



STATE OF WASHINGTON

SENTENCING GUIDELINES COMMISSION

Jefferson Building, PO Box 43124 • Olympia, Washington 98504-3124 • (360) 688-8511

MEETING MINUTES

January 13, 2023 9:00am – 12:00pm

Zoom

Members Present:

Hon. Stanley Rumbaugh, Acting Chair
Kimberly Gordon
Hon. Sharonda Amamilo
Secretary Cheryl Strange
Greg Link
Marc Baldwin
Kathleen Harvey
Gina Cardenas
Norrie Gregoire

Staff:

Keri-Anne Jetzer

Guests:

Brady Meryhew, Chair, SOPB
Whitney Hunt, Coordinator, SOPB
Commissioner Tye Menser, Thurston
County

Members Absent:

Senator Mike Padden
Tony Golik
Chief Ken Thomas
Rep. Tarra Simmons
Councilmember Derek Young
Jon Tunheim
Rep. Gina Mosbrucker
Senator Claire Wilson
Jennifer Albright
Hon. William Houser
Kecia Rongen
Tim Wettack
Hon. J. Wesley Saint Clair, Chair
Hon. Josephine Wiggs

I. CALL TO ORDER

Acting Chair Judge Rumbaugh called the meeting to order.

II. APPROVAL OF MINUTES

Meeting minutes were not approved as a quorum was not available

III. SEX OFFENDER POLICY BOARD PRESENTATION

Brad Meryhew, Chair of the Sex Offender Policy Board, presented to members the recommendations from the SOPB's report published in December 2022.

Recommendations included:

- Maintaining the current Special Sexual Offender Sentencing Alternative as is

- Creating a sentencing alternative similar to SSOSA but for:
 - individuals convicted of obtaining depictions of minors unknown to them on the internet
 - individuals convicted of a sexual offense as a result of a law enforcement sting conducted online
- Use risk level as determinant of length of community supervision term instead of offense classification.
- Changes to Failure to Register – Sexual Offender
 - Reduce from SL 2 to unranked offense
 - Violation to include one year of community custody, regardless of risk
 - Remove offense from ‘sex offense’ category
- Addressed ways to expand the pool of treatment providers
- Correct difference between RCW 4.24.550 and Washington’s Public Records Act related to information on compliant Level 1 persons

IV. CRIMINAL CODE REVIEW COMMITTEE

Keri-Anne reported that she is still working on the draft report. Since there is no quorum, she will move the review of the remaining unranked offenses to next month’s agenda.

V. LEGISLATIVE SESSION

Keri-Anne informed members that HB 1114, which expands the SGC’s membership, has a public hearing next week and offered to provide members with survey information should anyone choose to testify. Judge Saint Clair will testify at the meeting.

Keri-Anne also mentioned HB 1196 to members as it would direct the SGC to study public transparency in the criminal plea negotiation process. This bill does not have a hearing scheduled at this time.

Members were informed that HB 1150 – Branding of another person has a hearing next week. The bill is identical to the recommendations the SGC sent to Rep. Mosbrucker with the exception of adding ‘burn or scar’ to the definition as the SGC did. The SGC recommended it be ranked between SL 4 and SL 8. The bill ranks the offense at SL 5. Keri-Anne reported that the SGC did not take a formal vote on the language that was sent to Rep. Mosbrucker although no members indicated they did not support the language. Because of that, she doesn’t think the SGC could state a position at the upcoming public hearing. Kim Gordon expressed discomfort at taking a position on whether something should be penalized. Judge Rumbaugh remembered that he felt concerns about the mechanics of the proof of coercion and the jurisdictional issues if the offense was committed in another state.

VI. OTHER BUSINESS

Keri-Anne reported that the federal Public Health Emergency that has allowed the SGC to continue meeting virtually, has been extended to April 11, 2023. This means the SGC meetings in February and March will continue to be held 100% virtual.

She asked if she could get an idea of how many members would consider attending a hybrid meeting in person, which will likely be held in the 1500 Jefferson Building. Seven members responded that they might consider attending in person.

VII. PUBLIC COMMENT

Alex Mayo with Washington Voices thanked the members for their time on this very important work.

VIII. ADJOURNMENT

APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION



2/10/23

Judge J. Wesley Saint Clair (Ret), Chair

Date