

Washington State Criminal Sentencing Task Force

2021 Work Plan

Updated 11.22.21

Background and Overview: 2019-2020

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 agreed that proper consideration of changes to the sentencing grid required a thorough assessment of the possible impacts of those changes. This would take more time than initially allotted to the Task Force. Therefore, the Task Force agreed to continue meeting and working together in 2021 and the Legislature extended the Task Force for an additional fiscal year.

2021 Workplan: Sentencing Guidelines Grid

At the beginning of 2021, the Task Force contracted with the Washington State Institute for Public Policy (WSIPP) to complete a report examining sentencing outcomes for individuals using the current sentencing guidelines grid and potential sentencing outcomes for individuals using a modified version of the guidelines grid. The purpose of the report is to provide analytic data that will assist the Task Force in its discussions beginning in May 2021 about potential changes to the sentencing guidelines grid.

WSIPP presented the report and findings to the Task Force at its May 6, 2021 meeting: [Examining Washington State's Sentencing Guidelines: A Report to the Criminal Sentencing Task Force](#).

Given the interconnectedness of the grid, it is difficult to break it down into individual parts and discuss part by part however, it is also difficult to discuss as a whole, without having an in-depth understanding of each part and how it connects to other parts. The first big task of the Grid Subgroup was to come up with an approach to deliberately *and* collaboratively work through a grid that is made up of many interconnected elements. This meant figuring out where to start on the grid, how to sequence the discussion and work, and how best to present ideas back to the full Task Force early and often. In other words, breaking the grid into parts to come up with potential recommendations for each part of the grid that once all is put together, will make up a whole package(s). Once all is put together, the Task Force will be able to discuss the full suite of potential recommendations and then begin working towards consensus deliberations.

2021 Meeting Schedule and Workplan

2021 Meeting	Date	Agenda Topics	Meeting Notes
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 	<ul style="list-style-type: none"> • January 21, 2021 – CSTF Meeting Summary
Grid Subgroup Meetings	Jan: 12, 19, & 25	<ul style="list-style-type: none"> • Grid group planning • Discuss format & materials for presenting to full TF 	<ul style="list-style-type: none"> • Grid Subgroup – 1.12.21 meeting notes • Grid Subgroup – 1.19.21 meeting notes • Grid Subgroup – 1.25.21 meeting notes
Task Force Meeting #2	Feb 18	<ul style="list-style-type: none"> • Task Force introductions and updates • Review Task Force Operating Procedures • Discuss Dynamics & Principles of Collaborative Decision-Making • Grid Subgroup Work to Date • Legislation briefing 	<ul style="list-style-type: none"> • February 18, 2021 – CSTF Meeting Summary
Grid Subgroup Meetings	Feb: 1, 8, & 22	<ul style="list-style-type: none"> • Discuss decision points for grid redevelopment and the sequencing of discussions • Review/discuss WA criminal history score research (Matt Landon, OFM SAC) 	<ul style="list-style-type: none"> • Grid Subgroup – 2.01.21 meeting notes • Grid Subgroup – 2.08.21 meeting notes • Grid Subgroup – 2.22.21 meeting notes
Task Force Meeting #3	Mar 18	<ul style="list-style-type: none"> • Task Force introductions and updates • Discuss Potential Changes to Task Force Operating Procedures • Consensus Deliberation on Potential Policy Statement Related to State v. Blake • Small Group & Full Task Force Discussion on Purpose of Felony Sentencing System • Legislation Briefing 	<ul style="list-style-type: none"> • March 18, 2021 CSTF – Meeting Summary
Grid Subgroup Meetings	Mar: 1, 8, 15, 22, & 29	<ul style="list-style-type: none"> • State v. Blake Discussion • Review/discuss data on sentencing alternatives & summary statistics on community service • Discuss incorporating grid zones (informed by sentencing alternatives data) 	<ul style="list-style-type: none"> • Grid Subgroup – 3.01.21 meeting notes • Grid Subgroup – 3.08.21 meeting notes

		<ul style="list-style-type: none"> • Exceptional Sentences and disproportionality 	<ul style="list-style-type: none"> • Grid Subgroup – 3.15.21 meeting notes • Grid Subgroup – 3.22.21 meeting notes • Grid Subgroup – 3.29.21 meeting notes
Task Force Meeting #4	Apr 15	<ul style="list-style-type: none"> • Task Force introductions and updates • Purpose, Goals, and History of Sentencing Reform Act • Small Group & Full Task Force Dialog on Purpose of Felony Sentencing System • Legislation Briefing 	<ul style="list-style-type: none"> • April 15, 2021 – CSTF Meeting Summary
Grid Subgroup Meetings	Apr: 5, 12, 19, 26	<ul style="list-style-type: none"> • April 5th and April 12th: Providing feedback to Lauren and Clela on draft research report. • April 19th will discuss the distribution of work tasks for the full Task Force and for the subgroup. What is the sequencing of work? Are these elements that need to be decided on before other topics can be worked on? For example, does the Task Force need to first decide on felony class or offense serious level? The process for getting work done. • April 26th: Begin developing “decision guides”, for Task Force meetings starting with Felony Class vs. Offense Serious Level. What are the decision points, considerations, and tradeoffs for each? 	<ul style="list-style-type: none"> • Grid Subgroup – 4.05.21 meeting notes • Grid Subgroup – 4.12.21 meeting notes • Grid Subgroup – 4.19.21 meeting notes • Grid Subgroup – 4.26.21 meeting notes
Grid Subgroup Meeting	May 4	<ul style="list-style-type: none"> • Discussion of WSIPP report findings • Review desired outcomes for the grid • Grid vertical axis: OSL of felony class? 	<ul style="list-style-type: none"> • Grid Subgroup – 5.04.21 meeting notes
Task Force Meeting #5	May 6	<ul style="list-style-type: none"> • Task Force introductions and updates • Presentation of Sentencing Grid Research Report Findings • Q & A and Discussion on Research Findings • Debrief of Legislative Session • Preview of Workplan for Remainder of 2021 	<ul style="list-style-type: none"> • May 6, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	May 11	<ul style="list-style-type: none"> • Discuss draft may 20th Task Force meeting agenda and Subgroup Workplan • Discussion: Felony class v. OSL 	<ul style="list-style-type: none"> • Grid Subgroup – 5.11.21 meeting notes

		<ul style="list-style-type: none"> Cont. discussion: where to start on the grid 	
Grid Subgroup Meeting	May 18	<ul style="list-style-type: none"> Review key findings from the WSIPP report related to the vertical axis of the grid Prepare for Task Force meeting 	<ul style="list-style-type: none"> Grid Subgroup – 5.18.21 meeting notes
Task Force Meeting #6	May 20	<ul style="list-style-type: none"> Task Force introductions and updates Review Task Force workplan for the grid Consider and discuss potential draft recommendation on vertical axis of grid Dialog on public safety 	<ul style="list-style-type: none"> May 20, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	May 25	<ul style="list-style-type: none"> Discuss findings from WSIPP report Sentencing grid cell ranges and zones Addressing offenses when the presumptive range exceeds the stat max 	<ul style="list-style-type: none"> Grid Subgroup – 5.25.21 meeting notes
Grid Subgroup Meeting	June 1	<ul style="list-style-type: none"> Three step approach to addressing cell ranges, sentence lengths, & zones <ul style="list-style-type: none"> What to do with the southwest corner of the grid; How to adapt the grid to ensure sentences within offense seriousness levels do not exceed statutory maximums; and Adjust ranges systematically (e.g., by X%), particularly in the high offense seriousness levels, to reduce excessive incarceration lengths. 	<ul style="list-style-type: none"> Grid Subgroup – 6.01.21 meeting notes
Task Force Meeting #7	June 3	<ul style="list-style-type: none"> Task Force introductions and updates Consider and discuss grid cell ranges, sentence lengths, and zones Dialog on alternatives to incarceration 	<ul style="list-style-type: none"> June 3, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	June 8	<ul style="list-style-type: none"> Grid structure discussion: the lower left portion of the grid and the question: Should any sentence in OSL 1 result in state incarceration? 	<ul style="list-style-type: none"> Grid Subgroup – 6.08.21 meeting notes
Task Force Meeting #8	June 17	<ul style="list-style-type: none"> Task Force introductions and updates Review workplan for remainder of 2021 Overview and prep for July Task Force workshops Debrief of public safety dialog from the May 20th meeting and review key themes from the dialog related to this year’s work on the sentencing grid 	<ul style="list-style-type: none"> June 17, 2021 – CSTF Meeting Summary

		<ul style="list-style-type: none"> • Sentencing Grid Subgroup update and Task Force providing guidance and input 	
Grid Subgroup Meeting	June 22	<ul style="list-style-type: none"> • The southwest corner of the grid: ideas and potential recommendations to put forth to the full Task Force for input 	<ul style="list-style-type: none"> • Grid Subgroup – 6.22.21 meeting notes
Grid Subgroup Meeting	June 29	<ul style="list-style-type: none"> • Discussion and ideas for addressing cells that exceed the stat max for class C and class B felonies 	<ul style="list-style-type: none"> • Grid Subgroup – 6.29.21 meeting notes
Task Force Meeting #9	July 1	<p><u>Norms for Courageous Conversations</u> (Tools/Strategies) – Caprice Hollins, Cultures Connecting</p> <p>We have different experiences and perspectives on race depending on our racial identity. This often leads to tension and conflict in cross cultural interactions. Typical ways in which we engage in everyday conversations don't necessarily work when talking about race or interacting across cultures. In this workshop participants learn seven tools to guide them in having effective conversations about race, racism, and race relations, adapted from the work of Glenn Singleton.</p> <p>Objectives: Participants will:</p> <ol style="list-style-type: none"> 1. Learn tools and some strategies for how to engage in cross cultural interactions. 2. Identify what is difficult for them in engaging and commit to practicing a new way of engaging. 	
Grid Subgroup Meeting	July 6	<ul style="list-style-type: none"> • Cont. discussion and developing potential recommendations for addressing cells that exceed the stat max for class C and class B felonies 	<ul style="list-style-type: none"> • Grid Subgroup – 7.06.21 meeting notes
Grid Subgroup Meeting	July 13	<ul style="list-style-type: none"> • OSL 10 and above • OSL 14: background and history - current Seriousness Level 14 on the standard sentencing grid has been an exception to the rest of the grid's Seriousness Levels • Discussion and reviewing high end of sentence ranges on grids used in other states 	<ul style="list-style-type: none"> • Grid Subgroup – 7.13.21 meeting notes
Sentencing Alternatives Workgroup	July 13	<ul style="list-style-type: none"> • Discuss scope of the workgroup • Presentation and discussion: Mental Health Sentencing Alternative 	<ul style="list-style-type: none"> • 7.13.21 Sentencing Alternatives meeting notes

Task Force Meeting #10	July 15	<p>Strategies for Effectively Engaging in Cross Cultural Conflict (Strategies/Skills) Caprice Hollins, Cultures Connecting</p> <p>In this workshop participants develop their skills for engaging when tension exists across cultures. Strategies include how to engage when you offend, how to engage when you are offended, and how to engage when you witness an offense. Participants will learn how best to approach tense situations through vignettes, role playing, video, and small and large group discussion.</p> <p>Objectives—Participants will:</p> <ol style="list-style-type: none"> 1. Learn strategies for engaging when conflict occurs. 2. Develop skills for engaging. 	
Grid Subgroup Meeting	July 20	<ul style="list-style-type: none"> • Discussion about formulaic grid approach and reviewing grid simulations 	<ul style="list-style-type: none"> • Grid Subgroup – 7.20.21 meeting notes
Grid Subgroup Meeting	July 27	<ul style="list-style-type: none"> • Continued discussion on grid simulations • Review of potential recommendations related to the sw corner of the grid and for addressing areas on the grid that exceed the stat max 	<ul style="list-style-type: none"> • Grid Subgroup – 7.27.21 meeting notes
Sentencing Alternatives Workgroup	July 29	<ul style="list-style-type: none"> • Presentation and discussion: Parenting Sentencing Alternative 	<ul style="list-style-type: none"> • 7.29.21 Sentencing Alternatives meeting notes
Grid Subgroup Meeting	Aug 3	<ul style="list-style-type: none"> • Review and prep for Task Force meeting • Discussion on simulated grid options for OSL 1-5 	<ul style="list-style-type: none"> • Grid Subgroup – 8.03.21 meeting notes
Task Force Meeting #11	Aug 5	<ul style="list-style-type: none"> • Task Force introductions and updates • Debrief and reflections on July Task Force workshops. • Revisit groundrules • Sentencing Grid Subgroup presentation and first offer of potential recommendations for Task Force input 	<ul style="list-style-type: none"> • August 05, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	Aug 10	<ul style="list-style-type: none"> • Discussion of the simulated grid and “straddle” cells • Discussion on simulated grid options for OSL 1-5 	<ul style="list-style-type: none"> • Grid Subgroup – 8.10.21 meeting notes
Sentencing Alternatives Workgroup	Aug 10	<ul style="list-style-type: none"> • Presentation and discussion: First Time Offense Waiver 	<ul style="list-style-type: none"> • 8.10.21 Sentencing

			Alternatives meeting notes
Grid Subgroup Meeting	Aug 17	<ul style="list-style-type: none"> Cont. discussion of the simulated grid and “straddle” cells Cont. discussion on simulated grid options for OSL 1-5 	<ul style="list-style-type: none"> Grid Subgroup – 8.17.21 meeting notes
Task Force Meeting #12	Aug 19	<ul style="list-style-type: none"> Task Force introductions and updates Sentencing Alternatives Workgroup update Sentencing Grid Subgroup presentation and next offer of potential recommendations for Task Force input 	<ul style="list-style-type: none"> August 19, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	Aug 24	<ul style="list-style-type: none"> Debrief of Task Force input from Aug 19th meeting Discussion on OSL 10 and above and simulated grid options 	<ul style="list-style-type: none"> Grid Subgroup – 8.24.21 meeting notes
Sentencing Alternatives Workgroup	Aug 24	<ul style="list-style-type: none"> Presentation and discussion: Special Sexual Offender Sentencing Alternative 	<ul style="list-style-type: none"> 8.24.21 Sentencing Alternatives meeting notes
Grid Subgroup Meeting	Aug 31	<ul style="list-style-type: none"> Cont. discussion on OSL 10 and above and simulated grid option 	<ul style="list-style-type: none"> Grid Subgroup – 8.31.21 meeting notes
Task Force Meeting #13	Sep 2	<ul style="list-style-type: none"> Task Force introductions and updates Sentencing Alternatives Workgroup update Sentencing Grid Subgroup presentation and next offer of potential recommendations for Task Force input 	<ul style="list-style-type: none"> September 2, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	Sep 7	<ul style="list-style-type: none"> Cont. discussion on OSL 10 and above and simulated grid options Discussion on simulated grid options 6-9 	<ul style="list-style-type: none"> Grid Subgroup – 9.07.21 meeting notes
Sentencing Alternatives Workgroup	Sep 7	<ul style="list-style-type: none"> Discuss relationship of sentencing alternatives to the sentencing grid 	<ul style="list-style-type: none"> 9.7.21 Sentencing Alternatives meeting notes
Grid Subgroup Meeting	Sep 14	<ul style="list-style-type: none"> Cont. discussion on simulated grid options 6-9 	<ul style="list-style-type: none"> Grid Subgroup – 9.14.21 meeting notes
Task Force Meeting #14	Sep 16	<ul style="list-style-type: none"> Task Force introductions and updates Sentencing Alternatives Workgroup update Sentencing Grid Subgroup presentation and next offer of potential recommendations for Task Force input 	<ul style="list-style-type: none"> September 16, 2021 – CSTF Meeting Summary

Grid Subgroup Meeting	Sep 21	<ul style="list-style-type: none"> Revisit OSL 10 and above, simulated grid options with anchor points 	<ul style="list-style-type: none"> Grid Subgroup – 9.21.21 meeting notes
Sentencing Alternatives Workgroup	Sep 21	<ul style="list-style-type: none"> Presentation and discussion: Prison and Residential Drug Offender Sentencing Alternatives 	<ul style="list-style-type: none"> 9.21.21 Sentencing Alternatives meeting notes
Grid Subgroup Meeting	Sep 28	<ul style="list-style-type: none"> Discussion of reworked set of the top rows of the grid alongside all the other rows (OSL 1-9) so the Subgroup Discussion of all potential recommendations for the vertical axis as a whole. 	<ul style="list-style-type: none"> Grid Subgroup – 9.28.21 meeting notes
Grid Subgroup Meeting	Oct 5	<ul style="list-style-type: none"> Begin discussion on the horizontal axis of the grid Presentation and discussion: criminal history score and recidivism: Matt Landon, Statistical Analysis Center 	<ul style="list-style-type: none"> Grid Subgroup – 10.5.21 meeting notes
Sentencing Alternatives Workgroup	Oct 5	<ul style="list-style-type: none"> Presentation/Discussion: Ways to Integrate Alternatives onto the Grid & Account for Differences in Eligibility 	<ul style="list-style-type: none"> 10.5.21 Sentencing Alternatives meeting notes
Task Force Meeting #15	Oct 7	<ul style="list-style-type: none"> Task Force introductions and updates Sentencing Grid Subgroup update Sentencing Alternatives Workgroup presentation on existing alternatives, connections to grid, and potential options going forward 	<ul style="list-style-type: none"> October 7, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	Oct 12	<ul style="list-style-type: none"> Methods for addressing repeat offending behaviors and discretionary increases in sanctions: <ul style="list-style-type: none"> Discussion on scoring rules: <ul style="list-style-type: none"> Multipliers 	<ul style="list-style-type: none"> Grid Subgroup – 10.12.21 meeting notes
Grid Subgroup Meeting	Oct 19	<ul style="list-style-type: none"> Methods for addressing repeat offending behaviors and discretionary increases in sanctions: <ul style="list-style-type: none"> Examples of how other states address repeat serious violent and violent offenses. 	<ul style="list-style-type: none"> Grid Subgroup – 10.19.21 meeting notes
Sentencing Alternatives Workgroup	Oct 19	<ul style="list-style-type: none"> Discussion of options to integrate alternatives onto the grid & account for differences in eligibility 	<ul style="list-style-type: none"> 10.19.21 Sentencing Alternatives meeting notes
Grid Subgroup Meeting	Oct 26	<ul style="list-style-type: none"> Methods for addressing repeat offending behaviors and discretionary increases in sanctions: 	<ul style="list-style-type: none"> Grid Subgroup – 10.26.21 meeting notes

		<ul style="list-style-type: none"> ○ Discussion on Two strikes and three strikes laws 	
Grid Subgroup Meeting	Nov 2	<ul style="list-style-type: none"> ● Methods for addressing repeat offending behaviors and discretionary increases in sanctions: <ul style="list-style-type: none"> ○ Discussion on mandatory consecutive sentences 	<ul style="list-style-type: none"> ● Grid Subgroup – 11.2.21 meeting notes
Sentencing Alternatives Workgroup	Nov 2	<ul style="list-style-type: none"> ● Overview of FTOW ● FTOW: discussion about eligibility and potential recommendations 	<ul style="list-style-type: none"> ●
Task Force Meeting #16	Nov 4	<ul style="list-style-type: none"> ● Task Force Introductions and Updates ● Review Grid Info Presented & Topics Discussed to Build Understanding ● Discussion & Input on Grid Components & Potential Recommendations 	<ul style="list-style-type: none"> ● November 4, 2021 – CSTF Meeting Summary
Grid Subgroup Meeting	Nov 9	<ul style="list-style-type: none"> ● Methods for addressing repeat offending behaviors and discretionary increases in sanctions: <ul style="list-style-type: none"> ○ Discussion on exceptional sentences: aggravators and mitigators 	<ul style="list-style-type: none"> ● Grid Subgroup – 11.9.21 meeting notes
Grid Subgroup Meeting	Nov 16	<ul style="list-style-type: none"> ● Methods for addressing repeat offending behaviors and discretionary increases in sanctions: <ul style="list-style-type: none"> ○ Cont. discussion on exceptional sentences: aggravators and mitigators 	<ul style="list-style-type: none"> ● Grid Subgroup – 11.16.21 meeting notes
Grid Subgroup Meeting	Nov 23	<ul style="list-style-type: none"> ● Methods for addressing repeat offending behaviors and discretionary increases in sanctions: <ul style="list-style-type: none"> ○ Cont. discussion on exceptional sentences: aggravators and mitigators 	<ul style="list-style-type: none"> ●
Grid Subgroup Meeting	Nov 30	<ul style="list-style-type: none"> ● Begin combined discussion of all of the methods for addressing repeat offending behaviors and discretionary increases in sanctions. Review all the key discussion points, ideas, options, etc. that have been discussed since Oct 12th and begin stitching ideas and options together, putting together ideas and potential rec's for the Task Force, etc. 	<ul style="list-style-type: none"> ●
Sentencing Alternatives Workgroup	Nov 30	<ul style="list-style-type: none"> ● Presentation and discussion: recent study and findings on DOSA 	<ul style="list-style-type: none"> ●

Task Force Meeting #17	Dec 2	<ul style="list-style-type: none"> • Task Force Introductions and Updates • Reflect on & Discuss Task Force Work to Date • Updates from Sentencing Grid Subgroup and Sentencing Alternatives Workgroup • Discuss Workplan for 2022 and Share Desired Outcomes • Update from Legislators on Status of Task Force's 2020 Recommendations During the 2022 Legislative Session 	•
Grid Subgroup Meeting	Dec 7	<ul style="list-style-type: none"> • Cont. combined discussion of all of the methods for addressing repeat offending behaviors and discretionary increases in sanctions. Review all the key discussion points, ideas, options, etc. that have been discussed since Oct 12th and begin stitching ideas and options together, putting together ideas and potential rec's for the Task Force, etc. 	•
Grid Subgroup Meeting	Dec 14	<ul style="list-style-type: none"> • Cont. combined discussion of all of the methods for addressing repeat offending behaviors and discretionary increases in sanctions. Review all the key discussion points, ideas, options, etc. that have been discussed since Oct 12th and begin stitching ideas and options together, putting together ideas and potential rec's for the Task Force, etc. 	•
Sentencing Alternatives Workgroup	Dec 14	TBD	•