

Sentencing Guideline Commission members John Tunheim, Thurston County
Prosecuting Attorney and Tony Golik, Clark County Prosecuting Attorney

Prosecutor stakeholder recommendations

Simplification of SRA – Prosecution stakeholders support reasonable efforts to simplify sentencing grids and offender scoring. Prosecutors are sensitive the Department of Corrections concerns that an overly complex scoring grid may lead to higher error rates.

Increased Judicial discretion in sentencing – Prosecution stakeholders are supportive of building some increases into the sentencing ranges for various scoring grids. Prosecutors are of the opinion that there are numerous areas within the SRA scoring grids where the sentencing ranges are much too narrow. Very narrow sentencing ranges create situations where sentencing courts have too little discretion to sentence appropriately. Very narrow sentencing ranges also limit the ability of the parties (Prosecutors and Defense Counsel) to appropriately negotiate resolutions of some cases. A clear example of a narrow sentencing range: Assault Second Degree at an offender score of 2 points carries a prison range of 12 to 14 months.

Continued use of grid system to determine sentencing ranges – Prosecution stakeholders strongly support the continued use of the current SRA grid system in general. The purpose of the SRA is as relevant today as it was when the SRA was first enacted into law. The use of sentencing grids that consider prior criminal history and seriousness of the current crime to determine a sentencing range is the most appropriate way to ensure that people who engage in the same criminal conduct are treated equally by the justice system. Further, the SRA works to create a system where prosecutors, crime victims, defense attorneys and those accused of crimes have reasonable expectations regarding sentences.

Youthful offenders – Prosecution stakeholders are interested in continued discussion regarding the most appropriate way to sentence youthful offenders. Prosecutors have concerns regarding creating appropriate definitions of youthful offenders and defining appropriate sentences. Prosecutors are interested in current scientific brain development study and prosecutors are interested in applying brain development science to youthful offender sentencing discussions.

Sentencing Enhancement – Prosecutors support the continued use of sentencing enhancements. Prosecutors are of the opinion that mandatory sentencing enhancements are appropriate, particularly for individuals who commit violent crimes while armed with firearms or other deadly weapons.