

**Washington State Criminal Sentencing Task Force**  
**Sentencing Effectiveness Working Group – Grid Subgroup**  
**Meeting Summary: November 17, 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*
- 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*

**Guests:**

- Megan Allen

**Facilitation Team:** Amanda Murphy and Hannah Kennedy

**WELCOME & AGENDA REVIEW**

Amanda welcomed Grid Subgroup (Subgroup) members and reviewed the agenda. She briefly reminded members of their working plan, noting the Subgroup will spend the next few meetings discussing unranked offenses. The Facilitation team, in consultation with Lauren Knoth (Washington Institute for Public Policy, aka WSIPP) and Clela Steelhammer Caseload Forecast Council) thought it would be best to divvy up the list of unranked offenses and begin offering potential ways to incorporate and/or address them in the sentencing grid. Amanda noted this work does not represent consensus decision-making, but merely an exercise to begin tackling the more than 300 unranked offenses.

*Action Item: Subgroup members agreed some “offline” work needs to happen in order to address the several hundred unranked offenses*

**UNRANKED OFFENSES “HOMEWORK” ASSIGNMENT**

Clela and Hannah walked the Subgroup through an Excel workbook containing all unranked offenses and exercise instructions. Subgroup members will be randomly assigned a portion of unranked offenses. Over the next two weeks, members will identify the most similar ranked offense(s) for each of their assigned unranked offenses. Subgroup members will note the statute and offense seriousness level of the most similar ranked offense(s) and suggest whether the unranked offense should remain unranked, be ranked, be eliminated, or addressed in some other way. After Subgroup members have worked through their assigned list of unranked offenses, we will discuss them as a group.

The Subgroup also discussed unranked offenses more broadly, their questions/comments/responses are captured below:

- **C:** The asst of an unranked offense is the lack of prison time. Depending on the grid research results, perhaps we should consider adding an additional offense seriousness level of 0.5 to allow offenses ranked at that OSL to not be subject to prison time regardless of an individual’s criminal history score.

- **Q:** Is there any interest in eliminating some unranked offense that have rarely if ever been charged?  
**R:** Many of the offenses that are rarely or never charged were likely created in response to a specific “crime of the day,” and it may be politically difficult to remove them.

#### **NEXT STEPS & ACTION ITEMS**

- **The Facilitation Team** will follow-up with the Excel workbook and explicit assignment instructions.
- **The Subgroup** will meet next on December 1<sup>st</sup>.

