



STATE OF WASHINGTON

## SENTENCING GUIDELINES COMMISSION

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

### MEETING MINUTES

**June 9, 2023 9:00am – 12:00pm**

1500 Jefferson Building

Olympia, WA 98516

And Zoom

#### Members Present:

Hon. J. Wesley Saint Clair, Chair

Greg Link

Hon. Sharonda Amamilo

Secretary Cheryl Strange (proxy:

Dianne Ashlock)

Marc Baldwin

Jon Tunheim

Senator Claire Wilson

Norrie Gregoire

Hon. Stanley Rumbaugh

Gina Cardenas

Kecia Rongen

Kathleen Harvey

#### Staff:

Keri-Anne Jetzer

#### Members Absent:

Tony Golik

Rep. Gina Mosbrucker

Kimberly Gordon

Hon. William Houser

Tim Wettack

Hon. Josephine Wiggs

Rep. Tarra Simmons

Jennifer Albright

#### Guests:

Commissioner Tye Menser, Thurston

County

Jeff Pelander, SOPB Vice-Chair

Whitney Hunt, SOPB Coordinator

Sonja Hardenbrook, WACDL

Terrina Peterson, WASPC

Dr. Michael O'Connell, WATSA

### **I. CALL TO ORDER**

Chair Judge Saint Clair called the meeting to order

### **II. APPROVAL OF MINUTES**

#### **MOTION #23-42: APPROVE MAY 2023 MEETING MINUTES**

**MOVED:** Judge Rumbaugh

**SECONDED:** Jon Tunheim

**PASSED:** Passed

**ABSTAIN:** Judge Saint Clair, Kecia Rongen, Kathleen Harvey

### **III. RE-RANKING PROJECT**

Chair Saint Clair lead the discussion on the re-ranking project. Keri-Anne provided an update on the status of membership on each of the subcommittees. Jon Tunheim reported that Washington Association of Prosecuting Attorneys is working on recruiting people to participate on the subcommittees. He does plan on participating on one of the subcommittees himself. He said the Washington Association of Sheriffs and Police Chiefs is also working to recruit volunteers, too.

The Chair noted the tight timeline to complete this project and asked members for feedback on how frequently to meet. Keri-Anne reported that the Sex Offender Policy Board (SOPB) is planning to meet twice per month, and they have about 30-ish offenses to review. There are closer to 200+ offenses for the SGC's subcommittees to review; 27 class A offenses, 79 class B offenses and 104 class C offenses. Keri-Anne suggested the subcommittees meet every other week with the SGC starting to review recommendations in September. The SOPB is planning to present its recommendations at the October 13 SGC meeting. Chair Saint Clair wondered if some additional meetings should be added, noting that the SGC took longer than expected to review the unranked offenses.

Discussion moved to the meeting of the subcommittees. Keri-Anne offered to poll the subcommittee participants to learn which day of the week works best for the most members and start to schedule meetings from that. Chair Saint Clair suggested that since the SGC often takes a hiatus during July and August, cancelling those meetings would allow more time for the subcommittees and then an additional meeting could be added in October and November, just to make sure the SGC has enough time scheduled for this review. Keri-Anne informed members that Rep. Goodman is asking for minor adjustments, not major renovations, and suggested that might temper the amount of conversation this project might create.

Chair Saint Clair turned the conversation to guiding principles. Keri-Anne provided some background information on the two main schools of thought on crime reflected in the Sentencing Reform Act, the SRA's purposes as noted in statute, and SGC's considerations when it was establishing ranked offenses in 1983. Greg Link pointed out the letter from Rep. Goodman also included criteria to frame the work.

SOPB Chair Brad Meryhew asked about the scoring rules on the new grid. Keri-Anne replied that most of the offense-specific scoring multipliers have been eliminated and a new column had been created to deal with certain repeat offenses. She will go into those rules more deeply during the introduction meetings of the subcommittees. Greg Link suggested that a presentation on the proposed grid to the full Commission and subcommittee members and data on sentence lengths and racial breakdown of that data would be vital before the work of re-ranking can start. Keri-Anne reported that she will be providing conviction data and charging data for FY2010 – 2019. She offered to provide a quick review of the grid at this meeting. There was concern members of the subcommittees were not present, but since it would be recorded, Chair Saint Clair

liked the idea of her presenting now as they would be able to watch the meeting recording. Keri-Anne gave a quick presentation on aspects of the proposed grid.

Members had a brief discussion about long sentence lengths.

There was interest in asking Dr. Lauren Knoth-Peterson to present more in depth on the grid. Keri-Anne will look into recording Dr. Knoth-Peterson's presentation and post it to the website. Greg Link advised that there is a full description of the proposed sentencing grid in the final report by the Criminal Sentencing Task Force. Keri-Anne offered to send out the link to that report.

Members supported cancelling the regular meetings scheduled for July and August to let the subcommittees do their work. They then discussed additional meetings for September, October and November. The result was to schedule full Commission meetings for September 22, October 27, and November 3, in addition to the regular meetings already scheduled for September 8 and October 13. Because of the Veteran's Day holiday, the regular November meeting was moved from the 10<sup>th</sup> to the 17<sup>th</sup>. Keri-Anne will send out the dates so members can get them on their calendars, along with the guidelines document and other materials related to the task. Other research materials mentioned include the Model Penal Code and a collection of sentencing lengths from other states that was collated by Dr. Knoth-Peterson.

#### **IV. OTHER BUSINESS**

No other business.

#### **V. PUBLIC COMMENT**

No member of the public requested to speak.

#### **VI. ADJOURNMENT**

**APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION**



10/13/2023

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Judge J. Wesley Saint Clair (Ret), Chair

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Date