

Washington State Criminal Sentencing Task Force Meeting

November 4, 2021

1:00pm-4:30pm

ZOOM Meeting

Agenda

Agenda

- Task Force introductions and updates
- Updates: Co-Chairs, Facilitation Team, Sentencing Alternatives Workgroup
- Discussion & Input on Combined Potential Recommendations on the Vertical Axis Components of the Grid

Agenda

1:00pm
**Review Agenda,
Groundrules**

1:10pm
**Introductions and
Updates**

1:40pm
**Review Of Combined
Grid Potential
Recommendations
Presented To Date**

2:30pm
BREAK

2:45pm
**Cont. Discussion and
Input**

4:00pm
**Questions from
Observers**

4:30pm
Adjourn

ZOOM: Virtual Meeting Groundrules

Chat Reminder: We have disabled the private chat function to adhere to your groundrule of no side conversations.

*****If you want to chat to the facilitators or pass along info to the Task Force, please send your chat to Molly Stenovec, who monitors the chat.**

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” and then those on phone.

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.
 - 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.

1:10 - 1:40pm

Task Force Introductions

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

Co-Chair & Facilitator Updates

Sentencing Alternatives Group Update

Section 2

How Task Force Discussions
on Each Component of the
Grid are Being Sequenced in
2021 and 2022

At the Beginning of 2021...

- How to deliberately *and* collaboratively work through a grid that is made up of many interconnected elements?
- Recognize it is difficult to break the grid down into part-by-part discussions. However, is also difficult to discuss the grid as a whole without having an in depth understanding of each part and how it connects to other parts.

Where on the Grid to Start the Discussions?

- The first big task of the Grid Subgroup was figuring out where to start on the grid, how to sequence its work, and 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). Once all is put together, the Task Force will be able to discuss the full suite of potential recommendations and then begin working towards consensus deliberations.

Many Components of the Grid...

- Offense Serious Levels
- Felony class – areas on the grid that exceed stat max
- Statutory minimums
- The “Southwest Corner” of the grid
- Cell ranges
- Exceptional sentence (departures above and below)
- Creating zones
- Aggravators
- Mitigators
- Sentencing alternatives
- Enhancements
- Sentencing for young adults
- Criminal History Score
- Three strikes laws
- Two strikes laws
- Criminal history multipliers
- Mandatory consecutive sentencing for serious violent offenses
- Mandatory consecutive sentencing for other offenses
- Information and data available

Keeping in Mind, the 3 Policy Goals:

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.

And Keeping in Mind, the Task Force's Desired Outcomes:

- Balances discretion across the system and encourages and provides for individual rehabilitation that is trauma informed and based on risk, need, responsivity.
- Addresses multipliers and enhancements and consecutive sentences – sentencing ranges – mandatory portions of sentences – mandatory features that remove judicial discretion and led to longer sentences.
- Provides predictability for all parties.
- Addresses accountability while decreasing unnecessary incarceration(s).
- Avoids shifting population from state prison to jails.
- Addresses inequities in the burden of the costs & workloads associated with incarceration.
- Ensures adequate resources for both DOC & counties.
- Reduces or eliminates disparities / disproportionate impacts.
- Maximizes/increases the information available to the parties and the Judges to make informed decisions.
- Eliminates unnecessary complexity.

Organized the Components (and Sequenced the Discussions) According to the Grid Axis

August - November 2021

Vertical Axis Components

- Offense Serious Levels
- Felony class – areas on the grid that exceed stat max
- Statutory minimums
- The “Southwest Corner” of the grid
- Cell ranges
- Exceptional sentence (departures above and below)
- Creating zones
- Sentencing alternatives
- Sentencing for young adults
- Information and data available

December – February 2022

Horizontal Axis Components

- Methods for Addressing Repeat Violent Offending Behaviors
 - Three strikes laws
 - Two strikes laws
 - Criminal history multipliers
 - Mandatory consecutive sentencing for serious violent offenses
 - Mandatory consecutive sentencing for other offenses
- Aggravators and Mitigators
- Enhancements
- Criminal History Score
- Sentencing for young adults
- Information and data available

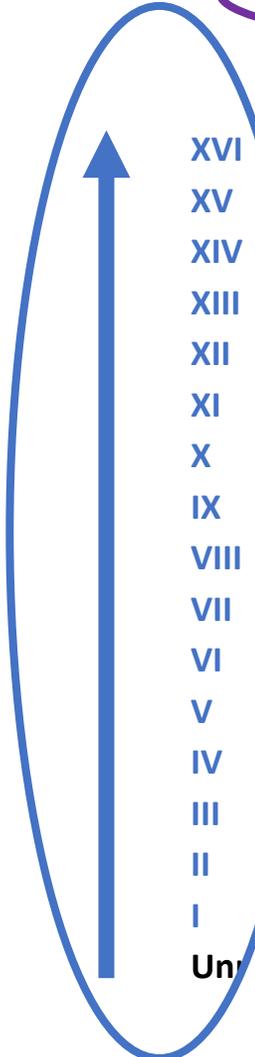
Vertical Axis: Offense Serious Level

Horizontal Axis: Criminal History Score

	U	1	2	3	4	5	6	7	8	9+										
	Life Sentence without parole/death penalty for defendants at or over the age of 18 with 5 or more years to Life										5									
XVI												48								
XV	240	320	250	333	261	347	271	361	281	374	291	3	48							
XIV	12							254	165	265	175	2	97							
XIII	12							205	165	219	175	2	97							
XII	9							160	129	171	138	1	18							
XI	7							136	111	147	120	1	30							
X	5							89	72	96	77	1	98							
IX	3							61	51	68	57		71							
VIII	2							48	41	54	46		44							
VII	1							41	36	48	41	54	57	75	67	89	77	102	87	116
VI	12							34	31	41	36	48	46	61	57	75	67	89	77	102
V	6							20	22	29	33	43	41	54	51	68	62	82	72	96
IV	3	9	6	12	12.05	14	13	17	15	20	22	29	33	43	43	57	53	70	63	84
III	1	3	3	8	4	12	9	12	12.05	16	17	22	22	29	33	43	43	57	51	68
II	0	3	2	6	3	9	4	12	12.05	14	14	18	17	22	22	29	33	43	43	57
I	0	2	0	3	2	5	2	6	3	8	4	12	12.05	14	14	18	17	22	22	29
Un											0 - 365 days									

Vertical Axis:
The rows on the grid represent different **Offense Seriousness Levels (OSLs)** and range from 1 to 16. Higher OSLs correspond with longer sentence lengths.

Horizontal Axis:
The columns represent different **criminal history scores** and range from 0 to 9+. Criminal history scores are determined using a complex calculation.



*****The potential recommendations presented to full Task Force to date (as of Nov 2021) are about the individual grid components that are primarily **associated with the *vertical axis* of the grid.****

	0	1	2	3	4	5	6	7	8	9+											
	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																				
XVI																					
XV	240	320	250	333	261	347	271	361	281	374	291	388	312	416	338	450	370	493	411	548	
XIV	123	220	134	234	144	244	154	254	165	265	175	275	195	295	216	316	257	357	298	397	
XIII	123	164	134	178	144	192	154	205	165	219	175	233	195	260	216	288	257	342	298	397	
XII	93	123	102	136	111	147	120	160	129	171	138	184	162	216	178	236	209	277	240	318	
XI	78	102	86	114	95	125	102	136	111	147	120	158	146	194	159	211	185	245	210	280	
X	51	68	57	75	62	82	67	89	72	96	77	102	98	130	108	144	129	171	149	198	
IX	31	41	36	48	41	54	46	61	51	68	57	75	77	102	87	116	108	144	129	171	
VIII	21	27	26	34	31	41	36	48	41	54	46	61	67	89	77	102	87	116	108	144	
VII	15	20	21	27	26	34	31	41	36	48	41	54	57	75	67	89	77	102	87	116	
VI	12.0	5	14	15	20	21	27	26	34	31	41	36	48	46	61	57	75	67	89	77	102
V	6	12	12.05	14	13	17	15	20	22	29	33	43	41	54	51	68	62	82	72	96	
IV	3	9	6	12	12.05	14	13	17	15	20	22	29	33	43	43	57	53	70	63	84	
III	1	3	3	8	4	12	9	12	12.05	16	17	22	22	29	33	43	43	57	51	68	
II	0	3	2	6	3	9	4	12	12.05	14	14	18	17	22	22	29	33	43	43	57	
I	0	2	0	3	2	5	2	6	3	8	4	12	12.05	14	14	18	17	22	22	29	
Unr	0 - 365 days																				

The **Grid Subgroup** is now working on the *horizontal axis* components of the grid and will be presenting those **potential recommendations at the start of next year.**

	0	1	2	3	4	5	6	7	8	9+											
	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																				
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XV	240	320	250	333	261	347	271	361	281	374	291	388	312	416	338	450	370	493	411	548	
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XIII	123	164	134	178	144	192	154	205	165	219	175	233	195	260	216	288	257	342	298	397	
XII	93	123	102	136	111	147	120	160	129	171	138	184	162	216	178	236	209	277	240	318	
XI	78	102	86	114	95	125	102	136	111	147	120	158	146	194	159	211	185	245	210	280	
X	51	68	57	75	62	82	67	89	72	96	77	102	98	130	108	144	129	171	149	198	
IX	31	41	36	48	41	54	46	61	51	68	57	75	77	102	87	116	108	144	129	171	
VIII	21	27	26	34	31	41	36	48	41	54	46	61	67	89	77	102	87	116	108	144	
VII	15	20	21	27	26	34	31	41	36	48	41	54	57	75	67	89	77	102	87	116	
VI	12.0	5	14	15	20	21	27	26	34	31	41	36	48	46	61	57	75	67	89	77	102
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IV	3	9	6	12	12.05	14	13	17	15	20	22	29	33	43	43	57	53	70	63	84	
III	1	3	3	8	4	12	9	12	12.05	16	17	22	22	29	33	43	43	57	51	68	
II	0	3	2	6	3	9	4	12	12.05	14	14	18	17	22	22	29	33	43	43	57	
I	0	2	0	3	2	5	2	6	3	8	4	12	12.05	14	14	18	17	22	22	29	
Unr	0 - 365 days																				

Coming Soon: Potential Recommendations

Horizontal Axis Components

- **Methods for Addressing Repeat Violent Offending Behaviors** (*look at current methods and discuss other ideas, options, models, etc.*):
 - Three strikes laws
 - Two strikes laws
 - Criminal history multipliers
 - Mandatory consecutive sentencing for serious violent offenses
 - Mandatory consecutive sentencing for other offenses
- Aggravators and Mitigators
- Enhancements
- Criminal History Score
- Sentencing for young adults
- Information and data available

After Potential Recommendations on the Horizontal Axis are Presented:

Tentative plan is that horizontal axis potential recommendations will go to the full Task Force for input in February and March 2022.

Meanwhile...

The Grid Subgroup will be revising all potential recommendations: bringing in Task Force input, new ideas, refining ideas and areas where members are and are not aligned, etc...

In order to put together the whole package of potential grid recommendations. This will be what the Task Force then starts working to revise, refine, and ultimately enter into consensus deliberations.

Reminder:

Eventually all potential recommendations will come together to form a complete grid structure.

In essence, *ALL* potential recommendations are sub-recommendations that once put together will be a larger reform package(s) that the full Task Force will then be working towards consensus on.

1:40 - 2:30pm

Review Of Combined Grid Potential Recommendations Presented To Date

Compiled Grid Structure Specific Potential Recommendations

Grid Structure Potential Recommendations:

- 2 – class and OSL
- 3 – statutory maximums for Class B and Class C
- 6 – OSL 1-5 ranges
- 7, 8, 9 – straddle cells
- 10 – M1 mandatory minimum
- 13, 13a, 13b – expanding OSL
- 14 – mid-grid ranges

Current Grid

	0	1	2	3	4	5	6	7	8	9+										
XVI	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
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VII	15	20	21	27	26	34	31	41	36	48	41	54	57	75	67	89	77	102	87	116
VI	12.03	14	15	20	21	27	26	34	31	41	36	48	46	61	57	75	67	89	77	102
V	6	12	12.03	14	13	17	15	20	22	29	33	43	41	54	51	68	62	82	72	96
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III	1	3	3	8	4	12	9	12	12.03	16	17	22	22	29	33	43	43	57	51	68
II	0	3	2	6	3	9	4	12	12.03	14	14	18	17	22	22	29	33	43	43	57
I	0	2	0	3	2	5	2	6	3	8	4	12	12.03	14	14	18	17	22	22	29
Unr	0 - 365 days																			

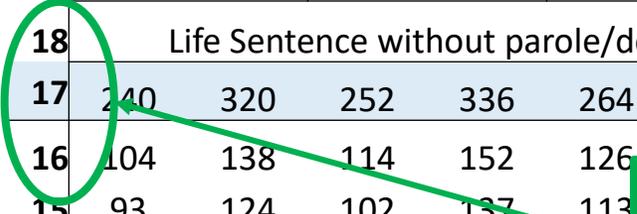
Simulated Grid

	0	1	2	3	4	5	6	7	8	9+										
18	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
17	240	320	252	336	264	352	277	370	291	388	306	408	321	428	337	450	354	472	372	496
16	104	138	114	152	126	168	138	184	152	203	167	223	184	246	203	270	223	297	297	397
15	93	124	102	137	113	150	124	165	136	182	150	200	165	220	182	242	200	267	267	356
14	82	110	90	121	100	133	110	146	121	161	133	177	146	195	161	214	177	236	236	315
13	71	95	79	105	87	116	95	127	105	140	115	154	127	169	140	186	154	205	205	274
12	61	81	67	89	74	98	81	108	89	119	98	131	108	144	119	158	131	174	174	233
11	50	67	55	73	60	81	67	89	73	98	81	108	89	119	98	130	108	144	144	192
10	39	52	43	58	47	63	52	70	58	77	63	85	70	93	77	102	84	113	113	151
9	16	21	19	25	23	31	27	37	33	44	40	53	48	64	58	77	69	92	81	108
8	14	19	17	22	20	27	24	32	29	39	35	47	42	56	51	68	61	81	71	95
7	12	16	14	19	17	23	21	28	25	34	30	40	36	48	44	58	52	70	61	82
6	10	13	12	16	14	19	17	23	21	28	25	34	30	41	37	49	44	59	51	69
5	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	46	16	54
4	2	9	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	45
3	2	7	2	8	3	10	3	12	4	14	5	17	6	21	7	25	9	30	10	36
2	0	3	1	6	2	7	2	8	3	10	3	12	4	14	5	17	6	21	8	27
1	0	2	0	3	1	5	1	6	2	7	2	8	3	10	3	12	4	14	5	18
Unr	0 - 365 days																			

Simulated Grid

	0	1	2	3	4	5	6	7	8	9+										
18	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
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16	104	138	114	152	126	168	128	184	152	202	167	223	184	246	203	270	223	297	297	397
15	93	124	102	137	113	150	113	150	113	150	113	150	113	150	113	150	113	150	113	150
14	82	110	90	121	100	133	110	146	119	158	133	177	146	195	161	214	177	236	236	315
13	71	95	79	105	87	115	95	127	104	139	115	154	127	169	140	186	154	205	205	274
12	61	81	67	89	74	98	81	108	89	119	98	131	108	144	119	158	131	174	174	233
11	50	67	55	73	60	81	67	89	73	98	81	108	89	119	98	130	108	144	144	192
10	39	52	43	58	47	63	52	70	58	77	63	85	70	93	77	102	84	113	113	151
9	16	21	19	25	23	31	27	37	33	44	40	53	48	64	58	77	69	92	81	108
8	14	19	17	22	20	27	24	32	29	39	35	47	42	56	51	68	61	81	71	95
7	12	16	14	19	17	23	21	28	25	34	30	40	36	48	44	58	52	70	61	82
6	10	13	12	16	14	19	17	23	21	28	25	34	30	41	37	49	44	59	51	69
5	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	46	16	54
4	2	9	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	45
3	2	7	2	8	3	10	3	12	4	14	5	17	6	21	7	25	9	30	10	36
2	0	3	1	6	2	7	2	8	3	10	3	12	4	14	5	17	6	21	8	27
1	0	2	0	3	1	5	1	6	2	7	2	8	3	10	3	12	4	14	5	18
Unr	0 - 365 days																			

Recommendation 13 expands grid from 16 seriousness levels to 18 seriousness levels.



Current Grid

Current ranges do not increase consistently across criminal history score or with an increase in seriousness level.

Additionally, the minimum is not always the same percentage of the maximum.

	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
XVI	Life Sentence without parole/death penalty for defendants at or over the Life																					
XV	240	320	250	333	261	347	271	361	281	374	294	387	306	399	318	411	330	423	342	435	354	447
XIV	123	220	134	234	144	244	154	254	165	265	175	275	185	285	195	295	205	305	215	315	225	325
XIII	123	164	134	178	144	192	154	205	165	219	175	233	185	246	195	260	205	273	215	288	225	297
XII	93	123	102	136	111	147	120	160	129	171	138	184	146	194	159	211	171	227	185	245	198	258
XI	78	102	86	114	95	125	102	136	111	147	120	158	146	194	159	211	171	227	185	245	210	280
X	51	68	57	75	62	82	67	89	72	96	77	102	98	130	108	144	129	171	149	198	171	229
IX	31	41	36	48	41	54	46	61	51	68	57	75	77	102	87	116	108	144	129	171	144	191
VIII	21	27	26	34	31	41	36	48	41	54	46	61	67	89	77	102	87	116	108	144	129	171
VII	15	20	21	27	26	34	31	41	36	48	41	54	57	75	67	89	77	102	87	116	108	144
VI	12.03	14	15	20	21	27	26	34	31	41	36	48	46	61	57	75	67	89	77	102	87	116
V	6	12	12.03	14	13	17	15	20	22	29	33	43	41	54	51	68	62	82	72	96	84	108
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III	1	3	3	8	4	12	9	12	12.03	16	17	22	22	29	33	43	43	57	51	68	63	84
II	0	3	2	6	3	9	4	12	12.03	14	14	18	17	22	22	29	33	43	43	57	51	68
I	0	2	0	3	2	5	2	6	3	8	4	12	12.03	14	14	18	17	22	22	29	29	36
Unr	0 - 365 days																					

Years to
548

Simulated Grid

Consistent formula used for full grid, with slight changes in formula specifications by region of the grid. Maximums at 9+ increase equally by SL within grid section.

	0	1	2	3	4															9+
18	Life Sentence without parole/death penalty for defendants at or over the age of																			Life
17	240	320	252	336	264	352	277	370	291	388	306	408	321	428	337	450	354	472	372	496
16	104	138	114	152	126	168	138	184	152	203	167	223	184	246	203	270	223	297	297	397
15	93	124	102	137	113	150	<p>High ranges (10-16, including M2):</p> <p>Maximum at 0 CHS is 35% of Maximum at CHS 9+.</p> <p>Maximum from CHS 1 – 8 is 110% of prior maximum.</p> <p>Minimum is 75% of the maximum for each cell.</p>						182	242	200	267	267	356		
14	82	110	90	121	100	133							161	214	177	236	236	315		
13	71	95	79	105	87	116							140	186	154	205	205	274		
12	61	81	67	89	74	98							119	158	131	174	174	233		
11	50	67	55	73	60	81	67	89	73	98	81	108	89	119	98	130	108	144	144	192
10	39	52	43	58	47	63	52	70	58	77	63	85	70	93	77	102	84	113	113	151
9	16	21	19	25	23	31	<p>Mid-ranges:</p> <p>Maximum at 0 CHS is 20% of Maximum at CHS 9+.</p> <p>Maximum from CHS 1 – 8 is 120% of prior maximum.</p> <p>Minimum is 75% of the maximum for each cell.</p>						58	77	69	92	81	108		
8	14	19	17	22	20	27							51	68	61	81	71	95		
7	12	16	14	19	17	23							44	58	52	70	61	82		
6	10	13	12	16	14	19							37	49	44	59	51	69		
5	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	46	16	54
4	2	9	3	10	3	12	<p>Low-ranges:</p> <p>Maximum at 0 CHS is 20% of Maximum at CHS 9+.</p> <p>Maximum from CHS 1 – 8 is 120% of prior maximum.</p> <p>Minimum is 30% of the maximum for each cell.</p>						9	32	11	38	13	45		
3	2	7	2	8	3	10							7	25	9	30	10	36		
2	0	3	1	6	2	7							5	17	6	21	8	27		
1	0	2	0	3	1	5							3	12	4	14	5	18		
Unr	0 - 365 days																			

Current Grid

	0	1	2	3	4	5	6	7	8	9+										
	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
XVI	Life																			
XV	240	320	250	333	261	347	271	361	281	374	291	388	312	416	338	450	370	493	411	548
XIV	123	220	134	234	144	244	154	254	165	265	175	275	195	295	216	316	257	357	298	397
XIII	123	164	134	178	144	192	154	205	165	219	175	233	195	260	216	288	257	342	298	397
XII	93	123	102	136	111	147	120	160	129	171	138	184	162	216	178	236	209	277	240	318
XI	78	108	86	114	85	125	103	136	111	147	120	158	146	194	159	211	185	245	210	280
X	51	66	51	66	51	66	51	66	51	96	77	102	98	130	108	144	129	171	149	198
IX	31	44	31	44	31	44	31	44	31	68	57	75	77	102	87	116	108	144	129	171
VIII	21	28	21	28	21	28	21	28	21	54	46	61	67	89	77	102	87	116	108	144
VII	15	20	15	20	15	20	15	20	15	48	41	54	57	75	67	89	77	102	87	116
VI	12.03	16	12.03	16	12.03	16	12.03	16	12.03	41	36	48	46	61	57	75	67	89	77	102
V	6	8	6	8	6	8	6	8	6	29	33	43	41	54	51	68	62	82	72	96
IV	3	6	3	6	3	6	3	6	3	20	22	29	33	43	43	57	53	70	63	84
III	1	3	3	8	4	12	9	12	12.03	16	17	22	22	29	33	43	43	57	51	68
II	0	3	2	6	3	9	4	12	12.03	14	14	18	17	22	22	29	33	43	43	57
I	0	2	0	3	2	5	2	6	3	8	4	12	12.03	14	14	18	17	22	22	29
Unr	0 - 365 days																			

Circled ranges exceed the statutory maximum for some offenses included in the offense seriousness level.

Thus, these are not valid sentences for some cases seen by the court.

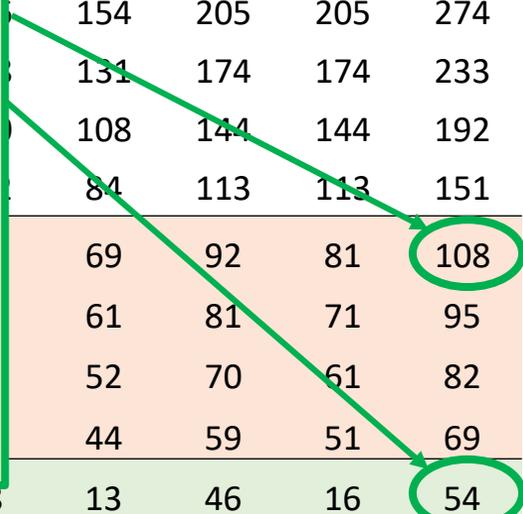
Simulated Grid

	0	1	2	3	4	5	6	7	8	9+										
18	Life Sentence without parole/death penalty for defendant									8, a term of 25 years to Life										
17	240	320	252	336	264	352	277	370	354	472	372	496								
16	104	138	114	152	126	168	138	184	223	297	297	397								
15	93	124	102	137	113	150	124	165	200	267	267	356								
14	82	110	90	121	100	133	110	146	177	236	236	315								
13	71	95	79	105	87	116	95	127	154	205	205	274								
12	61	81	67	89	74	98	81	108	131	174	174	233								
11	50	67	55	73	60	81	67	89	108	144	144	192								
10	39	52	43	58	47	63	52	70	84	113	113	151								
9	16	21	19	25	23	31	27	37	69	92	81	108								
8	14	19	17	22	20	27	24	32	61	81	71	95								
7	12	16	14	19	17	23	21	28	52	70	61	82								
6	10	13	12	16	14	19	17	23	44	59	51	69								
5	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	46	16	54
4	2	9	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	45
3	2	7	2	8	3	10	3	12	4	14	5	17	6	21	7	25	9	30	10	36
2	0	3	1	6	2	7	2	8	3	10	3	12	4	14	5	17	6	21	8	27
1	0	2	0	3	1	5	1	6	2	7	2	8	3	10	3	12	4	14	5	18
Unr	0 - 365 days																			

Recommendation 2 moves some offenses to different seriousness levels, and ensures that Class B felonies cannot be higher than OSL 9 and Class C felonies cannot be higher than OSL 5.

Recommendation 3 makes the maximum punishment in a row consistent with the statutory maximums for offenses included in that seriousness level.

Result: all sentence ranges are now valid for all offenses in a seriousness level.



Current Grid

	0	1	2	3	4	5	6	7	8	9+										
XVI	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
XV	240	320	250	333	261	347	271	361	281	374	291	388	312	416	338	450	370	493	411	548
XIV	123	220	134	234	144	244	154	254	165	265	175	275	195	295	216	316	257	357	298	397
XIII	123	164	134	178	144	192	154	205	165	219	175	233	195	260	216	288	257	342	298	397
XII	93	123	102	136	111	<p>Current grid has a strict cutoff for ranges that are local sanctions (aka jail) and ranges that are state sanctions (aka prison).</p> <p>Only 17 cells (11%) are local sanctions.</p>							162	216	178	236	209	277	240	318
XI	78	102	86	114	95								146	194	159	211	185	245	210	280
X	51	68	57	75	62								98	130	108	144	129	171	149	198
IX	31	41	36	48	41								77	102	87	116	108	144	129	171
VIII	21	27	26	34	31								67	89	77	102	87	116	108	144
VII	15	20	21	27	26								57	75	67	89	77	102	87	116
VI	12.03	14	15	20	21								46	61	57	75	67	89	77	102
V	6	12	12.03	14	13	17	15	20	22	29	33	43	41	54	51	68	62	82	72	96
IV	3	9	6	12	12.03	14	13	17	15	20	22	29	33	43	43	57	53	70	63	84
III	1	3	3	8	4	12	9	12	12.03	16	17	22	22	29	33	43	43	57	51	68
II	0	3	2	6	3	9	4	12	12.03	14	14	18	17	22	22	29	33	43	43	57
I	0	2	0	3	2	5	2	6	3	8	4	12	12.03	14	14	18	17	22	22	29
Unr	0 - 365 days																			

Simulated Grid

	0	1	2	3	4	5	6	7	8	9+									
18	Life Sentence without parole/death penalty							8, a term of 25 years to Life											
17	240	320	252	336	264	352	240	320	252	336	264	352	240	320	252	336	264	352	
16	104	138	114	152	126	168	104	138	114	152	126	168	104	138	114	152	126	168	
15	93	124	102	137	113	150	93	124	102	137	113	150	93	124	102	137	113	150	
14	82	110	90	121	100	133	82	110	90	121	100	133	82	110	90	121	100	133	
13	71	95	79	105	87	116	71	95	79	105	87	116	71	95	79	105	87	116	
12	61	81	67	89	74	98	61	81	67	89	74	98	61	81	67	89	74	98	
11	50	67	55	73	60	81	50	67	55	73	60	81	50	67	55	73	60	81	
10	39	52	43	58	47	63	39	52	43	58	47	63	39	52	43	58	47	63	
9	16	21	19	25	23	31	16	21	19	25	23	31	16	21	19	25	23	31	
8	14	19	17	22	20	27	14	19	17	22	20	27	14	19	17	22	20	27	
7	12	16	14	19	17	23	12	16	14	19	17	23	12	16	14	19	17	23	
6	10	13	12	16	14	19	10	13	12	16	14	19	10	13	12	16	14	19	
5	3	10	3	12	4	15	3	10	3	12	4	15	3	10	3	12	4	15	
4	2	9	3	10	3	12	2	9	3	10	3	12	2	9	3	10	3	12	
3	2	7	2	8	3	10	2	7	2	8	3	10	2	7	2	8	3	10	
2	0	3	1	6	2	7	0	3	1	6	2	7	0	3	1	6	2	7	
1	0	2	0	3	1	5	0	2	0	3	1	5	0	2	0	3	1	5	
Unr	0 - 365 days																		

The new formula expands the number of cells with a potential local sanction, but also introduces the possibility of straddle cells (cells where a local or state sanction would be a valid sentence).

Rec. 9 would make area outlined in green a separate zone on the grid.

Result: 23 pure local sanction cells, 26 straddle cells

*recommendation 7 would reduce bolded minimums to 0

Simulated Grid

	0	1	2	3	4	5	6	7	8	9+											
18	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																				
17	240	320	252	336	264	352	277	370	291	388	306	408	321	428	337	450	354	472	372	496	
16	104	138	114	152	126	168	138	184	152	203	167	223	184	246	203	270	223	297	297	397	
15	93	124	102	137	113	150	124	165	136	182	150	200	165	220	182	242	200	267	267	356	
14	82	110	90	121	100	133	110	146	121	161	133	177	146	195	161	214	177	236	236	315	
13	71	95	79	105	87	116	95	127	105	140	115	154	127	169	140	186	154	205	205	274	
12	61	81	67	89	74	98	81	<div style="border: 2px solid green; padding: 5px;"> Recommendation 8 would eliminate straddle cells. Bolded minimums would be 12.03. Result: 23 pure local sanction cells, 0 straddle cells </div>										131	174	174	233
11	50	67	55	73	60	81	67											108	144	144	192
10	39	52	43	58	47	63	52											84	113	113	151
9	16	21	19	25	23	31	27	69	92	81	108										
8	14	19	17	22	20	27	24	61	81	71	95										
7	12	16	14	19	17	23	21	28	25	34	30	40	36	48	44	58	52	70	61	82	
6	10	13	12	16	14	19	17	23	21	28	25	34	30	41	37	49	44	59	51	69	
5	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	46	16	54	
4	2	9	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	45	
3	2	7	2	8	3	10	3	12	4	14	5	17	6	21	7	25	9	30	10	36	
2	0	3	1	6	2	7	2	8	3	10	3	12	4	14	5	17	6	21	8	27	
1	0	2	0	3	1	5	1	6	2	7	2	8	3	10	3	12	4	14	5	18	
Unr	0 - 365 days																				

Current Grid

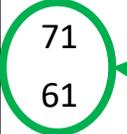
	0	1	2	3	4	5	6	7	8	9+													
	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to																						
XVI	<p>Statutory (aka guideline grid) minimum sentences for Rape 1, Assault 1, and Assault of a child 1 (OSL 12) are much higher than current mandatory minimum sentence (60 months).</p> <p>Guideline minimum for Sexually Violent Predator-Escape (OSL 10) is below the mandatory minimum sentence (60 months).</p>										16	338	450	370	493	411	548						
XV											240	320	250	333	261	347	95	216	316	257	357	298	397
XIV											123	220	134	234	144	244	60	216	288	257	342	298	397
XIII											123	164	134	178	144	192	16	178	236	209	277	240	318
XII											93	123	102	136	111	147	94	159	211	185	245	210	280
XI											78	102	86	114	95	125	30	108	144	129	171	149	198
X											51	68	57	75	62	82	02	87	116	108	144	129	171
IX											31	41	36	48	41	54	39	77	102	87	116	108	144
VIII											21	27	26	34	31	41	75	67	89	77	102	87	116
VII											15	20	21	27	26	34	51	57	75	67	89	77	102
VI	12.03	14	15	20	21	27	54	51	68	62	82	72	96										
V	6	12	12.03	14	13	17	13	17	15	20	22	29	33	43	43	57	53	70	63	84			
IV	3	9	6	12	12.03	14	9	12	12.03	16	17	22	22	29	33	43	43	57	51	68			
III	1	3	3	8	4	12	4	12	12.03	14	14	18	17	22	22	29	33	43	43	57			
II	0	3	2	6	3	9	4	12	12.03	14	14	18	17	22	22	29	33	43	43	57			
I	0	2	0	3	2	5	2	6	3	8	4	12	12.03	14	14	18	17	22	22	29			
Unr	0 - 365 days																						

Simulated Grid

	0	1	2	3	4	5	6	7	8	9+										
18	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
17	240	320	252	336	264	352	277	370	291	388	306	408	321	428	337	450	354	472	372	496
16	104	138	114	152	126	168										0	223	297	297	397
15	93	124	102	137	113	150										2	200	267	267	356
14	82	110	90	121	100	133										4	177	236	236	315
13	71	95	79	105	87	116										6	154	205	205	274
12	61	81	67	89	74	98										8	131	174	174	233
11	50	67	55	73	60	81										0	108	144	144	192
10	39	52	43	58	47	63										2	84	113	113	151
9	16	21	19	25	23	31										7	69	92	81	108
8	14	19	17	22	20	27										8	61	81	71	95
7	12	16	14	19	17	23	21	28	25	34	30	40	35	48	44	58	52	70	61	82
6	10	13	12	16	14	19	17	23	21	28	25	34	30	41	37	49	44	59	51	69
5	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	46	16	54
4	2	9	3	10	3	12	4	15	5	18	6	22	8	26	9	32	11	38	13	45
3	2	7	2	8	3	10	3	12	4	14	5	17	6	21	7	25	9	30	10	36
2	0	3	1	6	2	7	2	8	3	10	3	12	4	14	5	17	6	21	8	27
1	0	2	0	3	1	5	1	6	2	7	2	8	3	10	3	12	4	14	5	18
Unr	0 - 365 days																			

Recommendation 13/13b would make the guideline minimum sentence for Assault 1, Rape 1, and Assault of a Child 1 (OSL 12 or 13) closer to the mandatory minimum sentence. Sexually Violent Predator escape would need to be increased to OSL 12 to align with mandatory minimum.

*Aggravated sentences are still allowed for these cases if warranted



Simulated Grid – Amount of Change

	0		1		2		3		4		5		6		7		8		9+	
17	0	0	2	3	3	5	6	9	10	14	15	20	9	12	-1	0	-16	-21	-39	-52
16	-19	-82	-20	-82	-18	-76	-16	-70	-13	-62	-8	-52	-11	-49	-13	-46	-34	-60	-1	0
15	-147	-196	-148	-196	-148	-197	-147	-196	-145	-192	-141	-188	-147	-196	-156	-208	-170	-226	-144	-192
14	-41	-54	-44	-57	-44	-59	-44	-59	-44	-58	-42	-56	-49	-65	-55	-74	-80	-106	-62	-82
13	-22	-28	-23	-31	-24	-31	-25	-33	-24	-31	-23	-30	-35	-47	-38	-50	-55	-72	-35	-44
12	-17	-21	-19	-25	-21	-27	-21	-28	-22	-28	-22	-27	-38	-50	-40	-53	-54	-71	-36	-47
11	-1	-1	-2	-2	-2	-1	0	0	1	2	4	6	-9	-11	-10	-14	-21	-27	-5	-6
10	-12	-16	-14	-17	-15	-19	-15	-19	-14	-19	-14	-17	-28	-37	-31	-42	-45	-58	-36	-47
9	-15	-20	-17	-23	-18	-23	-19	-24	-18	-24	-17	-22	-29	-38	-29	-39	-39	-52	-48	-63
8	-7	-8	-9	-12	-11	-14	-12	-16	-12	-15	-11	-14	-25	-33	-26	-34	-26	-35	-37	-49
7	-3	-4	-7	-8	-9	-11	-10	-13	-11	-14	-11	-14	-21	-27	-23	-31	-25	-32	-26	-34
6	-2	-1	-3	-4	-7	-8	-9	-11	-10	-13	-11	-14	-16	-20	-20	-26	-23	-30	-26	-33
5	-3	-2	-9	-2	-9	-2	-10	-2	-16	-7	-25	-17	-32	-22	-40	-30	-49	-36	-56	-42
4	-1	0	-3	-2	-9	-2	-9	-2	-10	-2	-16	-7	-25	-17	-34	-25	-42	-32	-50	-39
3	1	4	-1	0	-1	-2	-6	0	-8	-2	-12	-5	-16	-8	-26	-18	-34	-27	-41	-32
2	0	0	-1	0	-1	-2	-2	-4	-9	-4	-11	-6	-13	-8	-17	-12	-27	-22	-35	-30
1	0	0	0	0	-1	0	-1	0	-1	-1	-2	-4	-9	-4	-11	-6	-13	-8	-17	-11

Simulated Grid – Amount of Change

	0	1	2	3	4	5	6	7	8	9+													
17	0	0	2	3	3	5	6	9	10	14	15	20	9	12	-1	0	-16	-21	-39	-52			
16	-19	-82	-20	-82	-18	-76	-16	-70	-13	-62	-8	-52	-11	-49	-13	-46	-34	-60	-1	0			
15	-147	-196	-148	A handful of ranges would remain the same. 9 cells would see an increase in the minimum and maximum. The majority of ranges would decrease.										-1	-188	-147	-196	-156	-208	-170	-226	-144	-192
14	-41	-54	-44	A handful of ranges would remain the same. 9 cells would see an increase in the minimum and maximum. The majority of ranges would decrease.										-2	-56	-49	-65	-55	-74	-80	-106	-62	-82
13	-22	-28	-23	A handful of ranges would remain the same. 9 cells would see an increase in the minimum and maximum. The majority of ranges would decrease.										-3	-30	-35	-47	-38	-50	-55	-72	-35	-44
12	-17	-21	-19	-25	-21	-27	-21	-28	-22	-28	-22	-27	-38	-50	-40	-53	-54	-71	-36	-47			
11	-1	-1	-2	-2	-2	-1	0	0	1	2	4	6	-9	-11	-10	-14	-21	-27	-5	-6			
10	-12	-16	-14	-17	-15	-19	-15	-19	-14	-19	-14	-17	-28	-37	-31	-42	-45	-58	-36	-47			
9	-15	-20	-17	-23	-18	-23	-19	-24	-18	-24	-17	-22	-29	-38	-29	-39	-39	-52	-48	-63			
8	-7	-8	-9	-12	-11	-14	-12	-16	-12	-15	-11	-14	-25	-33	-26	-34	-26	-35	-37	-49			
7	-3	-4	-7	-8	-9	-11	-10	-13	-11	-14	-11	-14	-21	-27	-23	-31	-25	-32	-26	-34			
6	-2	-1	-3	-4	-7	-8	-9	-11	-10	-13	-11	-14	-16	-20	-20	-26	-23	-30	-26	-33			
5	-3	-2	-9	-2	-9	-2	-10	-2	-16	-7	-25	-17	-32	-22	-40	-30	-49	-36	-56	-42			
4	-1	0	-3	-2	-9	-2	-9	-2	-10	-2	-16	-7	-25	-17	-34	-25	-42	-32	-50	-39			
3	1	4	-1	0	-1	-2	-6	0	-8	-2	-12	-5	-16	-8	-26	-18	-34	-27	-41	-32			
2	0	0	-1	0	-1	-2	-2	-4	-9	-4	-11	-6	-13	-8	-17	-12	-27	-22	-35	-30			
1	0	0	0	0	-1	0	-1	0	-1	-1	-2	-4	-9	-4	-11	-6	-13	-8	-17	-11			

Simulated Grid – Amount of Change

	0	1	2	3	4	5	6	7	8	9+										
17	0	0	2	3	3	5	6	9	10	14	15	20	9	12	-1	0	-16	-21	-39	-52
16	-19	-82	-20	-82	-18	-76	-16	-70	-13	-62	-8	-52	-11	-49	-13	-46	-34	-60	-1	0
15	-147	-196	-148	A handful of ranges would remain the same. 9 cells would see an increase in the minimum and maximum. The majority of ranges would decrease.								-188	-147	-196	-156	-208	-170	-226	-144	-192
14	-41	-54	-44	A handful of ranges would remain the same. 9 cells would see an increase in the minimum and maximum. The majority of ranges would decrease.								-56	-49	-65	-55	-74	-80	-106	-62	-82
13	-22	-28	-23	A handful of ranges would remain the same. 9 cells would see an increase in the minimum and maximum. The majority of ranges would decrease.								-30	-35	-47	-38	-50	-55	-72	-35	-44
12	-17	-21	-19	-25	-21	-27	-21	-28	-22	-27	-38	-50	-40	-53	-54	-71	-36	-47		
11	-1	-1	-2	-2	-2	-1	0	0	1	2	4	6	-9	-11	-10	-14	-21	-27	-5	-6
10	-12	-16	-14	-17	-15	-19	-15	-19	-14	-19	-14	-17	-28	-37	-31	-42	-45	-58	-36	-47
9	-15	-20	-17	-22	-18	-22	-18	-24	-18	-24	-17	-22	-29	-38	-29	-39	-39	-52	-48	-63
8	-7	-8	-9	-14	-10	-14	-10	-16	-10	-16	-14	-14	-25	-33	-26	-34	-26	-35	-37	-49
7	-3	-4	-7	-14	-10	-14	-10	-16	-10	-16	-14	-14	-21	-27	-23	-31	-25	-32	-26	-34
6	-2	-1	-3	-14	-10	-14	-10	-16	-10	-16	-14	-14	-16	-20	-20	-26	-23	-30	-26	-33
5	-3	-2	-9	-2	-9	-2	-10	-2	-16	-7	-25	-17	-32	-22	-40	-30	-49	-36	-56	-42
4	-1	0	-3	-2	-9	-2	-9	-2	-10	-2	-16	-7	-25	-17	-34	-25	-42	-32	-50	-39
3	1	4	-1	0	-1	-2	-6	0	-8	-2	-12	-5	-16	-8	-26	-18	-34	-27	-41	-32
2	0	0	-1	0	-1	-2	-2	-4	-9	-4	-11	-6	-13	-8	-17	-12	-27	-22	-35	-30
1	0	0	0	0	-1	0	-1	0	-1	-1	-2	-4	-9	-4	-11	-6	-13	-8	-17	-11

A handful of ranges would remain the same. 9 cells would see an increase in the minimum and maximum. The majority of ranges would decrease.

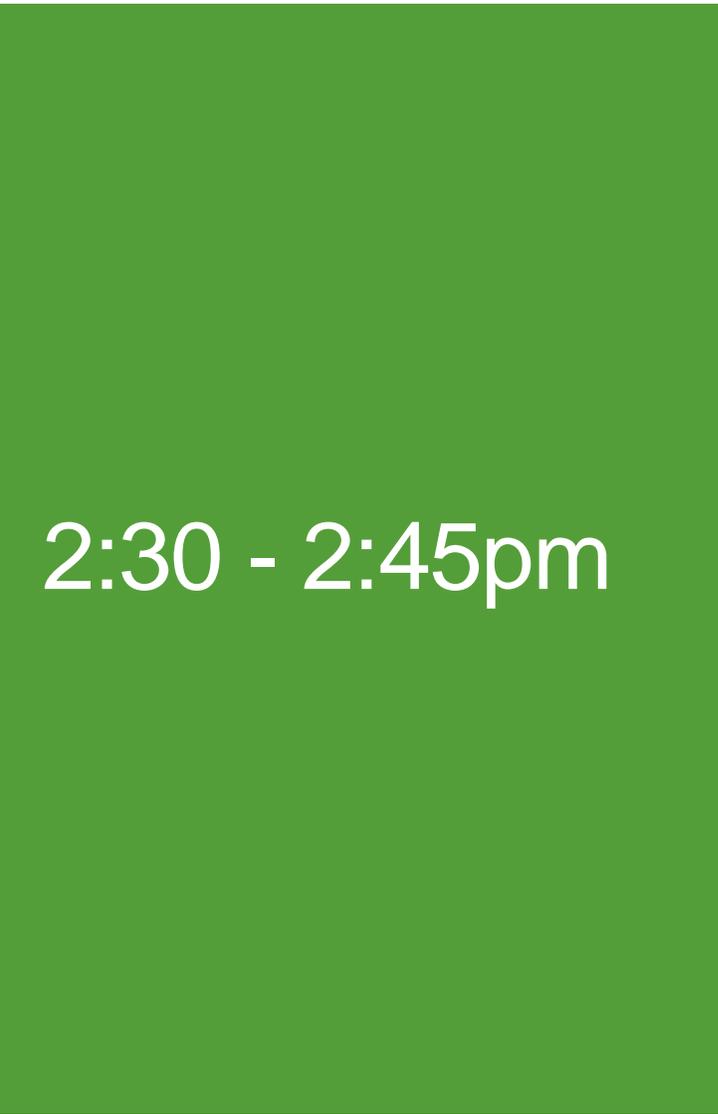
But remember, some of these ranges weren't valid sentences anyway, so it wouldn't necessarily result in a real decrease in sanctions to the degree shown here.

Simulated Grid – Amount of Change

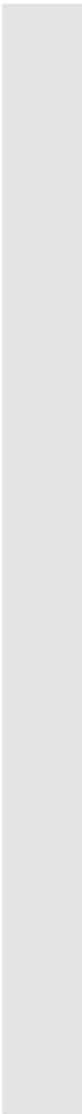
	0		1		2		3		4		5		6		7		8		9+	
17	0%	0%	1%	1%	1%	1%	2%	2%	4%	4%	5%	5%	3%	3%	0%	0%	-4%	-4%	-9%	-9%
16	-15%	-37%	-15%	-35%	-13%	-31%	-10%	-28%	-8%	-23%	-5%	-19%	-6%	-17%	-6%	-15%	-13%	-17%	0%	0%
15	-61%	-61%	-59%	-59%	-57%	-57%	-54%	-54%	-52%	-51%	-48%	-48%	-47%	-47%	-46%	-46%	-46%	-46%	-35%	-35%
14	-33%	-33%	-33%	-32%	-31%	-31%	-29%	-29%	-27%	-26%	-24%	-24%	-25%	-25%	-25%	-26%	-31%	-31%	-21%	-21%
13	-24%	-23%	-23%	-23%	-22%	-21%	-21%	-21%	-19%	-18%	-17%	-16%	-22%	-22%	-21%	-21%	-26%	-26%	-15%	-14%
12	-22%	-21%	-22%	-22%	-22%	-22%	-21%	-21%	-20%	-19%	-18%	-17%	-26%	-26%	-25%	-25%	-29%	-29%	-17%	-17%
11	-2%	-1%	-4%	-3%	-3%	-1%	0%	0%	1%	2%	5%	6%	-9%	-8%	-9%	-10%	-16%	-16%	-3%	-3%
10	-24%	-24%	-25%	-23%	-24%	-23%	-22%	-21%	-19%	-20%	-18%	-17%	-29%	-28%	-29%	-29%	-35%	-34%	-24%	-24%
9	-48%	-49%	-47%	-48%	-44%	-43%	-41%	-39%	-35%	-35%	-30%	-29%	-38%	-37%	-33%	-34%	-36%	-36%	-37%	-37%
8	-33%	-30%	-35%	-35%	-35%	-34%	-33%	-33%	-29%	-28%	-24%	-23%	-37%	-37%	-34%	-33%	-30%	-30%	-34%	-34%
7	-20%	-20%	-33%	-30%	-35%	-32%	-32%	-32%	-31%	-29%	-27%	-26%	-37%	-36%	-34%	-35%	-32%	-31%	-30%	-29%
6	-17%	-7%	-20%	-20%	-33%	-30%	-35%	-32%	-32%	-32%	-31%	-29%	-35%	-33%	-35%	-35%	-34%	-34%	-34%	-32%
5	-50%	-17%	-75%	-14%	-69%	-12%	-67%	-10%	-73%	-24%	-76%	-40%	-78%	-41%	-78%	-44%	-79%	-44%	-78%	-44%
4	-33%	0%	-50%	-17%	-75%	-14%	-69%	-12%	-67%	-10%	-73%	-24%	-76%	-40%	-79%	-44%	-79%	-46%	-79%	-46%
3	100%	133%	-33%	0%	-25%	-17%	-67%	0%	-67%	-13%	-71%	-23%	-73%	-28%	-79%	-42%	-79%	-47%	-80%	-47%
2	0%	0%	-50%	0%	-33%	-22%	-50%	-33%	-75%	-29%	-79%	-33%	-76%	-36%	-77%	-41%	-82%	-51%	-81%	-53%
1	0%	0%	0%	0%	-50%	0%	-50%	0%	-33%	-13%	-50%	-33%	-75%	-29%	-79%	-33%	-76%	-36%	-77%	-38%

Simulated Grid – Amount of Change

	0		1		2		3		4		5		The magnitude of the changes varies. Some ranges decrease by less than 10% while others decrease by over 70%. The average reduction across the grid is 29%.							
17	0%	0%	1%	1%	1%	1%	2%	2%	4%	4%	5%	5%							-9%	
16	-15%	-37%	-15%	-35%	-13%	-31%	-10%	-28%	-8%	-23%	-5%	-19%							0%	
15	-61%	-61%	-59%	-59%	-57%	-57%	-54%	-54%	-52%	-51%	-48%	-48%							-35%	
14	-33%	-33%	-33%	-32%	-31%	-31%	-29%	-29%	-27%	-26%	-24%	-24%							-21%	
13	-24%	-23%	-23%	-23%	-22%	-21%	-21%	-21%	-19%	-18%	-17%	-16%							-14%	
12	-22%	-21%	-22%	-22%	-22%	-22%	-21%	-21%	-20%	-19%	-18%	-17%	-26%	-26%	-25%	-25%	-29%	-29%	-17%	-17%
11	-2%	-1%	-4%	-3%	-3%	-1%	0%	0%	1%	2%	5%	6%	-9%	-8%	-9%	-10%	-16%	-16%	-3%	-3%
10	-24%	-24%	-25%	-23%	-24%	-23%	-22%	-21%	-19%	-20%	-18%	-17%	-29%	-28%	-29%	-29%	-35%	-34%	-24%	-24%
9	-48%	-49%	-47%	-48%	-44%	-43%	-41%	-39%	-35%	-35%	-30%	-29%	-38%	-37%	-33%	-34%	-36%	-36%	-37%	-37%
8	-33%	-30%	-35%	-35%	-35%	-34%	-33%	-33%	-29%	-28%	-24%	-23%	-37%	-37%	-34%	-33%	-30%	-30%	-34%	-34%
7	-20%	-20%	-33%	-30%	-35%	-32%	-32%	-32%	-31%	-29%	-27%	-26%	-37%	-36%	-34%	-35%	-32%	-31%	-30%	-29%
6	-17%	-7%	-20%	-20%	-33%	-30%	-35%	-32%	-32%	-32%	-31%	-29%	-35%	-33%	-35%	-35%	-34%	-34%	-34%	-32%
5	-50%	-17%	-75%	-14%	-69%	-12%	-67%	-10%	-73%	-24%	-76%	-40%	-78%	-41%	-78%	-44%	-79%	-44%	-78%	-44%
4	-33%	0%	-50%	-17%	-75%	-14%	-69%	-12%	-67%	-10%	-73%	-24%	-76%	-40%	-79%	-44%	-79%	-46%	-79%	-46%
3	100%	133%	-33%	0%	-25%	-17%	-67%	0%	-67%	-13%	-71%	-23%	-73%	-28%	-79%	-42%	-79%	-47%	-80%	-47%
2	0%	0%	-50%	0%	-33%	-22%	-50%	-33%	-75%	-29%	-79%	-33%	-76%	-36%	-77%	-41%	-82%	-51%	-81%	-53%
1	0%	0%	0%	0%	-50%	0%	-50%	0%	-33%	-13%	-50%	-33%	-75%	-29%	-79%	-33%	-76%	-36%	-77%	-38%



BREAK



2:45 - 4:00pm

CONT.

**Sentencing Grid Subgroup
Presentation and Discussion:
Relationship between Sentencing
Alternatives and the Grid**

Potential Recommendation. 1:

The current supervision model based on surveillance is insufficient, and changes to the grid are based on a broader paradigm shift focused on providing the appropriate treatment and resources for individuals placed in state custody. To sufficiently achieve those goals, changes to the grid must include concurrent changes to the DOC community custody approach to fully adopt the i-COACH model or to adopt a separate form of Community Reentry.

Purpose: Grid Subgroup discussed how any changes to the southwest corner of the grid that reduce incarceration or increase reentry services may increase the number of individuals on community supervision. Therefore, members thought it important that the model of community supervision is supportive rather than surveillance-based.

Potential Recommendation. 4

Establish a sunset committee that reviews offenses that have not been sentenced in the last 5-10-20 years for potential elimination from the criminal code.

Purpose/Effects:

- Simplifies the criminal code.
- Eliminate offenses that were created as the result of particular incidents that are extremely rare and have not since reoccurred or are no longer applicable.
- We have methods of creating new crimes, but no standard method of eliminating outdated crimes.

Potential Recommendation. 5

Require ongoing monitoring and larger, more in-depth statistical reviews after the first few years.

Purpose:

- Need to provide a way to monitor the effects of implementation on an ongoing basis rather than once every 40 years.
- If early implementation indicates unintended consequences or exacerbation of racial disproportionality, ongoing monitoring will allow for more timely reforms to address concerns.
- Value in both ongoing monitoring and occasional, wholistic reviews (e.g., basic annual reports and larger reports every 5-10 years to assess patterns that have insufficient sample sizes on an individual year-over-year basis).

Potential Recommendation # 11

For aggravated murder 1 change the language from:

*“Life sentence without parole/death penalty for individuals at or over the age of **eighteen**. For individuals under the age of **eighteen**, a term of twenty-five years to life.”*

To

*“Life sentence without parole/death penalty for individuals at or over the age of **twenty-five**. For individuals under the age of **twenty-five**, a term of twenty-five years to life.”*

Grid Group Discussion Points:

- Recent Supreme Court decisions recognize the emerging brain science and Washington Legislature has made other policy changes recognizing continued brain development between the ages of 18 and 25.

Potential Recommendation # 12

For all sentences longer than 20 years, require a second chance review at 20 years of incarceration with the presumption of release.

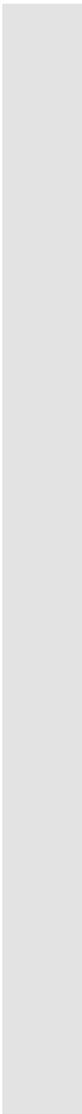
Grid Group Discussion Points:

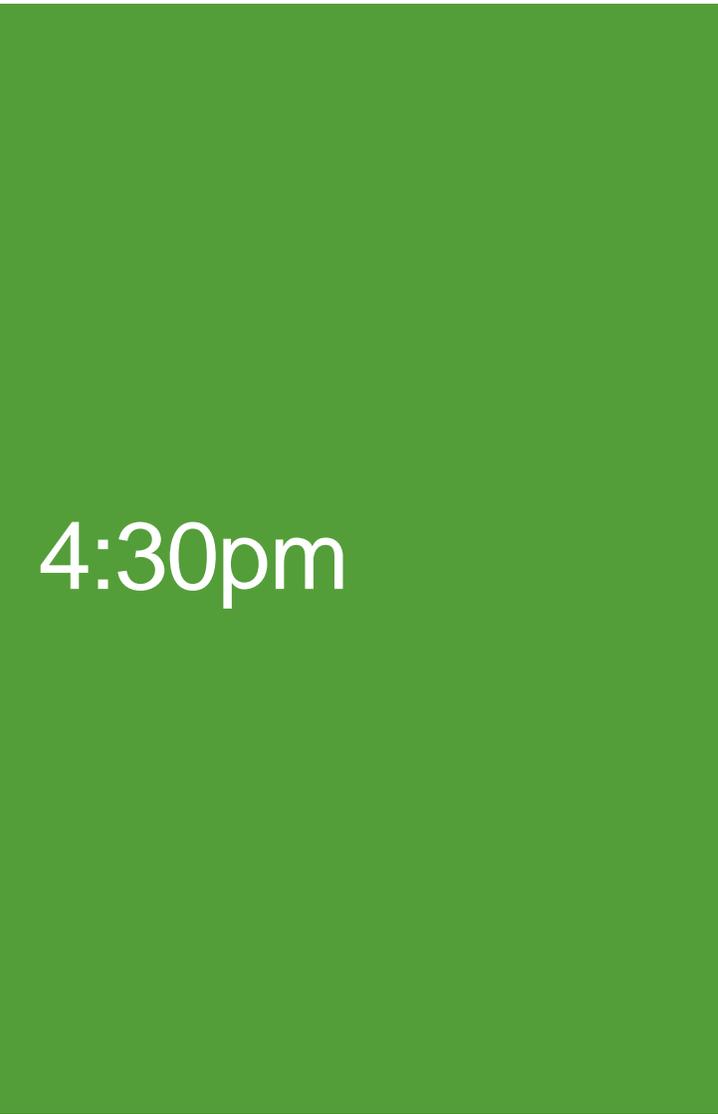
- Similar to current statutes for individuals convicted of offenses committed before age 18.
- Recognizes that extremely long sentences may not be beneficial/useful.
- Acknowledges potential for rehabilitation and redeemability.



4:00 - 4:30pm

Questions from Observers





4:30pm

ADJOURN

