

**Washington State Criminal Sentencing Task Force**  
**Meeting Summary: October 7, 2021**  
Virtual Meeting via ZOOM – [Link to recording via TVW](#)

**ATTENDEES:**

- **Task Force Members and Alternates Attendees:** see Appendix A.
- **Members of the Public:** James Chambers, Kelsey-Anne Fung, Bruce Glant, Carolyn Gray, Cathy Johnston, Cynthia Hollimon, Davina Kerrelola, Matt Tremble, David Trieweler, Michelle Mason, Gideon Newmark, Joanne Smieja
- **Facilitation Team:** Amanda Murphy, Chris Page, Molly Stenovec, Maggie Counihan – William D. Ruckelshaus Center
- **Research/Technical Support:** Lauren Knoth, Washington State Institute for Public Policy (WSIPP)

**MEETING GOALS:**

- Sentencing grid subgroup update
- Sentencing alternatives workgroup presentation on existing alternatives, connections to grid, and potential options going forward

**WELCOME, INTRODUCTIONS, REVIEW AGENDA and GROUND RULES**

Amanda Murphy welcomed attendees and introduced herself and the rest of the facilitation team before reviewing the agenda and meeting goals.

**CO-CHAIR UPDATES**

The co-chairs (Rep. Goodman, Lydia Flora Barlow, and Jon Tunheim) thanked members for their continued passion, commitment, and the fortitude to continue doing this work and looked forward to the conversations about sentencing alternatives.

**FACILITATION TEAM UPDATES**

Amanda reminded the Task Force that starting with this meeting, the group would move back to holding one meeting each month, rather than meeting every two weeks. This will allow the Grid Subgroup and Task Force to give the complex topics at hand the careful consideration needed.

**SENTENCING GRID SUBGROUP UPDATE**

Amanda gave a brief update on the work of the Grid Subgroup. She noted that the pieces of the vertical axis (i.e., the rows of the grid) are starting to weave together, and all the information previously presented to the Task Force will be compiled in one document for review at the November meeting. The Subgroup is starting to discuss the horizontal axis (i.e., the columns of the grid) and heard from Matt Landon (*Statistical Analysis Center / Office of Financial Management*) on his research related to criminal history score. All completed sets of past meeting notes are accessible on the [website](#).

**PRESENTATION – Sentencing Alternatives Overview & Options for Connecting Alternatives to Grid**

Chris and Amanda reviewed the work done to date by the Sentencing Alternatives Subgroup. This included an overview of the current alternatives and their eligibility criteria: Special Sex Offense Sentencing Alternative (SSOSA), Drug Offense Sentencing Alternative (DOSA), a prison-based DOSA and a residential DOSA, Mental Health Sentencing Alternative, Parenting Alternative-Family and Offender Sentencing Alternative (FOSA), and First Time Offense Waiver (FOSA). See video starting at [28:18](#)

**SSOSA – Overview**

See presentation slide 10 and video starting at [31:21](#)

- Available for individuals with a current sex offense. Eligibility based on criminal history and current case—for example, the standard range sentence must be less than 11 years and individual must have had a prior established relationship with the victim and to have pleaded guilty to all charges.
- Conditions of the sentence may include prison term of up to 12 months and inpatient and/or outpatient treatment.
- If a person does not comply with the sentence requirements, the court may revoke the alternative sentence and impose the suspended, standard range sentence.

Summary of Task Force Comments, Questions, and Discussion:

- Length of SSOSA community custody: A term of community custody equal to the length of the suspended sentence, the length of the maximum term imposed pursuant to [RCW 9.94A.507](#), or three years, whichever is greater, [RCW 9.94A.670](#).
- What does the data demonstrate with respect to people convicted of sex offenses and likelihood of recidivism?
  - If you look at general data, the recidivism rates are lower than other offenses, with some qualifications. Individuals with a sex offense conviction are more likely to have long-term surveillance measures in the community, which makes them less likely to have the opportunity to commit another crime. Literature suggests that sex offenses tend to have the longest lags of time, years in some instances, between when offense occurred and to reporting.
  - In the juvenile world, some studies have shown low recidivism rates as well.
- Members discussed underreporting of sex offenses cases including child abuse cases. A member noted that large lengths of time also pass before reporting. Suggestion to look at research by David Lee Sacks.
- Express concern with an individual's willingness to acknowledge the potential or actual harm caused if also saying there was a fictitious victim.
- Could anyone provide information about why mental harm to victim is not considered, in addition to substantial bodily harm?
  - Mental harm is hard to determine or quantify and there is not enough conversation about the psychological harm that is done to survivors.
  - This is really a victim-driven alternative and we must acknowledge that every one of the offenses causes mental harm.
- SSOSA is most often used in cases where the victim and perpetrator know each other or in a relationship and particularly where the victim is a child.
- A member shared that if someone takes an Alford plea there is not necessarily a statutory bar to using the alternative, it is more about: if someone was not willing to admit what they did, then treatment providers would not treat them.
- SSOSA can be beneficial in interfamily cases, even in a financial sense, but it is not appropriate all the time.

**DOSA – Overview**

See presentation starting at slide 12 and video at [56:21](#)

The Drug Offender Sentencing Alternative (DOSA) is available for chemically dependent individuals, depending on current conviction, criminal history, and past DOSA participation. DOSA consists of two programs:

- **Prison-based DOSA:** ½ the sentence is served in a DOC facility and the other half is served in the community (Effective April 1995). Sentence includes participation in appropriate substance abuse treatment.
- **Residential DOSA:** A non-confinement program that consists of inpatient treatment in the community followed by community custody (Effective Oct. 2005).

Task Force Discussion:

- The Legislature made eligibility changes in 2020. Residential DOSA can be for people in jail as well as prison.
- A member expressed support for DOSA, since it can help address underlying issues. The more people that can access this the better. As we learn more about substance use disorder, sometimes it's not just once and in most situations, treatment is not going to "take" the first time.
- In some counties this program is utilized less because drug court is used instead.
- A member noted that the resources allocated to drug court are often different than those resources for DOSA. Need to have a conversation about what programs and resources are needed to sustain recovery. Sometimes services are needed for the family too, not just the individual.
- How effective is drug treatment in prison? Concerned about limited availability to folks in rural counties.
  - There are differences in accessibility to treatment in communities. Residential DOSA is available through contracts with DOC, but a person might have to do treatment in a different county and then go back.
  - Less resources available in rural counties.
    - Potential Action Item: DOC offered to provide additional data on the success rate of those going through different modalities of treatment in their facilities.
  - A member said that the issue of geographic disparity and accessibility across the state is something that needs to be addressed.

### Parenting Sentencing Alternative (FOSA) – Overview

See presentation starting at slide 17 and on video at [1:12:49](#)

- Alternative is available for individuals who have physical custody of a minor child, is an expectant parent, or is a legal guardian of a minor child; or is a biological parent, adoptive parent, custodian, or stepparent with a proven, established, ongoing, and substantial relationship with the child that existed at the time of the offense.
- Allows judges to waive a sentence within the standard range for eligible individuals and impose 12 months community supervision along with conditions for treatment and programming.
- If a person under the FOSA alternative does not comply with the sentence requirements, the court may revoke the alternative sentence and impose a standard range sentence.

Task Force Discussion:

- A member noted there was a sense that FOSA is underutilized in some locations and maybe if the alternative became visible on the sentencing grid and there was education/outreach to defense, prosecution, and judges, it would get used more.

- Another member shared that FOSA has had demonstrable results in low recidivism rates; the connection the person has with the child and the focus on the well-being of the child help reduces the risk of reoffending.
- How does the court determine the established relationship with the child?
  - Under the statute, DOC coordinates closely with the Department of Children, Youth, and Families to see what risks/child welfare status are.

### **First Time Offense Waiver (FTOW) – Overview**

See presentation slide 21 and video at [1:22:54](#)

- FTOW is an alternative that has existed since the beginning of the Sentencing Reform Act.
- Currently, as FTOW is structured, the court may waive the standard sentence range and impose a sentence of up to 90 days confinement and 6 months of community custody, or 12 months of community custody if treatment is ordered.
- FTOW is available for individuals convicted of first felony and who have not had a deferred felony prosecution. Current offense cannot be categorized as a violent or a sex offense; additional offense specific exclusions may apply.

### **Mental Health Sentencing Alternative – Overview**

See presentation slide 23 and video at [1:24:56](#)

- Based on a Task Force 2020 Recommendation, the Legislature created this alternative during the 2021 Session and made it effective 7/25/2021.
- In making the decision as to whether to impose the MHSA, the court is required to consider whether the defendant and community will benefit from the use of the alternative and must also consider the victim's opinion on whether the defendant should receive the MHSA.
- If the court imposes the MHSA, the court waives imposition of a sentence within the standard range and imposes a term of community custody between 12 and 24 months if the midpoint of the standard range is 36 months or less, and if over 36 months, a term of community custody between 12 and 36 months.
- Individual has not been convicted of a sex or serious violent offense
- If a person under the MHS alternative does not comply with the sentence requirements, the court may revoke the alternative sentence and impose a standard range sentence.

### **Task Force Discussion:**

- Unlike other alternatives, criminal history is not a barrier to participation—see that as a way to reduce racial disparities on the imposition of the mental health sentencing alternative.
- Clarification on the serious violent offense exclusion: comprises a list of approximately 9 offenses
- Intent for this alternative to apply to both jail or prison sentences. Also, it is not dependent on a person's criminal history score.
- If the court can do a Pre-Sentence Investigation (PSI), why would DOC do it?
  - There is a statute that DOC already does PSIs for other groups of individuals.
- This alternative requires agreement by all parties, so it creates flexibility for the court to develop a plan that works for everybody.
- There is also language that talks about taking medication as prescribed and includes monitoring compliance with medication if needed.

- Behavioral health disorder is a continuing condition—see this alternative as a way to meaningfully address individual needs and underlying conditions, but also recognize that individuals may struggle to comply with conditions and that incarceration may worsen their condition.
- DOC noted that some of the particular actions taken when individuals are unsuccessful in treatment are prescribed in statute and some actions taken with liability in mind. DOC looks forward to conversation with the Legislature and other partners about providing opportunities for individuals to be successful in their treatment.

Lauren Knoth (WSIPP) reviewed portions of the [report produced by WSIPP](#) at the request of the Task Force finalized earlier in the year. Specifically, she reviewed findings on the frequency of sentencing alternatives in each grid cell using FY19 data and distribution across racial groups. Takeaways from presentation include (See presentation slides starting at #25):

- No sentencing alternatives issued for OSL 13-15 in FY19. Sentencing Alternatives most common on lower left corner of grid which is consistent with way sentences issued and eligibility criteria, which may exclude violent or serious violent offenses, in the upper portion of the grid, or past convictions that may be present for individuals with a higher criminal history score.
- Exhibit A13 shows the percentage of all sentences in each cell that included a sentencing alternative. Higher percentages in use of a sentencing alternative in upper OSL or CHS may be a reflection of fewer overall sentences than in the SW corner of the grid.
- White defendants were disproportionately more likely to receive an alternative compared to their likelihood of receiving a standard sentence.

#### Task Force Discussion:

Members asked questions about how to interpret the data and discussed the biases that different players in the system, specifically prosecution or defense can hold.

- Could you provide more information about how to interpret the percentages in Exhibit A13, specifically OSL 10, CHS 6? What does it tell us about the individuals and offenses in those cells?
  - In that cell, an individual could be eligible for SSOSA or prison DOSA. The percentage in that cell shows that of all the cases courts are issuing sentencing alternatives at a high frequency, in that case 60% of all sentences in FY19.
  - The table does not show how many people who were excluded from a sentencing alternative because of criminal history.
- Exhibit A13 does not provide insight on other elements of the system, such as arrest or charging decisions or defense attorney approach to a case, that may contribute to disproportionality or make up of one's criminal history.

#### **Relationship between Sentencing Alternatives and the Grid**

Keri-Anne reviewed a chart illustrating where sentencing alternatives fall on the current grid. She noted that not all offenses within an offense seriousness level (OSL) may be eligible for an alternative. A member asked clarification about what offense at OSL 12 is eligible for FTOW. Keri-Anne clarified that it is a class B offense (malicious placement of an intimidation device) and Amanda noted that the Task Force had discussed a potential recommendation about moving that offense down a level.

Amanda reminded the Task Force of complexity of the sentencing system and the interconnections between the work of the Grid Subgroup and Sentencing Alternatives group. Recommendations to integrate the Alternatives onto the grid may look different depending where the Task Force reaches consensus on

other recommendations. For today’s conversation, the Alternatives Subgroup is really looking for feedback on how to approach the high-level task of integrating alternatives onto the grid.

**Options for Integrating Sentencing Alternatives to the Grid:**

See presentation slide starting at #32 or video starting at [2:02:55](#). Lauren reviewed the three options that the grid subgroup began discussing on October 5<sup>th</sup>.

- Option 1: Modify the grid to fit the current eligibility requirements. This option could entail creating sub-rows within an OSL for Alternatives and applicable offenses and adding a color-coded overlay and footnote noting that sentencing alternatives may be available in those rows, depending on the current offense and an individual’s criminal history. Alternatives will be more visible to all parties.

**Modify grid to fit current eligibility requirements.**

	0	1	2	3	4	5	6	7	8	9+										
XVI	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
XV	240	320	250	333	261	347	271	361	281	374	291	388	312	416	338	450	370	493	411	548
XIV	123	220	134	234	144	244	154	254	165	265	175	275	195	295	216	316	257	357	298	397
XIII	123	164	134	178	144	192	154	205	165	219	175	233	195	260	216	288	257	342	298	397
XII	93	123	102	136	111	147	120	160	129	171	138	184	162	216	178	236	209	277	240	318
XI	78	102	86	114	95	125	102	136	111	147	120	158	146	194	159	211	185	245	210	280
X	51	68	57	75	62	82	67	89	72	96	77	102	98	130	108	144	129	171	149	198
IX	31	41	36	48	41	54	46	61	51	68	57	75	77	102	87	116	108	144	129	171
VIII	21	27	26	34	31	41	36	48	41	54	46	61	67	89	77	102	87	116	108	144
VII	15	20	21	27	26	34	31	41	36	48	41	54	57	75	67	89	77	102	87	116
VI	12.05	14	15	20	21	27	26	34	31	41	36	48	46	61	57	75	67	89	77	102
V	6	12	12.05	14	13	17	15	20	22	29	33	43	41	54	51	68	62	82	72	96
IV	3	3	6	12	12.05	14	13	17	15	20	22	29	33	43	43	57	53	70	63	84
III	1	3	3	8	4	12	9	12	12.05	16	17	22	22	29	33	43	43	57	51	68
II	0	3	2	6	3	9	4	12	12.05	14	14	18	17	22	22	29	33	43	43	57
I	0	2	0	3	2	5	2	6	3	8	4	12	12.05	14	14	18	17	22	22	29
Unr	0 - 365 days																			

Cells in the green zone are presumptive jail sentences. Depending on the offense, individuals may be eligible for a residential DOSA or SOSSA disposition.  
 Cells in the yellow zone may be eligible for a residential DOSA, FOSA, or SOSSA disposition depending on the offense and the types of offenses in an individual's criminal history.  
 Cells in the blue zone may be eligible for a prison DOSA, FOSA, or SOSSA disposition depending on the offense and the types of offenses in an individual's criminal history.  
 Cells in the hatched zone may be eligible for the FTOW sentencing alternative.

- Option 2: Modify eligibility so alternatives fit into grid. Discussions about where in grid alternatives are appropriate could lead to recommendations that modify offense-based eligibility to criteria based on grid location. Restrictions could still apply.

**Modify eligibility requirements.**

	0	1	2	3	4
XVI	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life				
XV	240	320	250	333	261
XIV	123	220	134	234	144
XIII	123	164	134	178	144
XII	93	123	102	136	111
XI	78	102	86	114	95
X	51	68	57	75	62
IX	31	41	36	48	41
VIII	21	27	26	34	31
VII	15	20	21	27	26
VI	12.05	14	15	20	21
V	6	12	12.05	14	13
IV	3	3	6	12	12.05
III	1	3	3	8	4
II	0	3	2	6	3
I	0	2	0	3	2
Unr	0 - 365 days				

Cells in the green zone are presumptive jail sentences. Depending on the offense, individuals may be eligible for a residential DOSA or SOSSA disposition.  
 Cells in the yellow zone may be eligible for a residential DOSA, FOSA, or SOSSA disposition **depending on the offense** and the types of offenses in an individual's criminal history.  
 Cells in the blue zone may be eligible for a prison DOSA, FOSA, or SOSSA disposition **depending on the offense** and the types of offenses in an individual's criminal history.  
 Cells in the hatched zone may be eligible for the FTOW sentencing alternative.

Could result in a similar design as option 1, but you could eliminate the offense specific criteria so that all offenses in the shaded cells are eligible for the sentencing alternative.

Could also change the zones, expanding or contracting.

- Option 3: Overlay current sentencing alternatives on the grid, then also create broader sentencing alternatives that allow different requirements/components depending on the type of offense or criminal history. Such programs could be administered by the local court and provide options for accountability that allow a mix of partial or non-confinement and local programming.

	0	1	2	3	4	5	6	7	8	9+										
XVI	Life Sentence without parole/death penalty for defendants at or over the age of 18. For defendants under the age of 18, a term of 25 years to Life																			
XV	240	320	250	333	261	347	271	361	281	374	291	388	312	416	338	450	370	493	411	548
XIV	123	220	134	234	144	244	154	254	165	265	175	275	195	295	216	316	257	357	298	397
XIII	123	164	134	178	144	192	154	205	165	219	175	233	195	260	216	288	257	342	298	397
Zone 3: XII	93	123	102	136	111	147	120	160	129	171	138	184	162	216	178	236	209	277	240	318
PDOSA, XI	78	102	86	114	95	125	102	136	111	147	120	158	146	194	159	211	185	245	210	280
FOSA, State Prison X	51	68	57	75	62	82	67	89	72	96	77	102	98	130	108	144	129	171	149	198
Zone 2: IX	31	41	36	48	41	54	46	61	51	68	57	75	77	102	87	116	108	144	129	171
CRS, DOSA, FOSA, State Prison VIII	21	27	26	34	31	41	36	48	41	54	46	61	67	89	77	102	87	116	108	144
Zone 1: VII	15	20	21	27	26	34	31	41	36	48	41	54	57	75	67	89	77	102	87	116
CIS VI	12.05	14	15	20	21	27	26	34	31	41	36	48	46	61	57	75	67	89	77	102
RDOSA V	6	12	12.05	14	13	17	15	20	22	29	33	43	41	54	51	68	62	82	72	96
<=12 Jail IV	3	9	6	12	12.05	14	13	17	15	20	22	29	33	43	43	57	53	70	63	84
>12 Prison III	1	3	3	8	4	12	9	12	12.05	16	17	22	22	29	33	43	43	57	51	68
II	0	3	2	6	3	9	4	12	12.05	14	14	18	17	22	22	29	33	43	43	57
I	0	2	0	3	2	5	2	6	3	8	4	12	12.05	14	14	18	17	22	22	29
Unr	0 - 365 days																			

CIS: County Intermediate Sanctions. Sentences less than 2 years may be served in a county intermediate sanctions program administered by the local court.  
 CRS: County Restrictive Sanctions. Up to two years of the individual's sentence may be served in a county intermediate sanctions program administered by the local court.  
 RDOSA: Residential DOSA, for eligible individuals based on offense type and criminal history  
 PDOSA: Prison DOSA, for eligible individuals based on offense type and criminal history  
 FOSA: Parenting Sentencing Alternative, for eligible individuals  
 Cells in the hatched zone may be eligible for the FTOW sentencing alternative.

Task Force discussion:

- Members discussed wanting to consider expanding eligibility for alternatives, the importance of addressing racial disproportionality, and equity/gender issues in regard to access of alternatives.
- Clarification: Are all the options all focused on how to visually place the sentencing alternatives on the grid? Is there an option that includes expanding access and eligibility?
  - Option 1 takes the current sentencing alternatives and overlays on the current sentencing grid; however, that doesn't preclude modifications to eligibility.
  - Option 3 builds on Option 1, with the addition of community-based sanctions or broader sentencing alternative that could be tailored to meet the needs of the individual.
- Several members expressed support for developing recommendations to expand eligibility and reduce racial disproportionality in use of sentencing alternatives.
  - Follow up comment:** Lauren shared that with current available data, the group cannot confidently determine which criteria or factors are driving disproportionality. A sentencing alternative that doesn't have offense-specific criteria, but that could still provide a path to accountability and addressing underlying substance use disorder, even if the individual may not meet all the criteria for a DOSA program.
- All Options were intended to start the discussion and could include modifications to eligibility. Option 3 incorporates current alternatives and builds on discussions about creating cells that would straddle presumptive jail and prison and about creating community-based options for individuals who would benefit from a non-confinement option, but current alternatives do not apply to their situation.
- Expressed support for broadening eligibility, noting that the Legislature has done so for DOSA and FOSA; however, changes to eligibility could be a big political lift. Also raised question if this Task Force has the bandwidth and expertise to go through a process of recommending modifications to eligibility.
- Expressed concern about eliminating all eligibility criteria for sentencing alternatives. Shared frustration when working with a survivor or family when the defendant has a history of recidivism and failed program participation, and support for court to consider past program participation when issuing a sentencing alternative.
- Support removing prior violent conviction as preventing access to sentencing alternatives.

- Support for FOSA and providing ways for supporting families and reducing negative impact of parent’s incarceration on kids
- Encouraged group to be cautious about broadening eligibility too much; and expressed concerns with providing alternatives for individuals with convictions for violent offenses—need to think about the victim and their needs
- The alternatives that a judge may consider at sentencing are not the only alternatives to confinement—DOC also runs various programs. Uncertain how overlaying the alternatives available at sentencing will increase simplicity but look forward to further dialogue.
- Believe the Task Force should develop recommendations to address disproportionality in sentencing alternatives. That work will be complex, and the Task Force may not completely eliminate disproportionality, but can at least take steps to reduce it, and provide more opportunities for individuals to address the behavior that was an underlying factor of the conviction.
- Could there be a gender analysis conducted?
- King County Mental Health Court, Veteran’s Courts are successful examples of sentencing alternatives without any restrictions based on criminal history. Encourage group to be deliberate when considering potential exclusions to alternatives and present that rationale.
- Victim voice and perspective is a key element in developing an accountability plan and can provide more flexibility in meeting victim and defendant needs.

Task Force has an opportunity to develop a system that supports survivors and provides the services and healing they need and addresses issues with the person who committed the crime.

02:45:12

### REFLECTION/FEEDBACK and NEXT STEPS

Next meeting: November 4, at 1pm.

### PUBLIC QUESTIONS AND COMMENTS:

Below are summaries of comments and questions shared by public attendees and any responses from Task Force members and alternates. Full questions and comments can be viewed by following this [link](#) to TVW which starts at 02:58:37 in the meeting recording.

**James Chambers:** Many incarcerated individuals are themselves victims of violence. Mr. Chambers described the need for effective programs to meet needs such as substance use, mental health, and PTSD. Community or volunteer-run programs are especially effective at meeting those needs and providing opportunities for individuals to change.

**David Trieweiler:** In response to a statement by Senator Dhingra about whether victims want long sentences, he shared the perspective that many victims understand that long sentences do not change behavior.

- Senator Dhingra expressed her agreement.
- Tiffany Attrill expressed disagreement – I’ve been working with victims of crime for 28 years – robbery, domestic violence, sexual assault – I would be interested in those studies. I work mostly with homicide victims, but often the families I talk to feel that the sentences are too short. There’s no one size sentence, but we frequently hear sentences are too short. Only in one murder case did a victim want restorative justice. Most families want the person to be sent away so that it can’t happen to anyone else.

**Bruce Glant:** Described his experience working with individuals who have been convicted of a sex offense as a result of Washington State Patrol’s Net Nanny Operation. He encouraged the Task Force to consider recommendations that would allow individuals with charges/convictions associated with undercover operations access to treatment and other alternatives to incarceration.

**Verbatim Public Comments and Questions Submitted via Zoom Chat Function:**

**Cathy Johnston:** Data is needed for these statements.

- **Follow-up question:** Are you looking for more information/studies on recidivism rates for individuals with a sex offense conviction?
- Yes. Several blanket statements were made via anecdotes (Knoth, Tunheim) without citing sources.

**Davina Kerrola:** How does the time it takes for a sex crime to be reported tie into recidivism rates? The recidivism rate is calculated post incarceration correct?

**Joanne Smieja:** The vast majority of violent offenses (30 out of 39) are class A felonies. On the other hand, the vast majority of sex offenses are class B and class C felonies (17 Class B and 13 Class C out of 39 total). Why is someone convicted of a Class A violent offense eligible for DOSA within 10 years but someone convicted of a Class B sex offense is ineligible for DOSA until they get off registration which takes 15 years for a Class B offense?

- Some restrictions are policy decisions, some based on restrictions that may be associated with sex offense registration for accessing housing, treatment providers, and residential programs. Access to programs and alternatives may not just be reflection of where an individual places on the sentencing grid, but also whether may be eligible for residential treatment programs.

**Joanne Smieja:** Why are all people facing a sex offense conviction denied access to the FTOW program? Are all sex offenses equal? Is viewing an illegal depiction equal to raping someone? Please change the FTOW eligibility rules so that only people facing a violent offense conviction (which are typically Class A offenses) and people facing a Class A sex offense conviction are ineligible for an FTOW. All others, including those people facing a Class B or Class C sex offense conviction, are eligible for a FTOW.

**Cathy Johnston:** Also an LGBTQ analysis. in addition to gender.

**Co-Chair Closing Comments:** Rep. Goodman and Jon Tunheim thanked everyone for their commitment and detailed conversations and questions.

**ADJOURN**

**Upcoming Meetings:** Starting in February, meeting times reflect possible in-person, all-day meetings—*also noted in italics.*

2021

November 4, 1 pm – 4:30 pm,

December 2, 1 pm – 4:30 pm

2022

January 6, 1 pm – 4:30 pm

*February 3, 9 am – 4:30 pm*

*March 3, 9 am – 4:30 pm*

*April 7, 9 am – 4:30 pm*

*June 2, 9 am – 4:30 pm*

*May 5, 9 am – 4:30 pm*



CSTF Members & Designated Alternates	Affiliation/Perspective Represented	Attendance:
Jon Tunheim	Washington Association of Prosecuting Attorneys	✓
Russell Brown (alternate)		✓
Lydia Flora Barlow	Statewide Reentry Council	✓
(Christopher Poulos)		✓
Rep. Roger Goodman	Washington State House of Representatives	✓
Sen. Chris Gildon	Washington State Senate	✓
Sen. Manka Dhingra	Washington State Senate	✓
Rep. Carolyn Eslick	Washington State House of Representatives	✓
Sonja Hallum	Washington State Office of the Governor	✓
Elaine Deschamps	Washington State Caseload Forecast Council	Unable to attend
(Clela Steelhammer)		✓
Julie Martin	Washington State Department of Corrections	✓
(Mac Pevey)		Unable to attend
Judge Wesley Saint Clair	Washington State Sentencing Guidelines Commission	✓
(Keri-Anne Jetzer)		✓
Suzanne Cook	Statewide Family Council	✓
(Melody Simle)		✓
Judge Josephine Wiggs-Martin	Superior Court Judges' Association	✓
Gregory Link	Washington Association of Criminal Defense Attorneys; Washington Defender Association	✓
(Kim Gordon)		Unable to attend
Chief Gregory Cobb	Washington Association of Sheriffs and Police Chiefs	✓
(Chief Brian Smith)		Unable to attend
Councilmember Derek Young	Washington State Association of Counties	Unable to attend
Judge Veronica Alicea-Galván	Washington State Minority and Justice Commission	✓

(Frank Thomas)		Unable to attend
Chief James Schrimpsheer	Fraternal Order of Police, Labor Organization Representing Active Law Enforcement Officers in Washington State	Unable to attend
Nick Allen	Columbia Legal Services, Representing Interests of Incarcerated Persons	✓
(Nick Straley)	Columbia Legal Services, Representing Interests of Incarcerated Persons	✓
Waldo Waldron-Ramsey	Washington Community Action Network, Representing Interests of Incarcerated Persons	✓
(Ginny Parham)	Washington Community Action Network, Representing Interests of Incarcerated Persons	Unable to attend
Tiffany Attrill	King County Prosecutor's Office, Representing Interests of Crime Victims	✓
Riddhi Mukhopadhyay	Sexual Violence Law Center, Representing Interests of Crime Victims	✓