

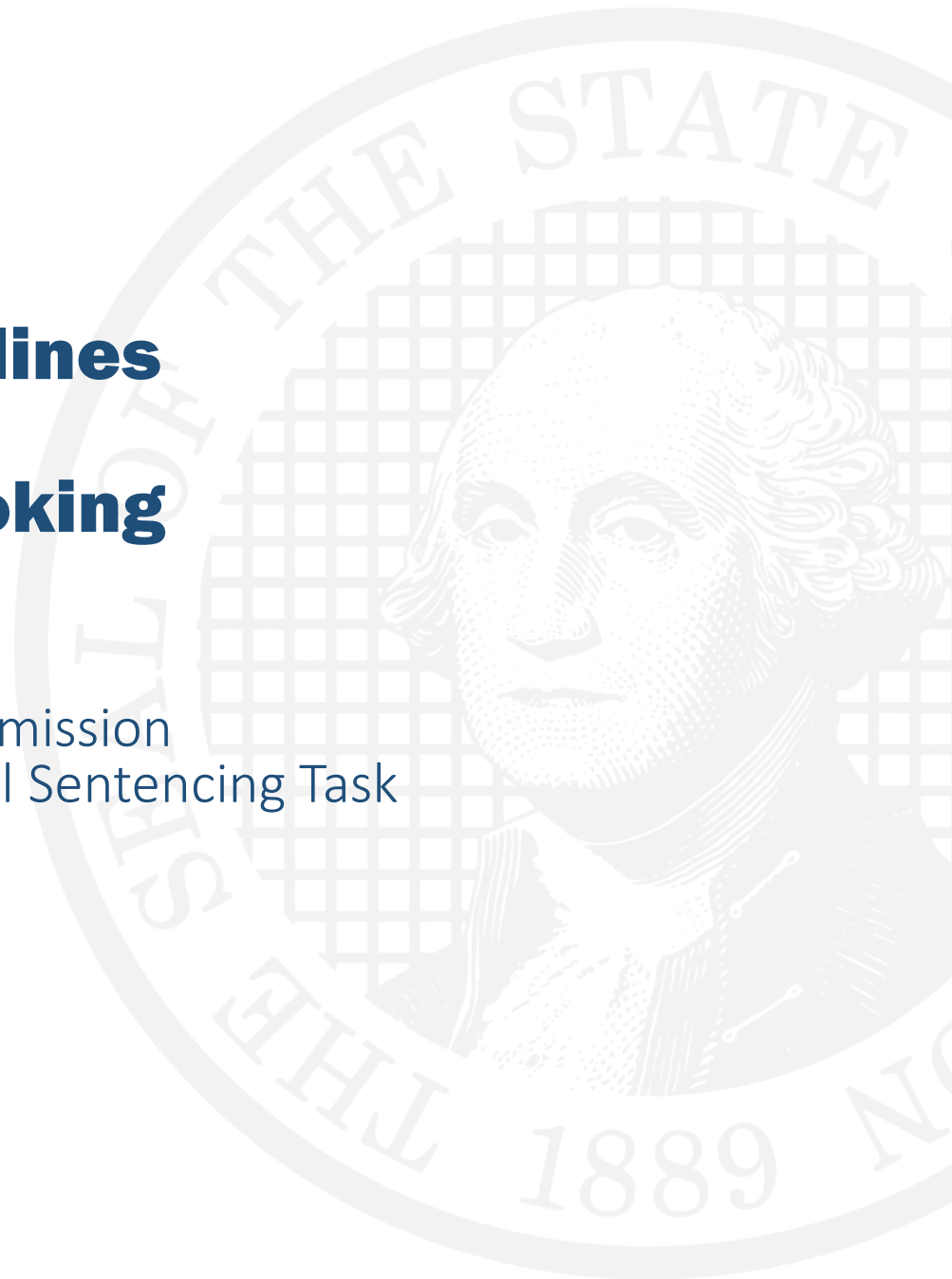
September 30, 2019

# **Sentencing Guidelines Commission: Looking Back, Looking Forward**

Sentencing Guidelines Commission  
presentation to the Criminal Sentencing Task  
Force

**OFM**

OFFICE OF FINANCIAL MANAGEMENT



# The Beginning

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Sentencing Reform Act of 1981, Chapter 137, Laws of 1981, was passed by the Legislature.

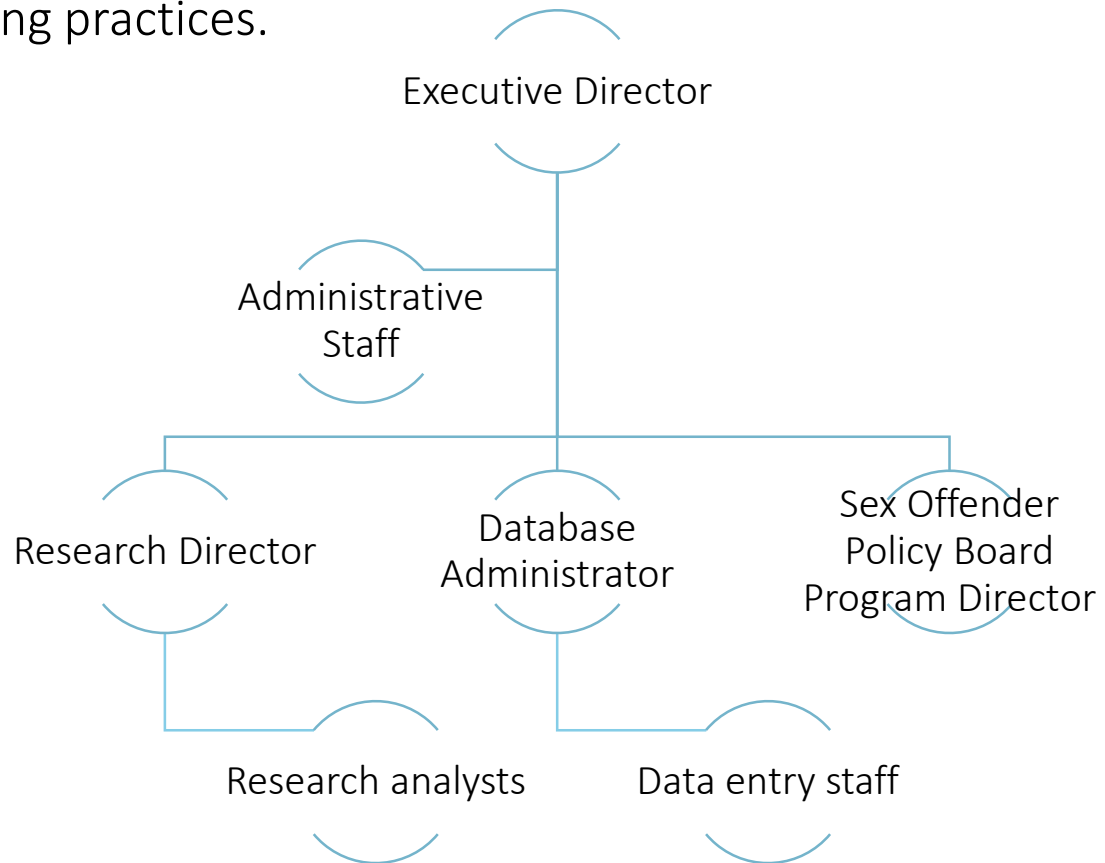
- Created the Sentencing Guidelines Commission
- Directed the SGC to:
  - Devise a series of recommended standard sentence ranges for all felony offenses and a system for determining which range of punishment applies to each offender based on the extent and nature of the offender's criminal history;
  - Devise recommended prosecuting standards in respect to charging of offenses and plea agreements; and,
  - Devise recommended standard to govern whether sentences are to be served consecutively or concurrently.

# Authority

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## Authorizing Statue – RCW 9.94A.850 (pre 2011)

SGC served as a clearinghouse and information center for the collection, preparation, analysis and dissemination of information on state and local adult and juvenile sentencing practices.

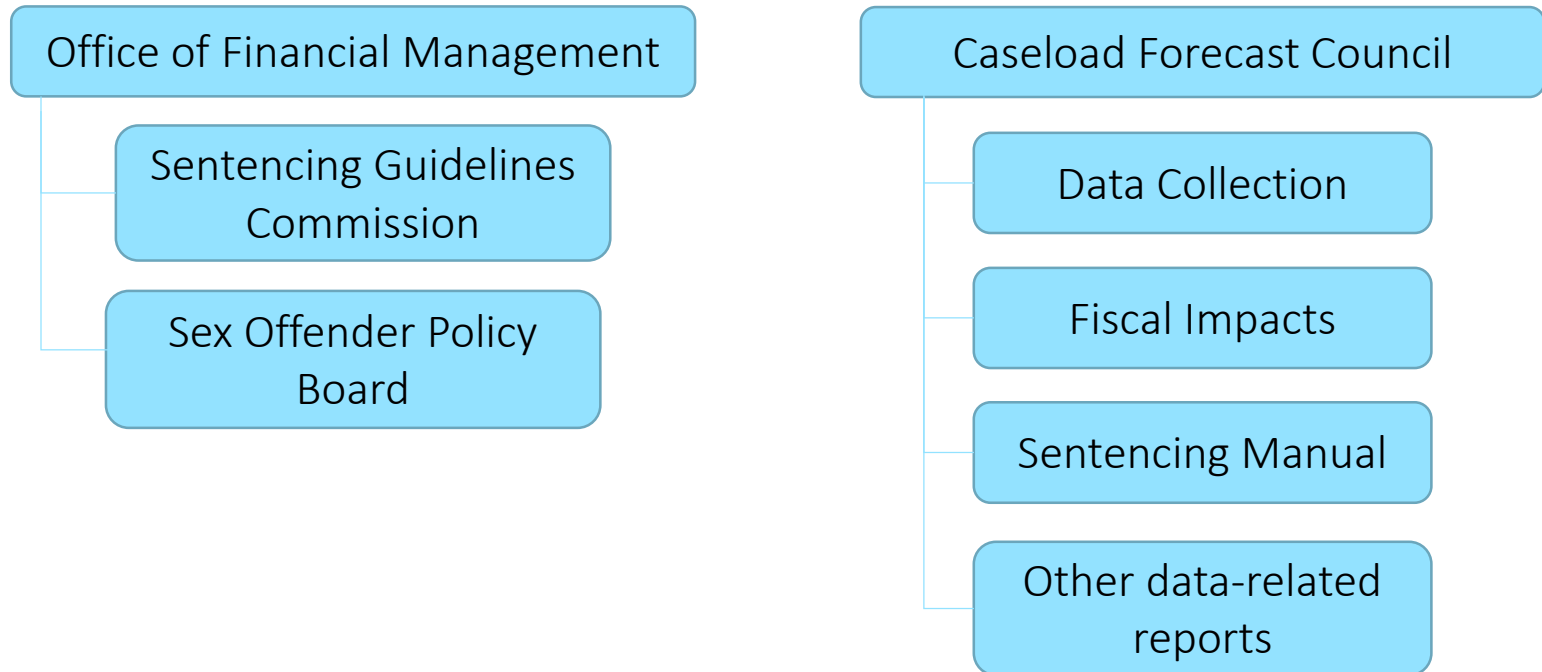


# Authority

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## Authorizing Statue – RCW 9.94A.860 (since 2011)

Per Chapter 40, Laws of 2011, the SGC was eliminated as an independent agency effective July 1, 2011.



# Membership

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16 members  
appointed by the  
Governor and  
confirmed by Senate

Superior Court Judges

Prosecuting Attorneys

Defense Attorneys

Local Government

Local Law Enforcement

Juvenile Court Administrator

Citizens

4 ex-officio  
members

Department of Corrections

Indeterminate Sentence  
Review Board

DSHS – Rehabilitation  
Administration

Office of Financial  
Management

4 non-voting  
members

2 appointed by the President  
of the Senate

2 appointed by the Speaker  
of the House

# Examples of Previous Work

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- Crafted the original adult felony sentencing grid in 1982, which the legislature enacted into law in 1983. It applied to crimes committed on or after July 1, 1984.
- Created the drug sentencing grid
  - Based on SGC recommendation in 2001 report
  - Had a seat on and supported a Joint Select Committee on the Drug Offense Sentencing Grid
  - Became law under Chapter 290, Laws of 2002 and was effective as of July 1, 2004
- Made recommendations related to *Blakely v Washington*
  - SB 5477 (Chapter 68, Laws of 2005) directed the SGC to study and draft proposed legislation addressing judicial discretion issues under the SRA.
  - “Discretion Under the Sentencing Reform Act and the Impact of *Blakely v Washington*” – published 2005.
  - Recommended against proposal to make guidelines advisory. Recommended expanding judicial discretion through expanded sentencing ranges and expanding the grid to allow the statutory maximum for offender scores of 10+.
- Participant on the Governor’s Justice Reinvestment Initiative Task Force in 2014

# Most Recent Work

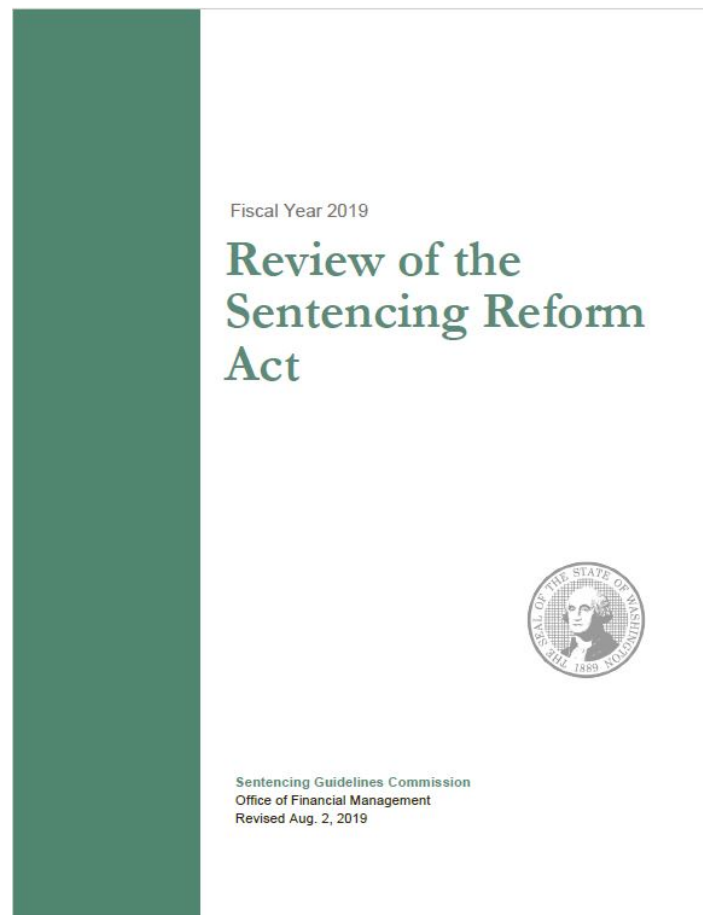
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- Chapter 299, Laws of 2018, directed the SGC to conduct a review of the Sentencing Reform Act.
- Budget appropriation
  - Full-time staff member
  - Hire contractor for state data analyses and national trends
  - Hold a meeting on east side of state
- Goals
  - Promoting public safety
  - Ensuring evidence-based policies and practices
  - Promoting simplicity
  - Eliminating inconsistencies

# Most Recent Work

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- 20 recommendations
- Simplify/reduce complexity
  - Enhancements
  - Community supervision
- Increase judicial discretion
  - Two sentencing grid proposals
  - More information to judges before sentencing
- Evidence-based practices and policies
  - Community supervision services
  - Community supervision model





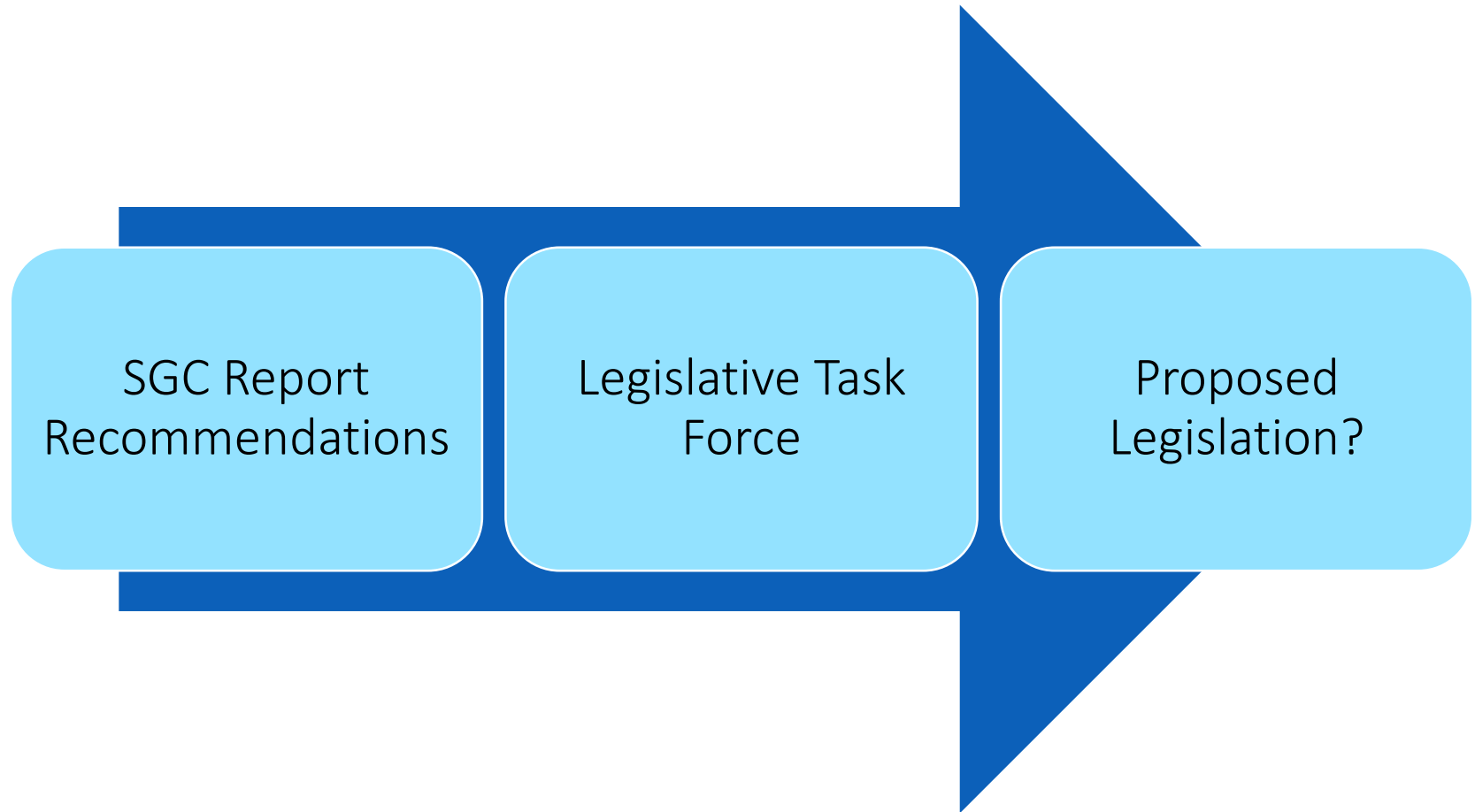
# Next Project

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# Criminal Sentencing Task Force

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