

Washington State Criminal Sentencing Task Force Meeting

October 6th, 2022

10am – 4:00pm (9:30am for coffee, treats, and informal conversation)

In-Person: The WSU Puyallup Research and Extension Center, 2606 West Pioneer, Puyallup WA
Meeting will be in the Allmendinger Center Building

Virtual: Please email sentencing.taskforce.ruckelshaus@wsu.edu for meeting link

DRAFT AGENDA

Meeting Goals:

- Task Force introductions and discuss updates to the 2022 workplan
- Complete consensus deliberations on proposed felony sentencing grid
- Review and discuss the remainder of the sentencing system proposed recommendations and confirm they are ready to move forward for consensus deliberations at the November Task Force meetings

9:30am COFFEE, TREATS, & INFORMAL CONVERSATION

10:00am WELCOME & REVIEW AGENDA

10:10am INTRODUCTIONS & UPDATES

- Members and Alternates Introductions
- Updates from Co-Chairs
- Updates from Facilitation Team – Workplan Updates

10:30am COMPLETE CONSENSUS PROCESS for PROPOSED RECOMMENDATION: NEW ADULT FELONY SENTENCING GUIDELINES GRID

12:00pm LUNCH

12:30pm REVIEW AND DISCUSS PROPOSED RECOMMENDATIONS

Proposed Recommendation: Require the SGC to review the state of evidence about the efficacy of reforms and publish a report every five years including recommendations for additional reforms. Research should include the impact of the reforms on:

- Public safety (including recidivism, technical violations, violations of protection orders)
- Racial and gendered disproportionality
- The rate and use of incarceration and community alternatives
- Reentry outcomes including employment, housing, participation in and completion of treatment, etc.
- Complexity and errors in sentencing

Proposed Recommendation: The Legislature should review the offenses included in the most serious offense list to potentially reduce the number of offenses eligible for the three strikes sentencing.

Proposed Recommendation: Direct the SGC to reviews offenses that have not been sentenced in the last 5-10-20 years for potential elimination from the criminal code.

Proposed Recommendation: Replace three-strikes mandatory sentence with determinate plus sentencing.

Proposed Recommendation: Change the legal procedure for three-strikes laws to mirror aggravating factors such that the three-strikes must be treated as elements of the crime. Pled in information. Proven to a jury beyond a reasonable doubt. Or entered via stipulated agreement. Individual acknowledges and agrees in a plea agreement.

2:00pm **BREAK**

2:15pm **REVIEW AND DISCUSS PROPOSED RECOMMENDATIONS**

Proposed Recommendation: Since the current supervision model based on surveillance is insufficient, changes to the grid are based on a broader paradigm shift focused on providing the appropriate treatment, resources, and mentoring 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 comparable model of community reentry practices.

Proposed Recommendation: Maintain washout period start upon release from confinement, but base that on release from confinement for the original sentence or the final period of confinement under inmate status. Washout periods reset upon conviction for a new criminal offense that is a felony or gross misdemeanor. If an individual is convicted of three separate misdemeanor offenses, the washout period resets upon the third conviction. Confinement for a community custody violation will not reset the washout period.

Proposed Recommendation: Washouts for Class A Felonies: Violent Class A felonies washout after 15 years. Serious violent Class A felonies would not washout.

Proposed Recommendation: Washouts for Class B Felonies: All class B felonies washout after 7 years if the current offense is less serious than the original offense.

Proposed Recommendation: Washouts for Class C Felonies: Class C felonies washout after 3 years.

3:45pm **PUBLIC COMMENT**

4:00pm **ADJOURN**

CSTF Members & Designated Alternates	Affiliation/Perspective Represented
Jon Tunheim, Co-Chair (Russell Brown)	Washington Association of Prosecuting Attorneys
Rep. Roger Goodman, Co-Chair	Washington State House of Representatives, Democratic Caucus
Waldo Waldron-Ramsey, Co-Chair (Ginny Parham)	Washington Community Action Network, Representing Interests of Incarcerated Persons
Sen. Chris Gildon	Washington State Senate, Republican Caucus
Sen. Manka Dhingra	Washington State Senate, Democratic Caucus
Rep. Carolyn Eslick	Washington State House of Representatives, Republican Caucus
Sonja Hallum	Washington State Office of the Governor
Elaine Deschamps (Clela Steelhammer)	Washington State Caseload Forecast Council (non- decisional seat)
Julie Martin, Chief of Staff (Mac Pevey)	Washington State Department of Corrections
Judge Wesley Saint Clair (Keri-Anne Jetzer)	Washington State Sentencing Guidelines Commission
Melody Simle (Suzanne Cook)	Statewide Family Council
Francis Adewale (Interim)	Statewide Reentry Council
Judge Josephine Wiggs	Superior Court Judges' Association
Gregory Link (Kim Gordon)	Washington Association of Criminal Defense Attorneys; Washington Defender Association
Chief Gregory Cobb (Chief Brian Smith)	Washington Association of Sheriffs and Police Chiefs
Councilmember Derek Young	Washington State Association of Counties
Judge Veronica Galván (Frank Thomas)	Washington State Minority and Justice Commission
Chief James Schrimpscher	Fraternal Order of Police (Labor Organization Representing Active Law Enforcement Officers in Washington State)
Blaze Vincent (Nick Straley)	Seattle Clemency Project, Representing Interests of Incarcerated Persons
Tiffany Attrill (Kameon Quillen)	King County, Representing Interests of Crime Victims
Riddhi Mukhopadhyay (Megan Allen)	Sexual Violence Law Center, Representing Interests of Crime Victims

