



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

**Minutes**  
**Friday, October 8, 2010**  
**9 a.m. to Noon**  
**Office of the Attorney General**  
**800- 5th Ave. 20th FL**  
**Seattle, WA 98104**

**Members Present:**

Dave Boerner  
Hon. Ellen Fair  
Dan Satterberg  
Hon. Dean Lum  
Anmarie Aylward for Eldon Vail  
John Clayton  
Hon. John Meyer  
Lucy Isaki  
Lynda Ring Erickson  
Lynne N. DeLano  
Michael Kawamura  
Ned Delmore  
Hon. Stephen Warning

**Members Absent:**

Senator Adam Kline  
Eldon Vail  
Ida Ballasiotes  
Lenell Nussbaum  
Mary Ellen Stone  
Senator Pam Roach  
Paul Pastor  
Rep. Kirk Pearson  
Russ Hauge  
Rep. Sherry Appleton  
Tim Killian

**Staff Present:**

Sandy Mullins  
Keri-Anne Jetzer  
Andi May

**Other Present:**

Clela Steelhammer, Department of Corrections; Mike West, King County Adult & Juvenile Detention; Seth Fine, Snohomish County Prosecutor; Shani Bauer, Senate Human Services & Corrections Committee; Teresa Mathis, Washington Association of Criminal Defense Lawyers; Terry Price, Washington House Democratic Caucus; Gary Bohon, Department of Corrections; Ginger Richards, Washington Federation of State Employees.

**I. CALL TO ORDER - DISCUSSION**

Dave Boerner, Chair, Called the meeting to order at 9:00 a.m.

**II. APPROVAL OF MINUTES**

**MOTION # 10-12 MOTION TO APPROVE AUGUST 13, 2010 MINUTES**

MOVED: Hon. Stephen Warning

SECONDED: Lucy Isaki

PASSED: Unanimously

**III. EXECUTIVE DIRECTOR'S REPORT**

a. Budget Reductions

Sandy Mullins gave a report on where we were going to take our budget reduction. Sandy explained that we will not be able to fill the Policy Analyst position and that she will be helping Shoshana Kehoe-Ehlers with the Sex Offender Policy Board. She also explained that we would be cutting back in goods & services, spending less on meeting-related expenses & printing.

b. Meeting Logistics and Set Dates

The commission had discussion on the upcoming meeting schedule on the dates and location and to have fewer meetings with longer time. The next meeting November 12, 2010 and December 10, 2010 and for the next year have February 11, 2011, April 8, 2011, June 3, 2011, September, 9, 2011 and November 4, 2011 location will still be in the Seattle/Burien area.

**IV. SEX OFFENDER POLICY BOARD (SOPB) – STAFF UPDATE**

Sandy Mullins gave a brief update about the status of the Reyes case review.

**V. EVIDENCE BASED COMMUNITY CUSTODY COMMITTEE – UPDATE**

Sandy Mullins reported that the EBCC Committee staff and chairs were meeting after the SGC meeting and were assessing the direction and scope for the upcoming year. Lynda Ring Erickson expressed concern that policy shifts resulting from recommendations made by the EBCC would not be economically feasible in the upcoming year.

**VI. TWENTY YEARS IN SENTENCING REPORT – STAFF UPDATE**

Keri-Anne Jetzer presented a summary of key findings and she asked the Commissioners to review the full draft and send in their feedback by October 29th so that she can get it in final form for the next scheduled meeting. Lynda Ring Erickson reported that she has heard anecdotally that people are purposefully recidivating in her county just to get their medical needs addressed. Ned Delmore noted that in Kitsap County, juvenile filings were down 35% and that a movement in the adult system towards creating an evidence-based system similar to what currently exists in the juvenile system, requires courage and will. Dan Satterberg noted that JRA had to shift to get state money. John Clayton reported on some of the cuts JRA had to make and there was some additional discussion regarding juvenile detention. Lynda Ring Erickson noted that there was still a reporting issue regarding ethnicity.

**VII. VIOLATOR STUDY – STAFF UPDATE**

The SGC is directed in a budget proviso to conduct a survey and a literature review related to whether the practice of using a mandatory minimum confinement for violation of community custody conditions is an evidence-based practice. Keri-Anne Jetzer updated the Commission on progress to date, noting that only 11 state had responded to the survey she sent out.

**VIII. RESIDENTIAL DOSAS – STAFF UPDATE**

Keri-Anne Jetzer discussed WSIPP's cost-benefit analysis of prison DOSA as a proxy. Commissioners discussed expense associated with increasing the midpoint for eligibility for residential DOSA.

**IX. LEGISLATIVE ASSIGNMENTS:  
JUVENILE VEHICULAR HOMICIDE, COLLATERAL CONSEQUENCES**

The SGC created an ad hoc committee (Hon. John Meyer, Michael Kawamura, Seth Fine) to generate a list of possible issues relating to implementation of the model collateral consequences bill, as requested by Representative Hearst.

The SGC created an ad hoc committee (Dan Satterberg, Lucy Isaki, John Clayton) to discuss issues relating to a bill introduced last session which would add two new juvenile vehicular homicide offenses, DUI and reckless juvenile. This was in response to a request from Senator Hargrove.

**X. SGC PURPOSE AND PRIORITIES – DISCUSSION**

Dave Boerner asked the members to discuss the future of the Commission. Members agreed that they would want to be more useful to the Legislature and Governor. It was suggested that the SGC give an educational presentation to the Legislature during assembly days to discuss what the commission does and get feedback as to what types of assignments they would like to give to the Commission. Dave asked Commissioners to review the budget reduction scenarios that were presented in October 2009 for discussion at the November and December SGC meeting in anticipation of the Governor and/or the Legislature possibly asking the Commission for this input. Judge Warning requested future discussion on options for sentencing in the 0-12 month range. Lynda Ring Erickson suggested a conversation about whether the state was better off now than before the SRA. Judge Lum suggested that we engage in more public education and discuss how best to do this. Dan Satterberg noted that the SGC should engage in further conversation regarding utility, such as what might be the top three ways to save money in corrections. It was suggested that the SGC discuss risk pools and how government agencies would need statutory authority to allow for greater latitude. There was some discussion about the benefits of supervision and if it would be best to do away with it altogether if there were no actual benefits to public safety.

**XI. ADJOURNMENT**

Chair Dave Boerner adjourned the meeting at 11:30 a.m.

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

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Dave Boerner, Chair

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Date

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Sandy Mullins, Executive Director

\_\_\_\_\_  
Date