



STATE OF WASHINGTON
SENTENCING GUIDELINES COMMISSION
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MINUTES

JUNE 10, 2009

Members Present

Dave Boerner
John Clayton
Ned Delmore
Lynda Ring Erickson
Hon. Tari Eitzen
Hon. Ellen Fair
Tim Killian
Russ Hauge
Lucy Isaki
Hon. Dean Lum
Rep. Kirk Pearson
Dan Satterberg
Mary Ellen Stone
Hon. Stephen Warning

Members Absent

Rep. Sherry Appleton
Ida Ballasiotes
Jeri Costa
Ann Heath
Sen. Adam Kline
Michael Kawamura
Lenell Nussbaum
Sheriff Paul Pastor
Sen. Pam Roach
Eldon Vail

Staff Present

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

Others Present

Steve Aos, Associate Director, Washington Institute for Public Policy; Shani Bauer, Senate Committee Services; Scott Blonien, Department of Corrections (DOC); Elizabeth Drake, Washington State Institute for Public Policy; Larry Fehr, Pioneer Human Services; Seth Fine, Asst. Chief Criminal Deputy Snohomish County Prosecutor's Office; Tammy Fellin, Association of Washington Cities (AWC); Nathan Johnson, Senate Republican Caucus; Noemie Maxwell, Justice Works; Tom McBride, Washington Association of Prosecuting Attorneys; Lidia Mori, Coordinator, Senate Judiciary Committee; Hon. Kathleen O'Connor, Spokane Superior Court Judge; Ginger Richardson, Washington Federation of State Employees (WFSE); Jamila Thomas-Roberts, House Democratic Caucus; Juliana Roe, Human Services & Corrections Committee; Jennifer Strus, Senior Counsel, Senate Human Services and Corrections Committee; Yvonne Walker, House of Representatives; Mike West, King County Adult & Juvenile Detention.

I. CALL TO ORDER

The meeting was called to order by chairman, Dave Boerner at 9:00 a.m.

II. APPROVAL OF THE MINUTES

MOTION # 1032 TO APPROVE THE MAY 8, 2009 MINUTES

Moved: Judge Warning

Seconded: Dan Satterberg

Passed: Unanimously

III. SGC WORKPLAN: SENTENCING GRID

The Commission voted to look at the Sentencing grid as part of its workplan for 2009. Jean Soliz-Conklin informed the Commission that the Governor's office is now saying they do not expect to call a special session this year, but Senator Hargrove is hoping the Commission will look at the proposed sentencing grid to get one that saves some money.

Chairman Boerner opened the discussion of the Sentencing grid proposal submitted a few years ago by the SGC by reminding the Commission that the proposal came after the Blakely decision, when the Commission wanted to increase judicial discretion. The discussion of adding to the ranges for criminals with offender scores of more than 9 arose and compensating adjustments down in sentences were made to offset the costs of those increased sentences.

WSIPP researcher, Steve Aos, presented information on the cost-benefits of incarceration. Staff presented some data on offenders with a score of 9 or above, (**See handouts.**) After a lengthy discussion of the data, the philosophical bases and the practicalities, staff were asked to:

- Develop an analysis of the cost multiple sentence ranges for the 9+ offenders, respecting the statutory maximum sentences;
- Analyze the impact of using multiple grids, i.e. breaking out property, sex and other crime categories into separate grids somewhat like the drug grid; and
- Review the grids with and without the 50% earned release time as a continuing policy.

Staff was directed to seek input from WSIPP as to research of the best confinement length.

IV. EXECUTIVE DIRECTOR'S REPORT

a. Budget for FY 2010

The commission was on the proposed SGC budget. (**See handout.**) Members were told that the budget was reduced by more than 22% and there would be a 30% staff reduction. However, Ms. Soliz-Conklin also assured the Commission that this was feasible, partly because staff is operating so well now, and partly because of a proviso allowing the SGC to delay or submit required reports as needed. She said she is grateful the Commission survived the budget cuts and informed the commission that she planned to reduce her job to half-time, which is made possible by the previous hiring of Policy Counsel. There was a discussion of reports, in which Ms. Soliz-Conklin suggested making a supplement to the sentencing manual which would be available online. Members noted that reports are important to the continued existence of the commission because they serve the criminal justice community.

b. Follow-up to Legislative Report

Using a handout created for the purpose, Policy Counsel Shannon Hinchcliffe reviewed the impacts of SB 5288 related to community custody. (**See handout.**)

