



STATE OF WASHINGTON

**OFFICE OF FINANCIAL MANAGEMENT**

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**SENTENCING GUIDELINES COMMISSION**

**MINUTES**

**March 10, 2017 9:00am – 12:00pm**

Thurston County Courthouse, Building #1  
2000 Lakeridge Drive SW, Room 152  
Olympia, WA 98502

Members Present:

Russ Hauge  
Kimberly Gordon  
Jody Becker-Green (Clela Steelhammer proxy)  
Jon Tunheim  
Tim Wettack  
Hon. Stanley Rumbaugh  
Kecia Rongen  
Kathleen Kyle  
Hon. Maryann Moreno  
Marybeth Queral

Members Absent:

Rep. Brad Klippert  
Bill Dehler  
Sonja Hallum  
Senator Kevin Van De Wege  
Hon. Roger Rogoff  
Sheriff Paul Pastor  
Rep. Sherry Appleton  
Jennifer Albright  
Rev. Terri Steward  
Hon. Catherine Shaffer

Staff:

Keri-Anne Jetzer

Guests:

Ed Vukich, CFC; Jill Getty, ISRB; Shannon Hinchcliffe, AOC; Brad Tower, Washington Coalition of Crime Victims' Advocates

**I. CALL TO ORDER**

Chair Hauge asked everyone to introduce themselves.

**II. APPROVAL OF MINUTES**

**MOTION #17-12: MOTION TO APPROVE MEETING MINUTES  
FROM FEBRUARY 2017**

**MOVED:** Tim Wettack

**SECONDED:** Kimberly Gordon

**PASSED:** Unanimous

### **III. SRA REVIEW**

Chair Hauge reported to members the results of the SRA Planning Workgroup meeting. Members discussed the idea of uniformity in sentencing as something to look into as a key tenet of the Sentencing Reform Act (SRA). Members agreed of the need to look at prosecution standards as part of the goal of achieving geographic uniformity across the state.

Chair Hauge noted that the workgroup had decided that using a grid system that balances a person's criminal history with the offender score is worth keeping.

The workgroup thought looking at judicial discretion was important to try to reach a better discretionary balance. The workgroup also suggested looking at other ways at addressing offender behavior other than just confinement (currency of accountability) and factor them into the sentencing system.

Making parole a consideration of the review was also recommended by the workgroup. What is meant is a method to revisit long sentences and not necessarily parole in the traditional sense.

It was recommended that the best process for a SRA review would be to break into smaller subgroups to deal with specific topics and then those subgroups would report back to the full Commission.

Keri-Anne noted that the next SRA Planning workgroup meeting is scheduled for Wednesday, March 22<sup>nd</sup> in the GA Building on campus from 8-9:30am.

### **IV. LEGISLATIVE BILLS**

Keri-Anne reviewed the updated list of bills she is watching for the Commission.

Chair Hauge updated members on the status of the SRA review bills, SSB 1789 and ESSB 5294. A few concerns Chair Hauge has with SSB 1789. One is that the consultants will do a study with information from outside the state's stakeholders. He noted that this happened in 1997 when the Commission hired consultants to complete a juvenile study. The bill created from the study never received a hearing because the process did not include input from stakeholders. The other concern is that the consultants must address specific questions. He believes some of these questions, while nice to have answers to, would not help further the review of the SRA. Chair Hauge shared these concerns in a meeting with Representative Goodman. Representative Goodman asked Chair Hauge and the Commission to prioritize the list of questions to indicate which are helpful to the state and can be accomplished.

Members discussed how to best re-draft the review questions. Chair Hauge noted that one of the items that Representative Goodman and other members of his caucus were firm about was the importance for the functional equivalent of parole to be included in the review. Kimberly Gordon offered a draft of the language/questions based on member conversation.

Chair Hauge asked for volunteers to attend the public hearing for ESSB 5294 which is tentatively scheduled for March 22<sup>nd</sup>. Judge Rumbaugh, Kimberly Gordon and John Tunheim offered to help testify. Keri-Anne will send the hearing notice email to members.

Tim Wettack suggested using a different term instead of parole since it has certain connotations associated to it. The members suggested post-conviction sentence review.

**V. OTHER BUSINESS**

Judge Rumbaugh talked to members about an issue related to credit for time served as noted on the Judgment and Sentence form. RCW 9.94A.505 mandates that judges shall calculate credit for time served. The issue is that the DOC sanction time is missing from JIS so the judges aren't able to gather all the time served for their calculation. This is causing some individuals to return to the court for resentencing because of the improper calculation. Chair Hauge feels the best way the Commission can assist with remedying the issue is to bring forth the issue, make sure there is progress on it and include in the review of sentencing practices discussion by defining what credit for time served really means and whose calculation will control it.

Clela Steelhammer said that the issue as it pertains to the J&S form has been discussed at the J&S workgroup meetings.

**VI. ADJOURNMENT**

Chair Hauge announced that he would not be available for the next meeting so Judge Rumbaugh would be leading the meeting.

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

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Russ Hauge, Chair

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Date