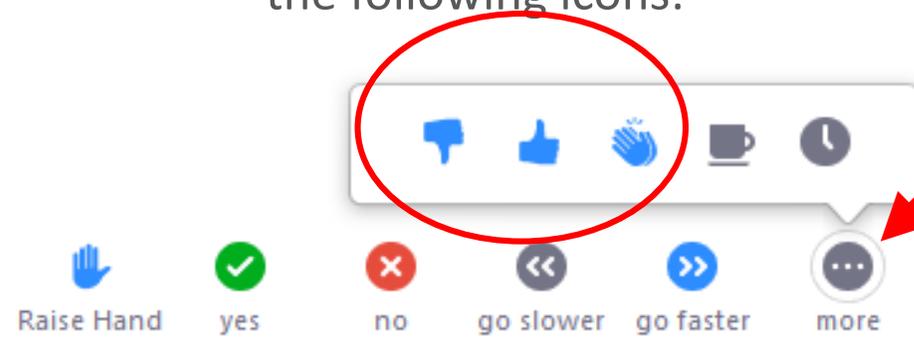
When you want to speak: To avoid talking over one another, we ask that those on video use the “raise your hand function”. The Facilitation Team will monitor this and call on folks individually, similar to how we use table tents during in-person meetings.

To access the “raise your hand function”:

Click on the “participants” icon.



This will bring up the participant box and at the bottom you will see the following icons:



Task Force Groundrules

Criminal Sentencing Task Force Groundrules

- **Be Respectful**
 - One person speaks at a time; listen when others are speaking, avoid interrupting and side conversations.
 - **Keep comments brief so everyone gets a chance to share their thoughts. Avoid dominating the discussion.**
 - Hear and respect all opinions.
 - Silence cell phones and refrain from using laptops during the meeting, except to take notes.
- **Be Constructive**
 - Acknowledge that all participants bring with them legitimate purposes, goals, concerns, and interests, whether or not you are in agreement with them.
 - Openly explore issues.
 - **Act in “good faith,” seeking to resolve conflicts and identify solutions.**
 - State concerns and interests clearly, listen carefully to and assume the best in others. Leave negative assumptions and attitudes at the door.
 - **Share comments that are solution focused**, rather than repeating past discussions.
 - It’s OK to disagree, it is not OK to make personal attacks or slanderous statements.
 - Minimize the use of jargon and acronyms, define and explain when used.
 - **Work towards consensus. Be willing to compromise.**
 - Ask for clarification when uncertain of what another person is saying. Ask questions rather than make assumptions.
- **Be Productive**
 - Begin and end meetings on time.
 - **Respect time constraints.**
 - **Adhere to the agenda as much as possible, focusing on the subject at hand.**

9:05-9:25am

Introductions

- **Members:** Please state name, affiliation, and constituency you represent on the Task Force.
- **Alternates:** Please state name, affiliation, and who you are an alternate for on the Task Force

9:25-9:30am

Facilitation Team and Co-Chair Updates

- Next meeting is Dec. 17th (Last Meeting of 2020)

Criminal Sentencing Task Force - 2020

JAN

09 CSTF
24 SEWG
28 RWG
30 SEWG

FEB

06 CSTF
25 SEWG

MAR

16 SEWG
19 CSTF

APR

06 GRID
16 CSTF
23 GRID
27 RWG
30 RWG
30 GRID

MAY

07 CSTF
13 GRID
19 SEWG
26 GRID
29 RWG

JUN

02 GRID
04 CSTF
09 GRID
10 SEWG
15 RWG
16 GRID
23 GRID
24 SEWG
29 RWG
30 GRID

JUL

07 GRID
08 SEWG
09 CSTF
13 RWG
14 GRID
21 GRID
22 SEWG
27 RWG
28 GRID

AUG

04 GRID
05 SEWG
06 CSTF
10 RWG
11 GRID
18 GRID
19 SEWG
24 RWG
25 GRID

SEP

01 GRID
02 SEWG
03 RWG
08 GRID
10 CSTF
15 GRID
16 SEWG
17 CSTF
21 RWG
22 GRID
29 GRID
30 SEWG

OCT

01 CSTF
06 GRID
13 GRID
15 CSTF

CSTF: Criminal Sentencing Task Force

GRID: Sentencing Grid Subgroup

SEWG: Sentencing Effectiveness Working Group

RWG: Reentry Working Group

Consensus

**Consensus is an outcome
AND a process**

Criminal Sentencing Task Force Consensus Process

Presentation and Discussion

Working Groups Draft Potential Recommendations

- Meet between meetings to draft potential recommendations that meet all Task Force members needs.

Full Task Force Dialogue, Input, and Temp Checks

- Working Groups present potential recommendations (1st, 2nd, 3rd offers) to full Task Force over multiple meetings.
- Task Force discusses and provides input.
- Consensus Temperature checks.

Working Groups Refine

- Working Groups take input from full Task Force and refine potential recommendations to meet needs of all members.

Deliberation

Proposed Recommendation
Facilitation Team will read the proposed recommendation.

1st Test for Consensus
Do all members support or can live with?

No

Yes

Discussion and Modify
Address concerns
Modify to better serve the whole group

CONSENSUS

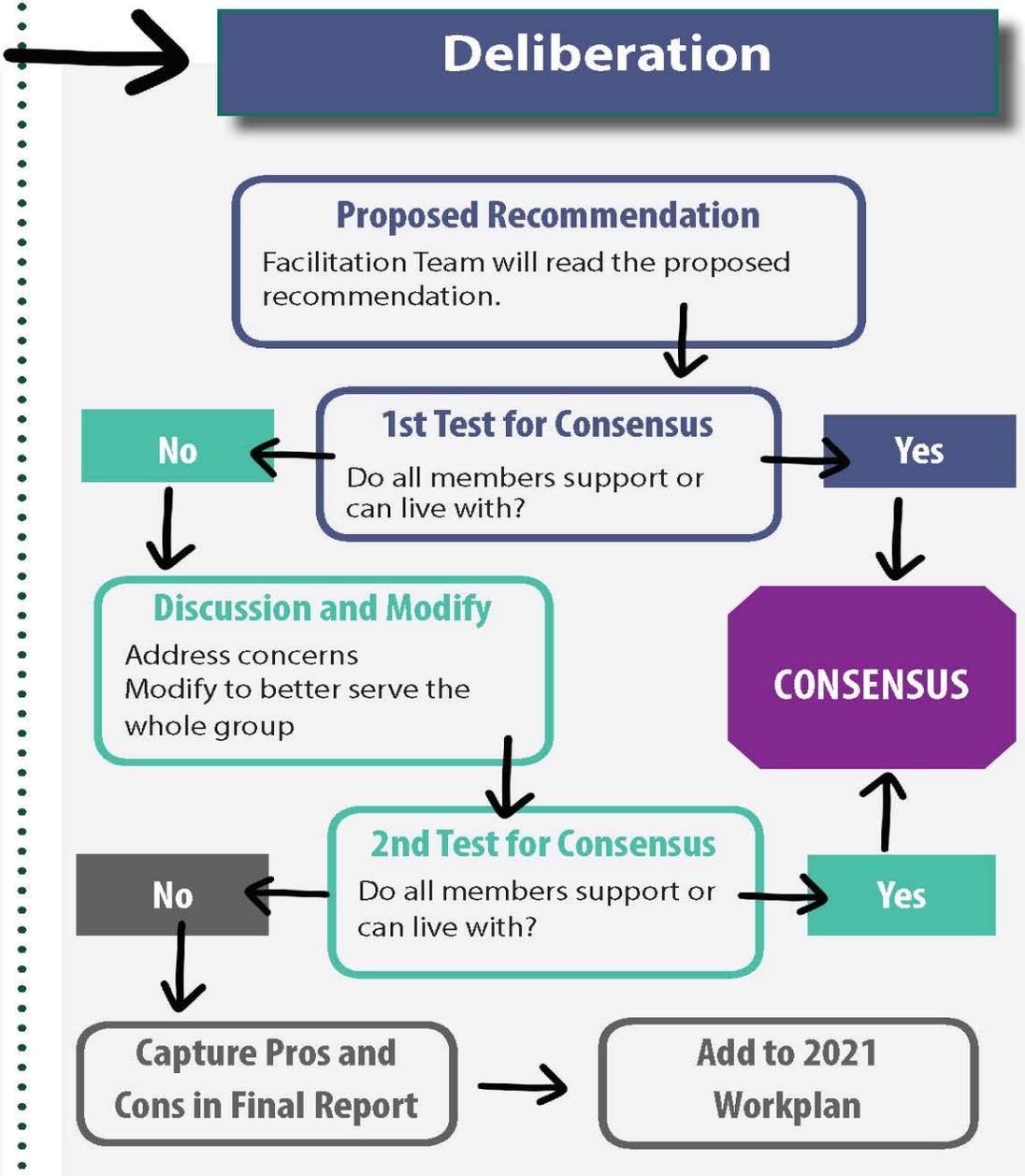
2nd Test for Consensus
Do all members support or can live with?

No

Yes

Capture Pros and Cons in Final Report

Add to 2021 Workplan



Consensus

(Task Force Operating Procedures)

Consensus can be achieved at any full Task Force meeting where at least two-thirds (14 of 20) members (or their designated alternates) are present.

Consensus means that each Task Force member can say:

- (1) I was a respected member of the group that considered the decision;
- (2) my ideas (opinions, knowledge, concerns, beliefs, hopes) were listened to;
- (3) I listened to the ideas (opinions, knowledge, concerns, beliefs, hopes) of others; and
- (4) I can support the decision of the group, even though I might have made a different decision had I acted alone.

Consensus

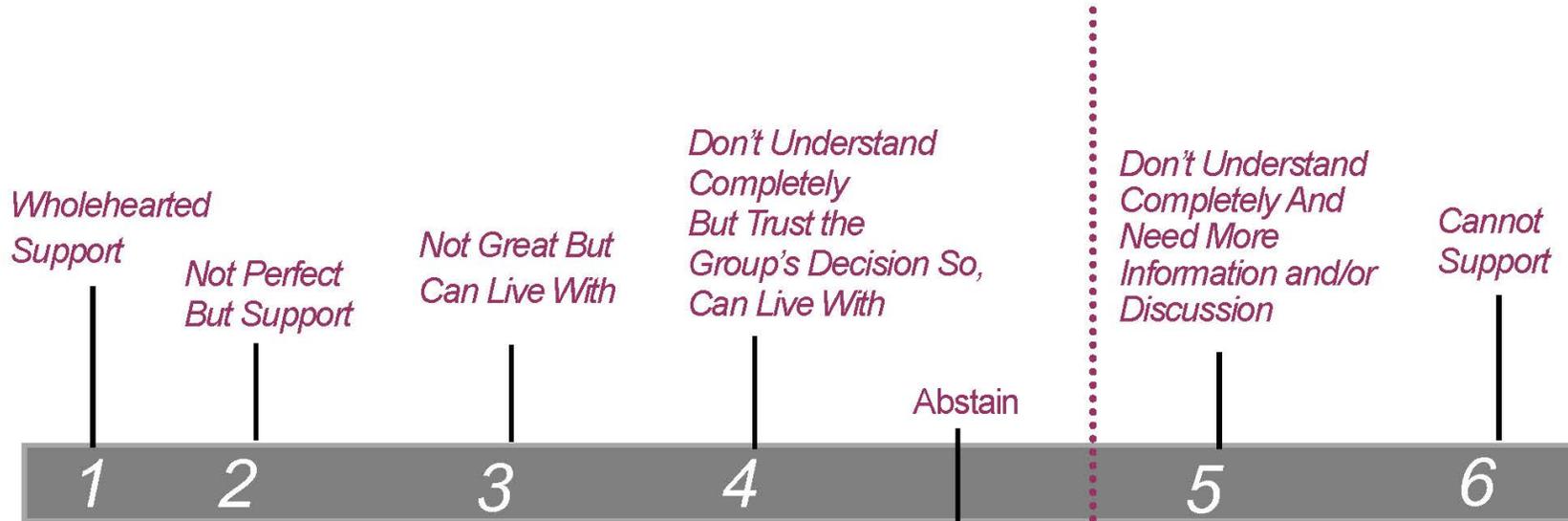
This consensus can be conveyed via:

- A thumbs up (I fully support this option),
- A thumbs sideways (I can live with this option for the good of the group and the process) or
- A thumbs down (I cannot live with this option).

If anyone is thumbs down, the group will seek solutions that allow those thumbs to move to up or sideways.

If there are instances where consensus cannot be reached, the pros and cons of the different alternatives can be presented in a succinct manner in the Task Force's reports.

Gradients of Agreement



Consensus

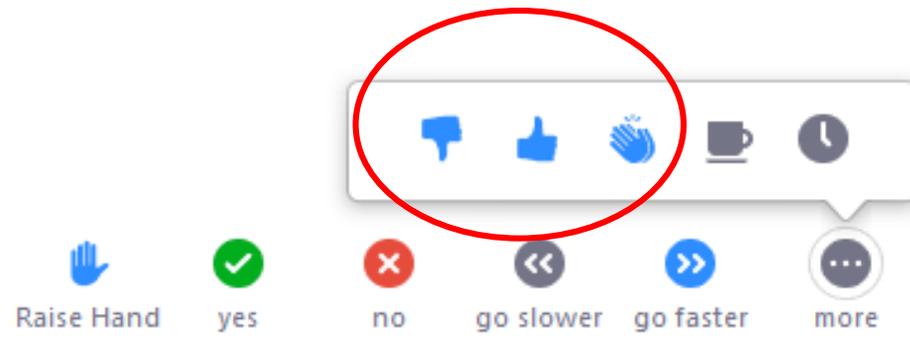
- *What is preventing you from being able to live with the recommendation?*
- *What would it take for you to change your position?*

Consensus Icons

To access the “consensus icons”
Click on the “participants” icon.



This will bring up the participant box and at the bottom you will see the following icons:



9:30am -
1:00pm

Consensus Deliberations on Revised Remaining Potential Recommendations

9:30am -
1:00pm

Revised #13: At the Nov 5th meeting Task Force agreed to have the Grid Subgroup further work on and bring back a revised recommendation for consensus deliberation.

Revised wording of #20: At the Nov 19th meeting the Task Force reached consensus on the concept/intent of the recommendation and a few members volunteered to work together and edit the wording of the recommendation to better capture the concept/intent.

Revised #25: At the Nov 19th meeting the Task Force reached consensus on bullet points two and three. There was a lengthy conversation on bullet one and the Task Force agreed to having a small group of members work together to rework the first bullet point to address the input and concerns raised during the meeting.

Revised #27: Task Force had a lengthy discussion at the Nov 19th meeting but due to time constraints no consensus was reached. The Task Force agreed to a small group of members to continue discussing potential revisions and bring a revised recommendation back for consensus deliberation.

10:30-10:40am

BREAK

10:40-12:00pm

**CONT. Consensus Deliberations
on Revised Remaining Potential
Recommendations**

12:00-12:20pm

Break – Grab Lunch and come back at 12:20pm for working lunch.

12:20-1:00pm

**CONT. Consensus Deliberations
on Revised Remaining Potential
Recommendations**

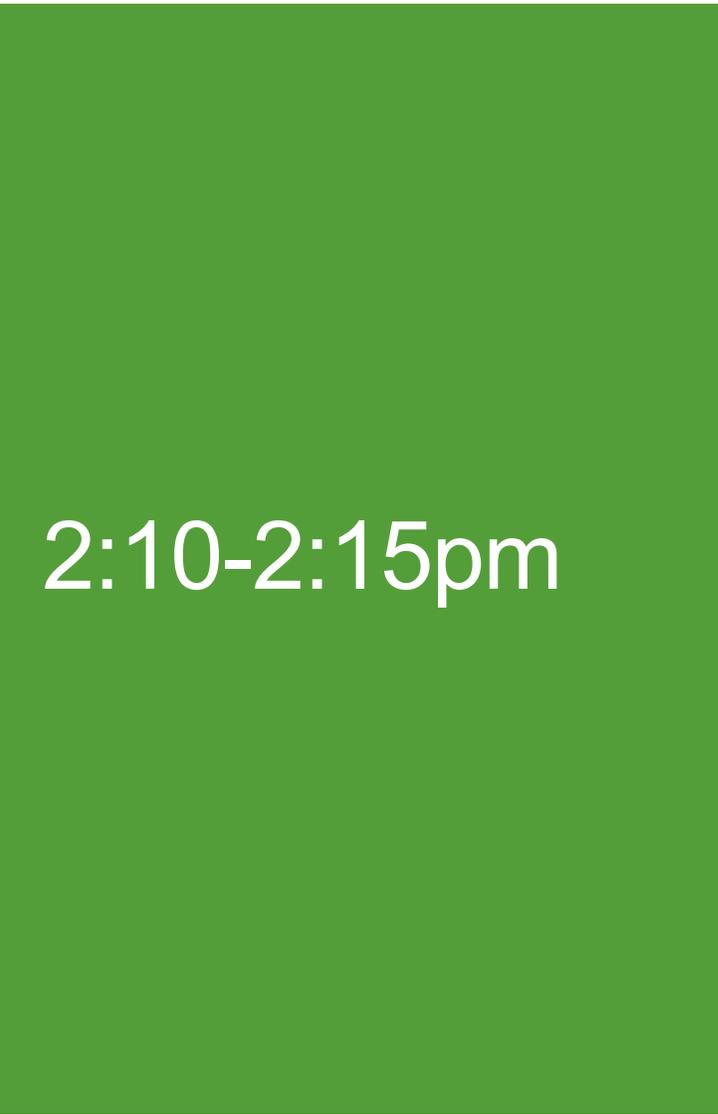
1:00-1:20pm

REVIEW a, b, c DRAFT DESCRIPTION FOR REC #48

At the Nov 19th meeting the Task Force reached consensus on recommendation #48 but requested a small group provide language for the report indicating how this recommendation meets the policy goals of a) reducing complexities and errors; b) improving effectiveness of the sentencing system; and c) promoting/improving public safety.

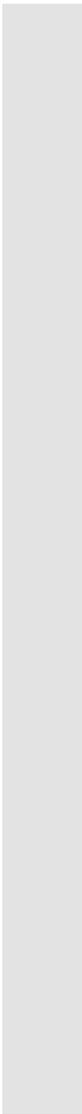
2:00-2:10pm

BREAK



2:10-2:15pm

Action Items/Next Steps



2:15-2:30pm

Questions from Observers

3:00pm

Adjourn