

**Washington State Criminal Sentencing Task Force
Sentencing Alternatives Subgroup
Meeting Notes: June 14th, 2022
Meeting via Zoom**

Attendees:

- Tiffany Attrill, *Interests of Victims of Crime*
- Keri-Anne Jetzer, *Sentencing Guidelines Commission (SGC)*
- Melody Simle, *Families of Incarcerated Persons*
- Judge Wesley Saint Clair, *Sentencing Guidelines Commission*
- Clela Steelhammer, *Caseload Forecast Council*
- Jon Tunheim, *WA Association of Prosecuting Attorneys*
- Waldo Waldron-Ramsey, *Interests of Incarcerated Persons*
- Kameon Quillen, *Interests of Crime Victims*
- Mac Peevy, *Department of Corrections*

Facilitation Team: Amanda Murphy, Chris Page, Molly Stenovec, Zack Cefalu

Public Guests: Bruce Glant, Joanne Smieja, David Trieweler, Heidi Brodt

Meeting purpose: Review input and discussion on CISRS at the June 2nd CSTF meeting, discuss next steps.

Welcome and Agenda Review

Amanda welcomed the Sentencing Alternatives Subgroup members and recapped the discussion the Task Force had about the CISRS program at the full task force meeting on 6.2.2022. She let the group know that today was going to focus on the feedback the program received from the full Task Force meeting.

She also let the Subgroup know that the upcoming June 28th meeting will be cancelled due to lack of capacity from facilitation team, as well as cancelling the July meetings to make room for the all-day Grid Subgroup meetings. The facilitation team agreed to attempt to reach a discussion about additional recommendations today but likely will have to table the conversation until the Subgroup's August meetings.

Feedback:

Amanda started the discussion on the reflections from the Task Force meeting about the key input from the members about the CISRS program. Key elements and questions identified by the Task Force included:

- Concern over the cost of the CISRS program and the funding model
- The structure of the program, specifically how centralized vs how decentralized the program would be.
- What entity would have oversight and what would this oversight look like?
- What would the minimum standards of care look like and how would these be managed?

- What would data and monitoring look like to ensure county programs are being utilized appropriately?
- What would the eligibility of the program be and who would make the determination of the conditions of the program, for example would this be decided by judges or case managers?
- How can we ensure this program is not just creating additional surveillance and instead move forward with a case manager approach?
- How can this program incorporate victim services?

Discussion on the Structure of CISRS:

- There was a strong overall level of support among the full Task Force, and many thought it showed much promise, but there is a need for more detail to build it out a bit more.
- Addressing geographic disparities – a statewide approach would benefit the more rural counties as they would have access to state funding and resources, but it could challenge the necessity to individualize the programs to that county's specific needs.
 - The emerging DOC supervision model of i-COACH uses individualized supervision models tailored to the specific needs of both the individual and county. This case-manger styled program is designed to address the life needs of the individuals to prioritize successful reentry rather than just a surveillance model reentry program. This is the framework that we want to model the CISRS program after.
 - It may not be appropriate to discuss the program as a one or the other type of approach when considering centralization vs decentralization. Something can be created to encapsulate both individualized needs of counties AND have it run so each county program meets statewide standards. An approach that creates state framework but increases resources in the county so that alternatives are meaningful and can reduce individuals criminogenic risk is perhaps the best option.
- There's a tremendous need to invest in a centralized justice database and a data management system that we can use to measure and track outcomes across counties and different entities.
- A member asked if it would be worth providing the framework for the program and recommending the Legislature create another group to develop the finer details of implementation more fully, as local case managers and service providers likely have better insight as to the gaps and areas that need to be addressed that the Task Force cannot see.
 - Perhaps the Legislature would have more time to reach out to states like PA and OR to gain insight from their successful versions of this program. There must be a suitable group that can dive deeper into the details of the inner workings of this program.
 - Several members agreed that this is a good idea as they are not the experts that can set up a successful pilot program such as this. The Task Force can provide the concepts and policies of the program and leave the finer details of its inner workings to the appropriate stakeholders, who are not represented on this Task Force.
- A member brought up that there are 39 different counties with 39 different ways of practicing sentencing, and asked, "If the state had a unified court system would that alone address each of our 3 policy goals?"

- Amanda discussed the creation of regional (multi-county) oversight commissions handling the governmental tasks in other fields such as healthcare and inquired how effective this could be within a court system or if this exists in some capacity already?
 - Several counties in WA do share Superior Court judges but this seems to be the extent of any sort of regional collaboration between judicial entities.
 - A member pointed out that PA has a unified court system but that is not how their Intermediate Sanction Program (ISP) works; they have boards created in counties to develop their ISPs, and although they have joint judicial districts, their program is still very localized.
 - Although unified courts have been a hot topic among WA judges for a long time, there is not enough energy around this idea right now to pursue it. Our current system does not mandate centralized data or systems, and a handful of counties refuse to enter this as they have a “you can’t tell me what to do” mentality. The state Supreme Court could dictate the structures under their jurisdiction, but it is much harder to regulate the actions of judges especially when counties want to have their own leadership and distrust state oversight.
 - Throughout Washington’s history, people in WA are historically afraid of centralization of power even at the state level. This would prove to be a large barrier to overcome if a unified model is something they want to pursue, and this is one of the reasons why WA does not have a unified court or jail system.
 - Another member posed the question of whether now would perhaps be the time to push forward for this? Just because this has been the way things have always been done is not necessarily a reason not to pursue this idea.

Elements of CISRS the Task Force should Discuss vs. What this Subgroup Should Discuss

- Several members mentioned that building avenues for transparency is crucial so counties can be held accountable for providing the agreed upon services.
 - There must be data collection standards determined beforehand to ensure transparency and accountability to enable proper evaluations of the program. Additionally, this can get at the adaptability of the program as many counties are not on the same level in terms of availability of resources, so proper evaluation can improve their adaptability by identifying the necessary resources where they are needed.
 - Flexibility will be needed in both building up the resources and maintaining the effectiveness of the programs. Establishing both transparency and accountability through program evaluation can enable course corrections when needed.
- The folks providing “boots-on-the-ground” services need to be included in these conversations to ensure successful implementation, especially if we want to prioritize a more person-centered approach such as the I-COACH model.
- Many members expressed a desire to just focus on the bigger picture of the program.
- Members expressed that judges are not the experts on the program’s needs, and several expressed support for terms to be developed by some sort of assessment
 - DOC conducts a brief risk assessment at sentencing
 - Court would want a screening tool to help inform their decision

Funding

Amanda turned the focus of the conversation of the funding model of the CISRS program, highlighting the potential to model the funding after the Juvenile Block Grant.

- The Block Grant was the state's way to use the federal government strategy to have counties receive state funding for youth in community supervision while meeting statewide standards. The CISRS program, however, may be more complicated than the juvenile system, in terms of the entities of defendants' supervision. For example, someone can be under supervision of several counties/cities or the state itself whereas Juvenile Rehabilitation has only one entity aside from community-based supervision that juveniles are exposed to. There will be many nuances necessary here to consider.
- The Department of Commerce provides financial assistance to support reentry services, and those folks are adept at facilitating funding on a performance-based contract, but they would not be able to provide the case management strategies that entities such as DOC/DSHS have that will be crucial to the success of CISRS.

Amanda and Chris reviewed with the team, in reference to the new grid, which zones of the grid would be eligible for enrollment in CISRS.

A member identified another question for the Task Force or other body building out the details of the program: "Who should decide enrollment in the CISRS program at the point of sentencing—would this fall on judges or case managers?" As it stands, judges already have a heavy workload.

Closing Remarks and Looking Forward:

Amanda pointed out that to really dive into the details of creating the CISRS program there needs to be another entity with more applicable representation to build the details of this program. The Task Force recommendation should focus on the mission, values, and the core fundamental elements of CISRS rather than specifying how to implement the program. The facilitation team will add this idea (and the other key points from today's discussion) into the CISRS overview document and send it back out to this workgroup for edits and suggestions, so when they reconvene, they can discuss it before putting it back out to the Task Force.

RESEARCH AND INFORMATION SHARED VIA ZOOM CHAT DURING MEETING:

PA Title 42 Chapter 98 County Intermediate Punishment: [Title 42 - PA General Assembly \(state.pa.us\)](https://legis.state.pa.us)

PA Title 42 Chapter 98 County Intermediate Punishment Purpose:

County intermediate punishment programs shall be developed, implemented and operated for the following purposes:

- (1) To protect society and promote efficiency and economy in the delivery of corrections services.
- (2) To promote accountability of offenders to their local community.
- (3) To fill gaps in local correctional systems and address local needs through expansion of punishment and services available to the court.

(4) To provide opportunities for offenders who demonstrate special needs to receive services which enhance their ability to become contributing members of the community.

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