Washington State Criminal Sentencing Task Force
Sentencing Effectiveness Working Group: Grid Subgroup
Meeting Notes: April 30, 2020
Digital Conferencing Technology

Materials List:
- Mock-grid spreadsheet;
- List of offense classifications; and
- 2019 adult felony sentencing statistical summary.

OVERVIEW
The Grid Subgroup met to review and discuss four sample grid approaches Lauren Knoth drafted. The group focused on ways various grid designs might reduce complexity in the sentencing system. Lauren encouraged members to rethink the Subgroup's goal. Instead of recommending one final grid option, she suggested the Subgroup narrow the list of potential grids and develop a research plan to review the projected impacts and outcomes of prospective grid approaches to allow for a final data-driven decision.

Key Discussion Points:
- Several members were intrigued by the use of zones to allow for diagonal movement within the grid. As Lauren explained it, zones allow for differential bounds on discretion (i.e., increasing judicial discretion for lower ranked offenses, while maintaining more consistency in sentencing for more serious offenses).
- The group discussed the pros and cons of creating separate grids based on offense type and/or seriousness level (e.g., separate grids for violent and non-violent offenses). Multiple grids would allow for more flexibility in sentencing (particularly for lower-level offenses) and ensure sentences would not increase too quickly with higher criminal history scores, but others felt multiple grids would increase complexity. The group eventually agreed that one grid, using zones, could reduce complexities while still controlling for disparities introduced by higher criminal history score.
- The group agreed the drug-offense grid should remain separate for the time being.
- When discussing specific grid cells, the group considered ways to collapse some cells to allow flexibility and judicial discretion via combined ranges for less serious offenses at multiple criminal history scores.
- One member suggested creating an additional grid zone to house the many unranked offenses.
- Members highlighted the need to review the current offense classification system since current classifications seem arbitrary—and without unpacking the different classifications, the Subgroup risks unnecessarily introducing additional complexities.
- The group weighed the merits of basing offense classifications on the felony class system (i.e., class A, class B, etc.) vs. the 16 seriousness-levels. While the group did not reach consensus on either approach, members acknowledged the overall need to reduce complexity in this area too.

NEXT STEPS & ACTION ITEMS
The group agreed to eliminate two potential grid options and develop a research plan to further explore the potential costs and benefits of the remaining grid approaches, which include Zones (i.e., similar to Pennsylvania's grid). **Lauren, Clela Steelhammer, and Keri-Anne Jetzer** agreed to draft the research plan.
- The Subgroup agreed to meet again to revisit the decision tree previously discussed. Ruckelshaus Center staff will coordinate schedule and set-up the meeting.
- The group also agreed to schedule a full Sentencing Effectiveness Working Group meeting to update folks on the Subgroup's progress and plan and get input from the full Working Group.

The William D. Ruckelshaus Center