



STATE OF WASHINGTON

SENTENCING GUIDELINES COMMISSION

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

SPECIAL MEETING MINUTES

January 19, 2024 12:00pm – 1:00pm

1500 Jefferson Building

Olympia, WA 98516

And Zoom

Members Present:

Hon. Jeffrey Swan, Acting Chair
Greg Link (proxy: Kimberly Gordon)
Secretary Cheryl Strange (proxy: Dianne Ashlock)
Kecia Rongen
Kimberly Gordon (proxy: Greg Link)
Hon. Josephine Wiggs
Judge Veronica Galván (proxy: Judge Wiggs)
Tim Wettack (proxy: Kimberly Gordon)
Jon Tunheim
Marc Baldwin
Chief Brian Smith
Jennifer Redman

Guest:

Kristi Knudsen, DOC

Members Absent:

Tony Golik
Rep. Tarra Simmons
Hon. Sharonda Amamilo
Rep. Gina Mosbrucker
Hon. J. Wesley Saint Clair, Chair
Commissioner Tye Menser
Judge Karen Donohue
Senator Claire Wilson
Jennifer Albright
Norrie Gregoire

Staff:

Keri-Anne Jetzer
Dr. Lauren Knoth-Peterson, PSPRC

I. CALL TO ORDER

Acting Chair Judge Swan called the meeting to order.

II. DRAFT LEGISLATION BILLS

HB 2169 - Concerning a pilot program creating a healthier environment for correctional officers, department of corrections staff, and individuals within a correctional facility.

Keri-Anne asked Kristi Knudsen if she would brief the members on the bill. Kristi reported that it is to help create staffing models for the current program called the Washington Way and is based on the Norway Amend model.

Kimberly Gordon recalled in the SGC's 2019 report on the SRA, a recommendation was made for motivational-focused supervision.

MOTION #24-20: MOTION TO SUPPORT HB 2169 AND RECOMMEND THAT FUNDING BE MADE AVAILABLE AND RACIAL DISPROPORTIONALITY BE INCLUDED IN REQUIRED RESEARCH ELEMENTS

MOVED: Chief Smith
SECONDED: Kimberly Gordon
PASSED: Passed (Y – 9; N – 0)
ABSTAIN: Secretary Strange, Marc Baldwin

HB 2001/SB 6037 - Providing judicial discretion to modify sentences in the interests of justice.

Keri-Anne reminded members that E2SHB 1189 (2023) is moving again. HB 1189 has the Clemency and Pardons Board as the authorizing agent. The SGC voted to support HB 1189.

MOTION #24-21: MOTION TO SUPPORT HB 2001/SB 6037

MOVED: Judge Wiggs
SECONDED: Kimberly Gordon
PASSED: Passed (Y – 7; N – 1)
ABSTAIN: Secretary Strange, Marc Baldwin, Kecia Rongen

SB 5891/HB 2133 - Designating trespassing on a public school bus as a felony offense.

Keri-Anne briefed members on the proposed version of the bill. Members felt that the conduct related to the case that seemed to have prompted this bill is covered under current felonies.

Kimberly Gordon expressed concern that students could fall under this crime based on the current language.

MOTION #24-22: MOTION TO OPPOSE SB 5891/HB 2133 BECAUSE CURRENT STATUTES ALREADY ENCOMPASS THIS TYPE OF CONDUCT

MOVED: Judge Wiggs
SECONDED: Kimberly Gordon
PASSED: Passed (Y – 7; N – 1)
ABSTAIN: Secretary Strange, Marc Baldwin, Kecia Rongen

SB 5953 - Concerning financial aid grants for incarcerated students.

Keri-Anne explained that there are two bills related to this topic, HB 2171 being another one. They are similar but not companion bills.

Kristi Knudsen reported that in Oct 2022, the Federal Pell Reinstatement Regulations were published by the US Dept of Education, which allowed DOC to help incarcerated students pursue federal financial aid grants for post-secondary education. In their research, DOC learned of a roadblock in current statute that requires DOC to pay for all educational programming. She went on to say that HB 2171 allows the student the choice to apply for federal funding if eligible, while HB 5953 is a financial aid first model.

There was discussion on whether this falls under the SGC's purview. While the SGC has in the past supported methods and programs that reduce recidivism and support reentry, some members felt that this bill was too nuanced in relation to funding sources for education.

MOTION #24-23: MOTION TO TAKE POSITION OF OTHER ON SB 5953 AND HB 2171 WHILE ACKNOWLEDGING THAT THE SGC SUPPORTS PROGRAMS TO SUPPORT EDUCATION/REHABILITATION PROGRAMS THAT PROMOTE PUBLIC SAFETY

MOVED: Judge Wiggs
SECONDED: Judge Swan
PASSED: Passed (Y – 10; N – 0)
ABSTAIN: Secretary Strange

SB 6200/HB 2390 - Concerning penalties related to eluding police vehicles and resisting arrest.

There was discussion about electronic home monitoring, how some counties may not have that option available, and who would pay for it.

Kimberly Gordon had asked Keri-Anne to share the SGC's report on the SRA for this bill. The SGC made several recommendations related to supervision and this bill runs contrary to those recommendations, such supervision should not be based only on offense type but on Risk-Need-Responsivity.

Jon Tunheim wondered if this bill was related to the larger law enforcement pursuit bills.

MOTION #24-24: MOTION TO OPPOSE SB 6200/HB 2390

MOVED: Kimberly Gordon
SECONDED: Judge Wiggs
PASSED: Passed (Y – 6; N – 0)
ABSTAIN: Secretary Strange, Jon Tunheim, Jennifer Redman, Kecia Rongen

III. PUBLIC COMMENT

No members of the public wished to address the commission.

IV. ADJOURNMENT

APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION



2/9/24

Judge J. Wesley Saint Clair (Ret), Chair

Date