

**Washington State Criminal Sentencing Task Force**  
**Sentencing Grid Subgroup**  
**Meeting Summary: May 18, 2021**  
Zoom Digital Conferencing Technology

**Attendees:**

- Russ Brown (alt. for Jon Tunheim), *Washington State Association of Prosecuting Attorneys*
- Representative Roger Goodman, *Washington State House Democratic Caucus*
- Keri-Anne Jetzer (alt. for Judge Saint Clair), *Sentencing Guidelines Commission*
- Judge Wesley Saint Clair, *Sentencing Guidelines Commission*
- Melody Simle (alt. for Suzanne Cook), *Statewide Family Council*
- Clela Steelhammer (research & data support), *Caseload Forecast Council*
- Nick Straley (alt. for Nick Allen), *Interests of Incarcerated Persons*
- Jon Tunheim, *Washington State Association of Prosecuting Attorneys*
- Waldo Waldron-Ramsey, *Interests of Incarcerated Persons*
- Judge Josephine Wiggs-Martin, *Superior Court Judges Association*

**Guest:** David Trieweler

**Facilitation Team:** Amanda Murphy, Chris Page, Molly Stenovec, and Hannah Kennedy

**WELCOME & AGENDA REVIEW**

Amanda welcomed Sentencing Grid Subgroup (Subgroup) members and reviewed the agenda. She reviewed the latest draft Grid workplan for the Subgroup and Task Force and reminded members they would present their thinking to date to the full Task Force on Thursday, May 20<sup>th</sup>.

**DRAFT DECISION GUIDE #1: VERTICAL AXIS**

Amanda walked the Subgroup through a draft decision guide laying out key information, considerations, and emerging potential recommendations related to the grid vertical axis. Prepared by the Facilitation Team, the document aims to capture key findings from the grid research report as well as takeaways from the Subgroup's prior conversations on the vertical axis.

Members expressed concern about the amount of work and decisions to be made for the Task Force to reach consensus on a new grid proposal by December 2021. Hopefully, Subgroup and Task Force members can rely on their collective memory of past conversations to prioritize topic areas where they have had fewer prior conversations.

**MOCK HYBRID FELONY CLASS AND OFFENSE SERIOUSNESS LEVEL GRID**

In previous conversations, several Subgroup members discussed tying felony class to offense seriousness level. Specifically, members suggested a revised grid where class C felonies occupy the first 5 seriousness levels, Class B the next 5 seriousness levels, and Class A the following 5 seriousness levels. Using the current grid cell ranges, the Facilitation Team developed a mock grid, to visualize what this might look like.

Some members expressed concern that such a hybrid grid could increase presumptive sentence lengths for some crimes, particularly class B and class A felonies currently sentenced at lower offense seriousness levels. A member suggested addressing this concern by recommending offense seriousness level caps for class C and class B felonies that correspond with their statutory maximums, but still allowing class A and B felonies to occupy lower offense seriousness levels.

The Subgroup struggled to agree on a path forward for the vertical axis; instead, they saw discussion of cell ranges and zones as more important and consequential. The Subgroup agreed to propose the Task Force tentatively retain an offense seriousness level-based grid and begin discussing cell ranges, zones, and to a certain extent criminal history score. By reordering their grid topic sequencing, the Subgroup and Task Force could focus on building a new grid from the inside out rather than from the outside in.

*Action Item: The Subgroup agreed to summarize their discussions thus far and present a path forward to the Task Force at its May 20<sup>th</sup> meeting.*

#### **NEXT STEPS & ACTION ITEMS**

- **The Subgroup** will present to the full Task Force on May 20<sup>th</sup> and begin discussing cell ranges and zones on May 25<sup>th</sup>.