Washington State Criminal Sentencing Task Force
Sentencing Effectiveness Working Group: Grid Subgroup
Meeting Notes: April 23, 2020
Digital Conferencing Technology

OVERVIEW
The Grid Subgroup met virtually for two hours to discuss a decision tree created by Lauren Knoth.

REVIEW & DISCUSSION OF DECISION TREE
Lauren reviewed a decision tree that describes sentencing grids from other states and how they compare to Washington's current model. She urged the group to think creatively because no single model exists for what reform should look like—and when most states created sentencing guidelines, they thought more about risk management while most now are moving more towards individual sentencing.

Key Discussion Points:
- Overarching Q of how many grids to have: one large grid to combine drug and unranked offenses, separate grids for violent and non-violent offenses, or multiple grids with separate ones for different types of offenses.
- Members discussed the current definitions and labels of offenses and they affect sentencing if someone has multiple charges (e.g., most serious is generally the primary charge). It might make sense to have consistent definitions.
- A member voiced support for Option B on the decision tree. It incorporates the labeling from the Sentencing Guideline Commission's 2019 report and could provide continuity by having a single way to label and offense.
- Members discussed discretion in the courts. Some noted that if courts have more discretion, they also have more flexibility via options for sentencing ranges. Lauren noted that within our state, large variations exist in sentencing ranges (based on the location of the court).
- Lauren commented that the federal system has different zones along with seriousness levels and criminal history scores, which allows for diagonal movement within the grid (the Pennsylvania (PA) grid has similar structure). The group discussed the level of complexity of the PA grid, wondering if something similar could be accomplished in Washington if seriousness level was removed.
- The Subgroup considered offense seriousness level, noting how it has increased over time along with offender score. The phrasing "offender score" was brought up as language that some members find derogatory; the Task Force would probably prefer to use different wording (e.g., criminal history score).
- There was a conversation around possibility of eliminating multipliers and how there is currently no good safety valve to interrupt the "wash out" period. Others noted that it would be good to look critically at multipliers. Lauren mentioned some research that notes that multipliers should not be included in criminal history; this could be an area for research to look at how this change might impact racial disparity.

NEXT STEPS & ACTION ITEMS
- **Lauren** will create some mock-ups that show a frame without including ranges.
- Agreement among Subgroup members that another meeting is needed.

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