



STATE OF WASHINGTON

## OFFICE OF FINANCIAL MANAGEMENT

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### SENTENCING GUIDELINES COMMISSION MINUTES

**January 8, 2016 9:00am – 12:00pm**

Criminal Justice Training Commission

19010 1<sup>st</sup> Avenue South Room C-220

Burien, WA 98148

Members Present:

Dave Boerner  
Kathleen Kyle  
Sandy Mullins  
Jennifer Albright  
Hon. Stanley Rumbaugh  
Tim Wettack  
Hon. Roger Rogoff  
Sheriff Paul Pastor  
Kimberly Gordon  
John Clayton (Bonnie Glenn proxy)  
Hon. Catherine Shaffer  
Rev. Terri Steward  
Dan Pacholke

Members Absent:

Hon. Maryann Moreno  
Jon Tunheim  
Patrick Escamilla  
Kecia Rongen  
Dan Satterberg  
Rep. Brad Klippert  
Rep. Sherry Appleton  
Senator Cyrus Habib  
Senator Pam Roach

Staff:

Keri-Anne Jetzer

#### I. CALL TO ORDER

Dave Boerner, Chair, called the meeting to order.

#### II. APPROVAL OF MINUTES

##### **MOTION #16-1: MOTION TO APPROVE MEETING MINUTES FROM DECEMBER 2015**

**MOVED:** Judge Rumbaugh  
**SECONDED:** Kecia Rongen  
**PASSED:** Unanimously

### **III. PRINCIPLES OF EFFECTIVE STATE SENTENCING AND CORRECTIONS POLICY**

Chair Boerner informed members that the American Law Institute is in the process of completing a comprehensive set of recommendations for state sentencing systems.

### **IV. SECOND LOOK PROPOSAL**

- a. 3-Strikes proposal
- b. Comprehensive proposal

Chair Boerner noted that the two second look proposals are basically the same with the exception of the scope.

Judge Rumbaugh mentioned that he spoke with Nick Brown about the second look proposal. He reported that Nick's response was generally favorable to the idea but he suggested the composition of the board include either two retired judges and an ISRB member or having the retired judge as the chair of the board.

Members further discussed the board composition. Chair Boerner offered to work on additional language in a new draft.

Kecia Rongen suggested that the proposals be vetted by victims' groups. Sandy Mullins said the governor recently met with several victims' groups and she offered to get a list of those together.

Dan Satterberg indicated WAPA would likely be in favor of a 3-strikes population but not a wider population.

Sandy asked if the SGC's expectation is to request a work session or be part of an interim work plan in the House/Senate to discuss this proposal, present data on the cases. Members believed getting into a work session before the end of the legislative session would be difficult.

Keri-Anne stated that, per Dan Pacholke's concerns about additional programming needs for those deemed eligible for review and the fiscal impact that would incur, DOC provided very rough numbers to that end. She went on to explain that it is difficult for DOC to estimate who would be part of this and what programming needs they would have. Kecia Rongen noted that cost of the psychological evaluations is not included and would be another significant cost.

### **V. IMPROVING RESIDENTIAL DOSA BILL [SHB 1569](#)**

### **VI. RACIAL AND ETHNIC IMPACT STATEMENTS BILL [SSB 5752](#)**

**VII. CERTIFICATE OF RESTORATION OF OPPORTUNITIES BILL SHB 1553**

Judge Rumbaugh asked to hear about the CROP bill. Dan Satterberg provided a review to members on the purpose of the bill. He said they have received support from AWB, the landlord's group, and WAPA and Columbia Legal Services have taken the lead.

**VIII. CONCERNING LEGAL FINANCIAL OBLIGATIONS BILL HB 1390**

**IX. LEGISLATIVE SUB-COMMITTEE**

Chair Boerner informed members that Judge Moreno has agreed to take Judge Ellis' place on the sub-committee.

**X. OTHER BUSINESS**

Dan Satterberg remarked that he would like to see the legislature give the Commission a charge or allow the Commission to become responsive to some of the concerns of legislators. Perhaps, it could also become a clearing house to look at best practices, criminal justice reform issues, etc. Sandy Mullins noted that the original Justice Reinvestment bill proposal included a justice commission with the purpose of looking more broadly at criminal justice policy. She went on to say that she thought it would be a valid proposal for the Commission to say here are the holes that we have at a state level, here is what the process would look like if we had resources. And also to note that it would not undermine the legislative process but allow for meaningful work to be done to help the legislature like the Commission was originally created to do. Members discussed this idea.

Chair Boerner informed members that February's meeting would held via conference call from 8a – 9a.

**XI. ADJOURNMENT**

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

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Dave Boerner, Chair

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Date