



STATE OF WASHINGTON

SENTENCING GUIDELINES COMMISSION

Helen Sommers Building, PO Box 43124 • Olympia, Washington 98504-3124 • (360) 902-0425

MEETING MINUTES July 9, 2021 9:00am – 12:00pm MS Teams

Members Present:

Hon. J. Wesley Saint Clair, Chair
Hon. Stanley Rumbaugh
Councilmember Phillip Lemley
Kimberly Gordon
Chief Cherie Harris
Hon. Josephine Wiggs-Martin
Jennifer Albright
Senator Jeannie Darneille
Kathleen Harvey
Secretary Cheryl Strange
Kecia Rongen
Rep. Lauren Davis
Rep. Skyler Rude
Sonja Hallum
Tony Golik
Hon. William Houser
Greg Link
Hon. Catherine Shaffer
Tim Wettack
Norrie Gregoire

Members Absent:

Senator Mike Padden
Jon Tunheim
Councilmember Derek Young

Staff:

Keri-Anne Jetzer

Guests:

Commander Todd Clark, KC DAJD
Sergeant Jermaine Mize, KC DAJD
Deputy Secretary Sean Murphy, DOC
Chief of Staff Julie Martin, DOC

I. CALL TO ORDER

Chair Saint Clair called the meeting to order. He welcomed Secretary Strange and Representative Simmons to the Commission.

II. APPROVAL OF MINUTES

MOTION #21-51: APPROVE MINUTES FROM JUNE 2021 MEETING

MOVED: Judge Shaffer

SECONDED: Judge Rumbaugh

PASSED: Unanimous

III. RESTRICTIVE HOUSING

Chair Saint Clair introduced Commander Clark and Sergeant Mize from the King County jail. Commander Clark provided background on the work that the King County Department of Adult and Juvenile Detention started on restrictive and transitional housing.

Sergeant Mize is part of a multi-disciplinary team that also includes a classification person and a psych/social services person. Together, the team manages restrictive housing and transitional housing. This team was one of the recommendations that came out of the restrictive housing work group back in 2017. He presented on the work of the DJAD on reducing its use of restrictive housing.

Senator Darneille reminded members that the Jail Standards Task Force will be starting soon and that the issues of behavioral challenges of persons who are incarcerated will be part of the work of the Task Force. She inquired if King County was sharing their work with other jails to try to build a normalcy between the jurisdictions so people convicted in other counties can expect the same level of attention to their behavioral needs. Commander Clark replied that there hasn't been a lot of opportunity the last 15 months because of Covid.

In response to a comment about juvenile detention, Kathleen Harvey directed members to 2SHB 2277 - Youth solitary confinement. This is the prevention of youth solitary confinement. It requires DCYF to work with juvenile courts and other stakeholders to create a model policy that offers alternative solutions to solitary confinement and limitations of isolation. It does apply to juvenile detention facilities as well as JR facilities. Kathleen said it was in the process stage right now but they would be happy to share information or provide a presentation.

Chair Saint Clair thanked the Commander and the Sergeant for presenting to the Commission.

Deputy Secretary Sean Murphy presented on restrictive housing within DOC. Specifically, the differences in the types of housing they currently have, how someone gets into that housing status, data on exiting use of restrictive housing and on demographics and new housing initiatives they are working on.

Chair Judge Saint Clair noted that Suzanne Cook, a member of the public, emailed members a report prepared by Human Rights First and a report from the Office of the Corrections Ombuds and he encouraged members to read them. Suzanne remarked that she would like there also be conversations about the conditions of solitary confinement within DOC. Chair Judge Saint Clair added that there is a trauma from solitary confinement occurs to all the participants: those who are incarcerated and those who are guards because there is a de-humanization process that occurs and perpetuates marginalization. Kimberly Goodman commented that she has experienced

that restricted housing creates a challenge for incarcerated individuals to interact with their attorney.

IV. PRETRIAL RELEASE

Keri-Anne reported that the work on this will begin in September. The Senate Law & Justice Committee asked the SGC for feedback on the bill or related materials prior to the start of those meetings. She will start scheduling committee meetings shortly.

Chair Judge Saint Clair asked for more volunteers for this group. Judge Rumbaugh commented that both Thurston and Pierce counties have an Arnold Ventures-sponsored evaluation process going on. He chairs a monthly group with a variety of stakeholders and thought that would be a good place to solicit assistance. He inquired of the timeline for this work. Keri-Anne reported that all she knows is that the meetings will start in September. Judge Rumbaugh offered to contact Andrea Kelley, the head of Pierce County Pretrial Services.

Judge Houser commented that the SCJA has some serious concerns about this bill. He remembered thinking the Act was unworkable for a small court. He offered to add his perspective to the committee.

Chair Judge Saint Clair asked if a DOC perspective is helpful on this committee. Judge Rumbaugh replied that Chief Patti Jackson-Kidder from the Pierce County Sheriff's Department is part of his monthly group and he would ask her if she could join, too.

Additional Volunteers:

- Andrea Kelley
- Chief Patti Jackson-Kidder
- Judge Houser

V. WORK ASSIGNMENT FROM REPRESENTATIVE ROGER GOODMAN

Chair Judge Saint Clair reviewed the work request from Representative Goodman. Keri-Anne noted that she has a request in with Rep. Goodman's office to learn of any preferred timelines for the assignments.

Chair Judge Saint Clair suggested that with so many requests being made of the SGC, members may need to look for resources within their organizations to complete this work. There was mention of the work the Criminal Sentencing Task Force had already completed on this group of offenses.

Judge Shaffer noted some unranked offenses are used frequently, especially those related to drug offenses. She suggested focusing on the offenses that are in use.

Chair Judge Saint Clair asked that any committee recruitments be sent to Keri-Anne by July 16.

Keri-Anne thought it may be helpful to have people from the behavioral health and drug treatment fields when discussing recommendations related to drug sentences and asked member to suggest people she could contact in that regard.

Volunteers:

- Representative Mosbrucker
- Norrie Gregoire
- Mac Pevey
- Representative Simmons
- David Trieweiler
- Laura Shaver, Snohomish County
- Judge Saint Clair
- WAPA Volunteer (Tony Golik will recruit)
- WASPC Volunteer (Chief Harris will recruit)
- DOC or Behavioral Health professional (Keri Waterland with HCA was suggested)
- DOC or Drug Treatment professional (Karen Lee at Pioneer Human Services was suggested)

VI. OTHER BUSINESS

Chair Judge Saint Clair informed members that this was Judge Shaffer's last SGC meeting as her term will expire in August. He acknowledged the insight and enthusiasm she brought to her work. He thanked her for her time and energy on the Commission. Judge Shaffer remarked how great it had been to have worked with everyone. She said that she had been on the SGC a long time, but she believes in new perspectives, new ideas, and new energy, which is why she stepped away. She hoped the Commission would continue to diversity its membership and would continue to work hard on disproportionate incarceration. She went on to say what an honor it has been to work on the Commission.

The Chair welcomed Representative Mosbrucker to the Commission. Rep. Mosbrucker replied that she is honored to be part of the SGC. She volunteered to be part of any group in the SGC.

Chair Judge Saint Clair reported that the Victims' Advocate position should be appointed soon. He provided feedback to the Boards and Commissions Office on potential candidates. He reminded members the SGC is looking to incorporate more geographic, ethnic, and racial diversity to its membership.

VII. ADJOURNMENT

APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION



9/10/2021

Judge J. Wesley Saint Clair, Chair

Date

SGC Meeting Minutes 7/9/2021

Keri-Anne Jetzer

8/13/2021