

Washington State Criminal Sentencing Task Force
Sentencing Effectiveness Work Group
Meeting Summary: February 25, 2020
Digital Conferencing Technology

Attendees:

- Diane Ashlock (research/data support),
Caseload Forecast Council
- Russ Brown (alt. for Jon Tunheim),
Washington Association of Prosecuting Attorneys
- Representative Roger Goodman,
Washington State House of Representatives, Democratic Caucus
- Russ Hauge, *Sentencing Guidelines Commission*
- Keri-Anne Jetzer (alt. for Russ Hauge),
Sentencing Guidelines Commission
- Nick Straley (alt. for Nick Allen),
Interests of Incarcerated Persons

Facilitation Team: Amanda Murphy, Chris Page, and Hannah Kennedy

WELCOME & AGENDA REVIEW

Amanda Murphy welcomed Sentencing Effectiveness Working Group (SEWG or working group) members to their call and briefly reviewed the agenda. She informed the group that Russ Hauge stepped down as lead/point person for this working group and asked if anyone would volunteer to speak for the working group to the Task Force. No member stepped forward, so the working group decided to proceed without a lead for the time being.

SUMMARY TABLE FOR TRACKING POTENTIAL RECOMMENDATIONS

Amanda reviewed the draft summary table that members will use to organize and assess potential recommendations. Since the last call, the Facilitation team incorporated working group member feedback and added columns to capture *key trade-offs, key issues, and potential impacts* for various recommendations.

A working group member pointed out that some recommendations might be pertinent to both the Sentencing Effectiveness and Reentry Working Groups. To ensure all potential recommendations are captured, the Facilitation Team encouraged members to add any and all recommendations to the summary table or to contact the Ruckelshaus Center with suggestions for the other working group to consider.

Action item: Chris and Amanda asked members to begin thinking about, and populating, the summary table ahead of the March Task Force meeting.

ORDER AND SEQUENCING OF RECOMMENDATIONS DISCUSSION

Amanda and Chris asked the group to consider *where and how they would like to begin SEWG conversation.*

The Working Group discussed recommended Options 1a and 1b from the Sentencing Guidelines Commission's (SGC) 2019 report:

- Option 1a would increase most sentencing grid cell ranges but leave the drug grid, mitigating and aggravating factors, and enhancements intact.

- Option 1b would create a new two-step sentencing grid with significantly wider cell ranges, subsuming the drug grid and incorporating mitigating and aggravating factors and enhancements.

Multiple members recommended the working group discuss ways to harmonize the two options. According to one member, Option 1b suggests a way to combine the two; however, the SGC ran out of time to reach consensus, thus offered both recommendations in its report. Harmonizing would take time and require a willingness to compromise between those who want to stay with the current system and those who want to increase judicial discretion. This may require the working group and Task Force to decide whether to center discussions of sentencing and justice around retribution, restitution, rehabilitation, risk, or reintegration.

Another member asked that the working group consider recommendations that allow for the creation of a state-wide justice reinvestment account.

The working group also discussed additional information and examples from other states they could use to inform their work.

Action item: Facilitation team to collect information on sentencing reform efforts from Pennsylvania and the Federal system.

NEXT STEPS & ACTION ITEMS

- **SEWG members** will begin populating the working document/table.
- **The Facilitation Team** will work with **Lauren Knoth** to collect information on sentencing reform efforts from other states and the federal system.