

Washington State Criminal Sentencing Task Force

DRAFT 2021 Work Plan

Context

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.

The proviso stipulated the Task Force submit an initial report to the Governor and "the appropriate committees of the Legislature" by December 31, 2019 and a final report by December 31, 2020. The William D. Ruckelshaus Center (Center) served as a third-party facilitator of the Task Force. In 2019, the Task Force met monthly from September to December 2019 for daylong facilitated meetings and reached consensus on two policy recommendations. In 2020, the Task Force met monthly from January – August (except in March 2020 due to the coronavirus pandemic) and bi-monthly from September-December and reached consensus on 47 policy recommendations.

As the Task Force discussed potential policy changes over the course of 2020, the group agreed that detailed, research-based work remains to simplify the sentencing system and reduce racial, ethnic, socioeconomic, and geographic disparities in adult felony sentencing. As reflected in Recommendation #1 in the 2020 Report (available [here](#)), the Task Force recognizes that proper consideration of changes to the sentencing grid requires a thorough assessment of the possible impacts of those changes. This will take more time than initially allotted to the Task Force. Therefore, the Task Force has agreed to continue meeting and working together in 2021.

2021 Workplan: Sentencing Grid

Since meaningful consideration of changes to the sentencing grid requires a thorough assessment of the possible impacts of those changes, along with several months of information-sharing to build understanding among Task Force members. Lauren Knoth (Washington State Institute for Public Policy) and Clela Steelhammer (Caseload Forecast Council) have begun gathering detailed information on the outcomes of sentencing decisions under the current grid using historical data and will assess the possible impacts of changing components of the grid (using the same set of metrics). The research will draw comparisons between the current grid and the two potential grid options under consideration by the Task Force:

- **Grid A:** two vertical axes: Zone and Class (+/- system)
- **Grid B:** two vertical axes: Zone and Offense Seriousness Level

As the research proceeds over January – June 2021, the Task Force's Sentencing Grid Subgroup will meet weekly, as the Task Force meets monthly. Preliminary findings in a draft research report will be available for Task Force consideration by April 2021. The Subgroup plans to use this information to guide its discussions as it prepares to present potential draft recommendations to the full Task Force. This will enable input from all Task Force members to assist the Subgroup in refining any proposed grid recommendations for prospective Task Force consensus deliberations in 2021.

Beginning on page 2 is a tentative meeting schedule and workplan of the Task Force and the Grid Subgroup.

2021 Meeting	Date	Tentative Agenda Topics
Task Force Meeting #1	Jan 21	<ul style="list-style-type: none"> • Intro new members • Update on legislation • Discuss and create 2021 workplan • Identify key conversations that are needed • Sentencing Grid 101 and Discussion
Grid Subgroup Meetings	Jan: 12, 19, & 26	<ul style="list-style-type: none"> • Grid group planning • Discuss format & materials for presenting to full TF • Consecutive/concurrent sentencing policies in other states •
Task Force Meeting #2	Feb 18	<ul style="list-style-type: none"> • Update on legislation • Key conversation • Update on Grid research and Grid Subgroup work – Task Force providing guidance and input to the Subgroup • Presentation/Learning about the system
Grid Subgroup Meetings	Feb: 2, 9, 16, & 23	<ul style="list-style-type: none"> • Review/discuss WA criminal history score study from OFM’s Statistical Analysis Center • Discuss potential for “repeat violent offenses” • Discuss aggravating factors, including caps other than stat max
Task Force Meeting #3	Mar 18	<ul style="list-style-type: none"> • Update on legislation • Key conversation • Update on Grid research and Grid Subgroup work – Task Force providing guidance and input to the Subgroup • Presentation/Learning about the system
Grid Subgroup Meetings	Mar: 2, 9, 16, 23, & 30	<ul style="list-style-type: none"> • Review/Discuss draft research report • Disparities in the grid
Task Force Meeting #4	Apr15	<ul style="list-style-type: none"> • Key conversation • Presentation and Discussion on Draft Research Report • Task Force providing guidance and input to the Subgroup • Presentation/Learning about the system
Grid Subgroup Meetings	Apr: 6, 13, 20, & 27	<ul style="list-style-type: none"> • Continued review of draft research report • Discuss racial impact statements • Explore if/how to implement zones in the grid • Begin developing potential recommendations
Task Force Meeting #5	May 20	<ul style="list-style-type: none"> • Key conversation • Update on Grid research and Grid Subgroup work - Task Force providing guidance and input to the Subgroup

		<ul style="list-style-type: none"> • Begin discussing and drafting of potential recommendations
Grid Subgroup Meetings	May: 4, 11, 18, & 25	<ul style="list-style-type: none"> • Discuss/build on input from full TF • Draft and refine potential recommendations
Task Force Meeting #6	Jun 17	<ul style="list-style-type: none"> • Update on Grid research and Grid Subgroup work - Task Force providing guidance and input to the Subgroup • Discussing and drafting of potential recommendations
Grid Subgroup Meetings	Jun: 1, 8, 15, 22, & 29	<ul style="list-style-type: none"> • Continue to draft and refine potential recommendations • Clela & Lauren to finalize research report
Task Force Meeting	July TBD	<ul style="list-style-type: none"> • Presentation and Discussion of Final Research Report • Task Force providing guidance and input to the Subgroup • Discussing and drafting of potential recommendations
Grid Subgroup Meetings	July: TBD	<ul style="list-style-type: none"> • Continue to draft and refine potential recommendations, responding to TF feedback and input
Task Force Meeting	Aug TBD	<ul style="list-style-type: none"> • Task Force providing guidance and input to the Subgroup • Discussing and drafting of potential recommendations • Begin Consensus Dialogue and Deliberations
Grid Subgroup Meetings	Aug: TBD	<ul style="list-style-type: none"> • Meet as needed based upon TF feedback and discussion of potential recommendations
Task Force Meeting	Sep TBD	<ul style="list-style-type: none"> • Consensus Dialogue and Deliberations
Task Force Meeting	Oct TBD	<ul style="list-style-type: none"> • Consensus Dialogue and Deliberations
Task Force Meeting	Nov TBD	<ul style="list-style-type: none"> • Consensus Dialogue and Deliberations • Input on the draft 2021 Report
Task Force Meeting	Dec TBD	<ul style="list-style-type: none"> • Consensus Dialogue and Deliberations • Review and Finalize 2020 Report • Legislation Working group Update