

Washington State Criminal Sentencing Task Force
Sentencing Effectiveness Working Group – Grid Subgroup
Meeting Summary: November 3, 2020
Digital Conferencing Technology

Attendees:

- Russ Brown (alt. for Jon Tunheim), *Washington Association of Prosecuting Attorneys*
- Representative Roger Goodman, *Washington State House of Representatives, Democratic Caucus*
- Keri-Anne Jetzer (alt. for Judge Rumbaugh), *Sentencing Guidelines Commission*
- Lauren Knoth (research/data support), *Washington Institute for Public Policy*
- Greg Link, *Washington Association of Criminal Defense Attorneys; Washington Defender Association*
- Judge Stanley Rumbaugh, *Sentencing Guidelines Commission*
- Clela Steelhammer (research/data support), *Caseload Forecast Council*
- Nick Straley (alt. for Nick Allen), *Interests of Incarcerated Persons*
- Jon Tunheim, *Washington Association of Prosecuting Attorneys*

Facilitation Team: Amanda Murphy and Hannah Kennedy

WELCOME & AGENDA REVIEW

Amanda welcomed Grid Subgroup (Subgroup) members and reviewed the agenda. She asked members whether or not they would like to reduce their meeting schedule to one or two meetings a month for the next couple months. Subgroup members favored continuing to meet weekly.

SUBGROUP WORKING PLAN

The Subgroup developed a list of sentencing and grid-related topics that they still need to address and mapped out a draft working plan for Subgroup meetings from November 2020 through June 2021 (*see supporting materials*). Based on the number of remaining topics identified, Subgroup members agreed to continue meeting every Tuesday morning from 9 to 10 am.

Based on the list of remaining Subgroup topics, Lauren Knoth (Washington State Institute for Public Policy aka WSIPP) and Clela Steelhammer (Caseload Forecasting Council) suggested the Subgroup begin discussing unranked offenses and criminal history scores during the remainder of 2020. The Subgroup's attempts to preliminarily classify unranked offenses could help direct WSIPP and CFC's grid research. Additionally, the Subgroup could provide guidance and feedback to the Statistical Analysis Center to help guide their analysis of Washington state's offender score.

Several members noted the need to have a broader conversation about public safety with the full Task Force. Public safety is referenced often, and Task Force members have varying definitions. Chris and Amanda noted the draft 2021 Task Force working plan includes meeting time dedicated to this topic.

NEXT STEPS & ACTION ITEMS

- **Subgroup** will continue to meet weekly on Tuesday mornings from 9 to 10 am.
- **Lauren and Clela** will use their Task Force time to prioritize the grid research, providing updates to the Subgroup as necessary.

SUPPORTING MATERIALS: Draft 2021 Subgroup Working Plan

Milestones	TEMPLATE for Subgroup Monthly Discussion Topics & Priorities	CSTF Meeting Dates	<i>Remaining grid topics:</i>
Lauren & Clela will continue to provide updates/solicit feedback on research as needed	November 2020 <ul style="list-style-type: none"> Unranked offenses: divvy up unranked offenses for grid group members to compare to similar-culpability offenses to gauge potential Offense Seriousness Levels Topics unaffected by research agenda (e.g., unranked offenses, criminal history score calc., etc.) 	<ul style="list-style-type: none"> TF mtg 11/5 TF mtg 11/19 	<ul style="list-style-type: none"> Potential for “repeat violent offenses” column (see PA system) If/how to implement zones (may be best addressed after WSIPP/CFC findings) Lifetime registration for sex offenses Racial impact statements Community custody grid? <p><i>Assigned (to month) at left</i></p> <ul style="list-style-type: none"> <i>Non-incarceration options</i> <i>Aggravating factors: should there be a cap other than the statutory max?</i> <i>Enhancements</i> <i>Length of sentences (macro level), e.g.:</i> <ul style="list-style-type: none"> <i>Consecutive sentences</i> <i>Arbitrary nature of sentence lengths in cells</i> <i>Alternatives</i> <i>What length optimizes recidivism reduction? (new research topic)</i>
	December 2020 <ul style="list-style-type: none"> Plan/develop presentation materials to update full TF on Subgroup conversations to-date Discuss criminal history score to guide Matt Landon (SAC/OFM) study? 	<ul style="list-style-type: none"> TF mtg 12/3 TF mtg 12/17 Final Report due to Legislature 	
Legislative session begins 1/11; Keri-Anne shares info on other states’ approaches to sentence length (<i>also fed, Norway?</i>)	January 2021 <ul style="list-style-type: none"> Sentence lengths & factors contributing to those (<i>multiple meetings</i>), i.e. enhancements, aggravators, 3 strikes, consecutive sentences Non-incarceration options (“intermediate punishments” in PA) 	<ul style="list-style-type: none"> TF mtg 1/7—<i>discuss public safety</i> 	
	February 2021 <ul style="list-style-type: none"> Caps on aggravating factors (other than stat max) Disparities in grid 	<ul style="list-style-type: none"> TF mtg 2/4—<i>cont. public safety</i> 	
SAC criminal history score report should be available	March 2021 <ul style="list-style-type: none"> Begin review of grid research report & SAC report 	<ul style="list-style-type: none"> TF mtg 3/4 Draft research report 3/31 	
	April 2021 <ul style="list-style-type: none"> Begin building on grid research report & SAC report 	<ul style="list-style-type: none"> TF mtg 4/1 	
	May 2021 <ul style="list-style-type: none"> Develop potential recommendations to bring to SEWG/TF 	<ul style="list-style-type: none"> TF mtg 5/6 	
With funding, WSIPP/CFC could complete analyses on the aggregate effects of proposed grid changes	June 2021	<ul style="list-style-type: none"> TF mtg 6/3 	

