

Washington State Criminal Sentencing Task Force

2022 Work Plan

Updated 4.28.22

Background and Overview: 2019-2020

In 2019, the Legislature established the Washington State Criminal Sentencing Task Force (Task Force) to review state sentencing laws, including a consideration of the Sentencing Guidelines Commission's (SGC) 2019 report, and 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.

The proviso stipulated the Task Force submit an initial report to the Governor and "the appropriate committees of the Legislature" by December 31, 2019, and a final report by December 31, 2020. The William D. Ruckelshaus Center (Center) served as a third-party facilitator of the Task Force. In 2019, the Task Force met monthly from September to December 2019 for daylong facilitated meetings and reached consensus on two policy recommendations. In 2020, the Task Force met monthly from January – August (except in March 2020 due to the coronavirus pandemic) and bi-monthly from September-December and reached consensus on 47 policy recommendations.

As the Task Force discussed potential policy changes over the course of 2020, the group agreed that detailed, research-based work remains to simplify the sentencing system and reduce racial, ethnic, socioeconomic, and geographic disparities in adult felony sentencing. As reflected in Recommendation #1 in the 2020 Report (available [here](#)), the Task Force agreed that proper consideration of changes to the sentencing grid required a thorough assessment of the possible impacts of those changes. This would take more time than initially allotted to the Task Force. Therefore, the Task Force agreed to continue meeting and working together the Legislature extended the Task Force through June 2023.

2021-2022 Workplan: Sentencing Guidelines Grid

At the beginning of 2021, the Task Force contracted with the Washington State Institute for Public Policy (WSIPP) to complete a report examining sentencing outcomes for individuals using the current sentencing guidelines grid and potential sentencing outcomes for individuals using a modified version of the guidelines grid. The purpose of the report is to provide analytic data that will assist the Task Force in its discussions beginning in May 2021 about potential changes to the sentencing guidelines grid.

WSIPP presented the report and findings to the Task Force at its May 6, 2021 meeting: [Examining Washington State's Sentencing Guidelines: A Report to the Criminal Sentencing Task Force](#).

Given the interconnectedness of the grid, it is difficult to break it down into individual parts and discuss part by part however, it is also difficult to discuss as a whole, without having an in-depth understanding of each part and how it connects to other parts. The first big task of the Grid Subgroup was to come up with an approach to deliberately *and* collaboratively work through a grid that is made up of many interconnected elements. This meant figuring out where to start on the grid, how to sequence the discussion and work, and how best to present ideas back to the full Task Force early and often. In other words, breaking the grid into

parts to come up with potential recommendations for each part of the grid that once all is put together, will make up a whole package(s).

Presentations on potential recommendations from the Grid Subgroup to the full Task Force will occur from August 2021 – July 2022. Then all potential recommendations will be put together and the Task Force will discuss the full suite of potential recommendations at the August 2022 meeting. Consensus deliberations will begin at the September 2022 meeting.

2022 Meeting Schedule and Workplan

2022 Meeting	Date	Agenda Topics	Meeting Notes
Grid Subgroup	Jan 11	<ul style="list-style-type: none"> • Exceptions to Standard Scoring for Certain Offenses: Multipliers 	<ul style="list-style-type: none"> • Grid Subgroup – 1.11.22 meeting notes
Grid Subgroup	Jan 18	<ul style="list-style-type: none"> • Should misdemeanors be excluded completely from CHS and/or have a specific washout period that is very short? 	<ul style="list-style-type: none"> • Grid Subgroup – 1.18.22 meeting notes
Grid Subgroup	Jan 25	<ul style="list-style-type: none"> • Should misdemeanors be excluded completely from CHS and/or have a specific washout period that is very short? 	<ul style="list-style-type: none"> • Grid Subgroup – 1.25.22 meeting notes
Sentencing Alternatives Workgroup	Jan 25	<ul style="list-style-type: none"> • DOSA statutory eligibility • How DOSA could overlay onto grid • Community intermediate sanctions 	<ul style="list-style-type: none"> • Meeting notes – 1.25.2022
Grid Subgroup	Feb 1	<ul style="list-style-type: none"> • Should misdemeanors be excluded completely from CHS and/or have a specific washout period that is very short? • Are the current washout periods appropriate for the different classes? • Should Class A offenses ever be eligible for washout? 	<ul style="list-style-type: none"> • Grid Subgroup – 2.1.22 meeting notes
Task Force Meeting #1	Feb 3	<ul style="list-style-type: none"> • Task Force introductions and updates • Update from Sentencing Alternatives Workgroup • Update on 2022 legislation related to Task Force’s work • Discuss vacant co-chair position • Presentation and discussion of potential recommendations from Grid Subgroup: Exceptions to Standard Scoring Rules – Multipliers and Repeat Violent Column on the Grid 	<ul style="list-style-type: none"> • CSTF Draft 2.3.22 Meeting Summary

Grid Subgroup	Feb: 8	<ul style="list-style-type: none"> • Are the current washout periods appropriate for the different classes? • Should Class A offenses ever be eligible for washout? 	<ul style="list-style-type: none"> • Grid Subgroup – 2.8.22 meeting notes
Sentencing Alternatives Workgroup	Feb: 8	<ul style="list-style-type: none"> • Approaches for how alternatives overlay on grid • rDOSAs 	<ul style="list-style-type: none"> • Meeting notes – 2.8.2022
Grid Subgroup	Feb: 15	<ul style="list-style-type: none"> • Are the current washout periods appropriate for the different classes? • Should Class A offenses ever be eligible for washout? 	<ul style="list-style-type: none"> • Grid Subgroup – 2.15.22 meeting notes
Grid Subgroup	Feb: 22	<ul style="list-style-type: none"> • Are the current washout periods appropriate for the different classes? • Should Class A offenses ever be eligible for washout? 	<ul style="list-style-type: none"> • Grid Subgroup – 2.22.22 meeting notes
Sentencing Alternatives Workgroup	Feb: 22	<ul style="list-style-type: none"> • SSOSA (w/Whitney Hunt, Sex Offender Policy Board): eligibility, washouts, juvenile • pDOSAs: overlay on grid, eligibility requirements 	<ul style="list-style-type: none"> • Meeting notes – 2.22.2022
Task Force Meeting #2	Mar 3	<ul style="list-style-type: none"> • Task Force introductions and updates • Decide third co-chair position • Build understanding and provide input on potential recommendations from Grid Subgroup: Exceptional Sentences- Aggravators and Mitigators 	
Grid Subgroup	Mar 1	<ul style="list-style-type: none"> • Grid Subgroup Feedback and Discussion of the Task Force March 3rd Meeting Presentation • Are the current washout periods appropriate for the different classes? • Should Class A offenses ever be eligible for washout? 	<ul style="list-style-type: none"> • Grid Subgroup – 3.1.22 meeting notes
Grid Subgroup	Mar 8	<ul style="list-style-type: none"> • Guest speaker, Dr. Megan Kurlychek, Professor of Sociology, Criminology, and Public Policy, with Penn State University 	<ul style="list-style-type: none"> • Grid Subgroup – 3.8.22 meeting notes
Sentencing Alternatives Workgroup	Mar 8	<ul style="list-style-type: none"> • FOSA & CPA: overlay on grid, outcomes, recidivism, eligibility 	<ul style="list-style-type: none"> • Meeting notes – 3.8.22
Grid Subgroup	Mar 15	<ul style="list-style-type: none"> • Juvenile adjudications – should they count, should they have separate washout rule, should they stay as is? • Should all count or just certain types (e.g., violent/serious violent)? • What were the previous WA laws regarding juvenile washout? 	<ul style="list-style-type: none"> • Grid Subgroup – 3.15.22 meeting notes
Grid Subgroup	Mar 22	<ul style="list-style-type: none"> • Juvenile adjudications – should they count, should they have separate washout rule, should they stay as is? 	<ul style="list-style-type: none"> • Grid Subgroup – 3.22.22 meeting notes

		<ul style="list-style-type: none"> Should misdemeanors trigger reset of “crime-free” period for felony offenses? When does the washout period start? What about technical violations or DOSA revokes? 	
Sentencing Alternatives Workgroup	Mar 22	<ul style="list-style-type: none"> Discussion with Chair and Vice Chair of SOPB: Discussion on Special Sex Offender Sentencing Alternative (SSOSA), sex offenses, and ways the SOPB and Sentencing Alternatives Subgroup can coordinate their work. 	<ul style="list-style-type: none"> Meeting notes – 3.22.2022
Grid Subgroup	Mar 29	<ul style="list-style-type: none"> Revisit: Are the current washout periods appropriate for the different classes? Should Class A offenses ever be eligible for washout? Should washout periods be restarted for any offense or only for an offense that is as serious or more serious than the new conviction? Anticipatory offenses scored as completed offense – should they be treated as completed or have separate washout rule? 	<ul style="list-style-type: none"> Grid Subgroup – 3.29.22 meeting notes
Grid Subgroup	Apr 5	<ul style="list-style-type: none"> Revisit: Are the current washout periods appropriate for the different classes? Should Class A offenses ever be eligible for washout? Should washout periods be restarted for any offense or only for an offense that is as serious or more serious than the new conviction? Anticipatory offenses scored as completed offense – should they be treated as completed or have separate washout rule? 	<ul style="list-style-type: none"> Grid Subgroup – 4.5.22 meeting notes
Sentencing Alternatives Workgroup	Apr 5	<ul style="list-style-type: none"> Are the current washout periods appropriate for the different classes? Should Class A offenses ever be eligible for washout? Should washout periods be restarted for any offense or only for an offense that is as serious or more serious than the new conviction? Anticipatory offenses scored as completed offense – should they be treated as completed or have separate washout rule? 	<ul style="list-style-type: none"> Meeting notes – 4.5.2022
Task Force Meeting #3	Apr 7	<ul style="list-style-type: none"> Task Force introductions and updates Updates from Sentencing Alternatives Workgroup Consider potential recommendations from Grid Subgroup – Consecutive and Concurrent Sentencing Policy; Three Strikes and Two Strikes Sentencing Laws 	<ul style="list-style-type: none">

Grid Subgroup	Apr 12	<ul style="list-style-type: none"> Offense Classification Expansion Proposal 	<ul style="list-style-type: none"> Grid Subgroup – 4.12.22 meeting notes
Grid Subgroup	Apr 18	<ul style="list-style-type: none"> Offense Classification Expansion Proposal 	<ul style="list-style-type: none">
Grid Subgroup	Apr 26	<ul style="list-style-type: none"> Offense Classification Expansion Proposal 	<ul style="list-style-type: none">
Grid Subgroup	May 3	<ul style="list-style-type: none"> CHS – juvenile adjudications 	<ul style="list-style-type: none">
Sentencing Alternatives Workgroup	May 3	<ul style="list-style-type: none"> County and Community Intermediate Sanctions 	<ul style="list-style-type: none">
Task Force Meeting #4	May 5	<ul style="list-style-type: none"> Task Force Introductions and Updates Revisit Three Policy Goals Discuss The Road Ahead: Until Consensus & After Consensus Generate List of Important Conversations Begin Important Conversations 	<ul style="list-style-type: none">
Grid Subgroup	May 10	<ul style="list-style-type: none"> CHS 	<ul style="list-style-type: none">
Grid Subgroup	May 17	<ul style="list-style-type: none"> CHS 	<ul style="list-style-type: none">
Sentencing Alternatives Workgroup	May 17	<ul style="list-style-type: none"> Put together potential recommendations 	<ul style="list-style-type: none">
Grid Subgroup	May 24	<ul style="list-style-type: none"> CHS 	<ul style="list-style-type: none">
Grid Subgroup	May 31	<ul style="list-style-type: none"> CHS 	<ul style="list-style-type: none">
Sentencing Alternatives Workgroup	May 31	<ul style="list-style-type: none"> Final Draft of rec's – final mtg of drafting rec's 	<ul style="list-style-type: none">
Task Force Meeting #5	June 2	<ul style="list-style-type: none"> Task Force introductions and updates Misdemeanor Scoring Rules Washouts Sentencing Alternatives Rec's 	<ul style="list-style-type: none">
Legislative Working Group	TBD	<ul style="list-style-type: none"> 	<ul style="list-style-type: none">
Grid Subgroup	June 7	<ul style="list-style-type: none"> CHS 	<ul style="list-style-type: none">
Grid Subgroup	June 14	<ul style="list-style-type: none"> CHS Info available - PSI 	<ul style="list-style-type: none">
Sentencing Alternatives Workgroup	June 14	TBD	<ul style="list-style-type: none">
Grid Subgroup	June 21	<ul style="list-style-type: none"> Infor avail - PSI 	<ul style="list-style-type: none">

Grid Subgroup	June 28	<ul style="list-style-type: none"> • Infor avail - PSI 	•
Sentencing Alternatives Workgroup	June 28	TBD	•
Grid Subgroup	Jul 5	<ul style="list-style-type: none"> • Infor avail - PSI 	•
Task Force Meeting #6	July 7	<ul style="list-style-type: none"> • Task Force introductions and updates • CHS Potential Rec's • Maybe PSI? 	•
Legislative Working Group	TBD	•	•
Grid Subgroup	Jul 12 – all day	<ul style="list-style-type: none"> • The Packages of Rec's 	•
Sentencing Alternatives Workgroup	Jul 12	TBD	•
Grid Subgroup	Jul 19	<ul style="list-style-type: none"> • The Packages of Rec's 	•
Grid Subgroup	Jul 26 – all day	<ul style="list-style-type: none"> • The Packages of Rec's 	•
Sentencing Alternatives Workgroup	Jul 26	TBD	•
Grid Subgroup	Aug 2	<ul style="list-style-type: none"> • The Packages of Rec's 	•
Task Force Meeting #7	Aug 4	<ul style="list-style-type: none"> • Task Force introductions and updates • The Packages of Rec's 	•
Legislative Working Group	TBD	•	•
Grid Subgroup	Aug 9	<ul style="list-style-type: none"> • The Packages of Rec's – Revise to be ready for consensus 	•
Sentencing Alternatives Workgroup	Aug 9	TBD	•
Grid Subgroup	Aug 16	<ul style="list-style-type: none"> • The Packages of Rec's – Revise to be ready for consensus 	•
Grid Subgroup	Aug 23	<ul style="list-style-type: none"> • The Packages of Rec's – Revise to be ready for consensus 	•
Sentencing Alternatives Workgroup	Aug 23	TBD	•

Grid Subgroup	Aug 30	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus 	•
Task Force Meeting #8	Sept 1-2	<ul style="list-style-type: none"> Task Force introductions and updates START OF CONSENSUS DECISION-MAKING 	•
Legislative Working Group	TBD	•	•
Grid Subgroup	Sept 6	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 	•
Sentencing Alternatives Workgroup	Sept 6	TBD	•
Grid Subgroup	Sept 13	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 	•
Grid Subgroup	Sept 20	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 	•
Sentencing Alternatives Workgroup	Sept 20	TBD	•
Grid Subgroup	Sept 27	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 	•
Grid Subgroup	Oct 4	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 • 	•
Sentencing Alternatives Workgroup	Oct 4	TBD	•
Task Force Meeting #9	Oct 6	<ul style="list-style-type: none"> Task Force introductions and updates The Packages of Rec's – consensus attempt #2 	•
Legislative Working Group	TBD	•	•
Grid Subgroup	Oct 11	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 3 • 	•
Grid Subgroup	Oct 18	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 Prep for Leg Work Sessions and Gov Work session 	•
Sentencing Alternatives Workgroup	Oct 18	TBD	•
Grid Subgroup	Oct 25	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 Prep for Leg Work Sessions and Gov Work session 	•

Grid Subgroup	Nov 1	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for consensus attempt # 2 Prep for Leg Work Sessions and Gov Work session 	•
Sentencing Alternatives Workgroup	Nov 1	TBD	•
Task Force Meeting #10	Nov 3	<ul style="list-style-type: none"> Task Force introductions and updates The Packages of Rec's – consensus attempt #3 – goal is this is final consensus 	•
Legislative Working Group	TBD	•	•
Grid Subgroup	Nov 8	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for final-final consensus 	•
Grid Subgroup	Nov 15	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for final-final consensus 	•
Sentencing Alternatives Workgroup	Nov 15	TBD	•
Grid Subgroup	Nov 22	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for final-final consensus 	•
Grid Subgroup	Nov 29	<ul style="list-style-type: none"> The Packages of Rec's – Revise to be ready for final-final consensus 	•
Sentencing Alternatives Workgroup	Nov 29	TBD	•
Legislative Joint Cmte Hearing – Democratic Senate/House	Nov 30	•	•
Task Force Meeting #11	Dec 1	<ul style="list-style-type: none"> Final Report – last review and opportunity to address any unresolved consensus 	•
Legislative Working Group	TBD	•	•
Grid Subgroup	Dec 6	•	•
Grid Subgroup	Dec 13	•	•

Tentative Meeting Dates to Discuss

Month of July: 2 – half day or all day meetings of the Grid Subgroup to put together/narrow down package of potential rec's

Month of September: 2 Day Consensus Session:

- Day 1 am: review of revised package and test for consensus
- Day 1 pm: work session to address the thumbs down
- Day 2: am: continues work session
- Day 2 pm: 1st try for consensus

Reconvening the Legislative Working Group (4 leg members and the co-chairs)

Republican Cmte Work Session?

Meeting with the Governor's Office?

Will two meetings be necessary again?

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