



STATE OF WASHINGTON
SENTENCING GUIDELINES COMMISSION
PO Box 40927 • Olympia, Washington 98504-0927
(360)407-1050 • FAX (360) 407-1043

MINUTES

MARCH 13, 2009

ROLL CALL Members Present:

Dave Boerner
Ida Ballasiotes
John Clayton (Marya Gingrey)
Jeri Costa (Betsy Hollingsworth)
Ned Delmore
Hon. Tari Eitzen
Eldon Vail
Hon. Ellen Fair
Russ Hauge
Ann Heath
Lucy Isaki
Tim Killian
Hon. Dean Lum
Sheriff Paul Pastor

Members Absent:

Rep. Sherry Appleton
Lynda Ring Erickson
Michael Kawamura
Sen. Adam Kline
Lenell Nussbaum
Rep. Kirk Pearson
Sen. Pam Roach
Dan Satterberg
Mary Ellen Stone
Hon. Stephen Warning

Staff Present:

Jean Soliz-Conklin
Keri-Anne Jetzer
Shoshana Kehoe
Duc Luu
Andi May
Stevie Peterson
Gerry Ring-Erickson

Others Present:

Hon. Kathleen O'Connor, Spokane Superior Court Judge; Brian Enslow, Washington Association of Counties; Carol Estes, Friends Committee on Washington Public Policy; Seth Fine, Asst. Chief Criminal Deputy Snohomish County Prosecutor's Office; Dana Hufford, Department of Corrections (DOC); Regina McDougall, Administrative Office of the Courts; Thea Mounts, Office of Financial Management/Small Agency Client Services; Lindsey Palmer, King County Sexual Assault Resource Center; Ginger Richardson, Washington Federation of State Employees (WFSE); Jim Thatcher, Department of Corrections (DOC); Mike West, King County Adult & Juvenile Detention.

I. CALL TO ORDER- DISCUSSION

Dave Boerner, Chair, called the meeting to order at 9:13 a.m.

II. APPROVAL OF THE MINUTES

MOTION # 1030 APPROVAL OF THE FEBRUARY 2009 MINUTES

Moved: Eldon Vail

Seconded: Sheriff Pastor

PASSED: Unanimously

III. EXECUTIVE DIRECTOR'S REPORT - DISCUSSION

a. Session Report

1. SGC Bills

Jean Soliz-Conklin gave a brief report on the SGC-sponsored bills, noting that the status changes day by day.

2. Budget Reduction Proposals

b. Bylaws Review (**See Handouts**)

The SGC will replace the bylaws currently in rule (Washington Administrative Code) with revised bylaws passed as a "policy". SGC Attorney Shannon Hinchcliffe asked the Commission whether or not they wanted to allow designees to vote in the SGC Bylaws. Staff was asked to look into any legal impediments and to check with the Governor's office.

IV. EVIDENCE-BASED COMMUNITY CUSTODY PLANNING COMMITTEE (EBCC) DISCUSSION

Dave Boerner and Judge O'Connor reported to the Commission on the progress of the EBCC. The group is a diverse body of interested members. The Commission was informed that the PEW Trust had contacted Ms. Soliz-Conklin after reading the legislation submitted by the SGC, because PEW had recently published a framework to develop an evidence-based community custody system. The trust may have funding for the planning process and, especially, to fund cost-modeling by Steve Aos, of WSIPP. The EBCC will meet regularly on the first Friday of the month.

V. THE SGC DATABASE – DISCUSSION

Duc Luu, the SGC's Database Program Manager, presented a brief update on the status of the SGC Criminal Justice Database. (**See Handouts**)

VI: ADULT FELONY SENTENCING TRENDS – DISCUSSION

Gerry Ring-Erickson, SGC's Interim Research Director, presented a draft analysis of adult felony sentencing trends from 1989 to 2009. (**See Handouts**) The commission was told that additional research was underway, particularly as to the periods when substantial sentencing changes were made, which may have affected the trends.

VII. BILLS OF INTEREST – DISCUSSION/ACTION

a. SB 5292 – Persistent Offenders

Ms. Soliz-Conklin told the Commission that this bill was "dead" at this time, although bills can be resurrected at any time. The bill removes second degree robbery as a "strike" and requires resentencing of persistent offenders if their life sentence is based on a strike that was robbery in the second degree. She noted that some persistent offenders may have other qualifying offenses, however.

Russ Hauge mentioned that the Commission has already taken a position on this legislation in a past year. Michael Kawamura moved to have another vote.

MOTION # 1031 To support SB 5292

Moved: Michael Kawamura

Seconded: John Clayton (to get the concept to a vote.)

FAILED: Opposed: Lynda Ring Erickson, Lucy Isaki, Ned Delmore, Paul pastor, and Russ Hauge
Abstained: Judge Eitzen and Judge Fair.

b. SB 5288 – Supervision of Offenders

This legislation relates to who should be supervised (by risk level and crime type). It is changing daily as it relates to the budget. The Commission expressed a consensus that they would take no position on this bill.

VIII. LUNCH

Commissioners may continue their conversation during lunch.

IX. ADJOURNMENT

The Chairman adjourned the meeting at 12:00.

APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION

Dave Boerner

Date

Jean Soliz-Conklin

Date