Minutes
Friday, February 11, 2011
9 a.m. to Noon
Criminal Justice Training Center
19010 1st Ave. South Rm. C-214
Burien, WA 98148

Members Present
Dave Boerner
Hon. Ellen J. Fair
Dan Satterberg
Hon. Dean Lum
Russ Hauge
Sheriff Paul Pastor
Michael Kawamura for Lenell Nussbaum
Lynne N. DeLano
Anmarie Aylward for Eldon Vail
John Clayton

Member Absent
Senator Adam Kline
Hon. John Meyer
Lenell Nussbaum
Lucy Isaki
Lynda Ring Erickson
Mary Ellen Stone
Senator Pam Roach
Rep. Kirk Pearson
Rep. Sherry Appleton
Hon. Stephen Warning
Tim Killian

Staff Present
Sandy Mullins, Director
Shoshana Kehoe-Ehlers
Andi May

Others Present
Seth Fine, Snohomish County Prosecutor; Cheryl Sullivan-Colglazier, Department of Social and Health Services, JRA; Dawn Melzo, Department of Social and Health Services, JRA; Judith Lary, Washington Federation of State Employees; Scott Blonien, Department of Corrections; Gary Bohon, Department of Corrections; Ginger Richardson, Washington Federation of State Employees.
I. **Call to Order**
Dave Boerner, Chair, called the meeting to order at 9:12 a.m. No quorum at this time.

II. **Approval of Minutes-Action**
Dave Boerner tabled the minutes until later in the meeting to wait and see if there would be a quorum formed. A quorum was formed with the arrival of Hon. Dean Lum at 9:20.

**MOTION # 11-6 APPROVAL OF THE DECEMBER 10, 2010 MINUTES**
Moved: Hon Ellen Fair
Second: John Clayton
Passed: Unanimously

III. **Interstate Compact-Updates**

**Adult-**
Scott Blonien from the Department of Corrections and Commissioner on the Interstate Compact for Adult Offender Supervision (ICAOS) gave an annual update regarding ICAOS. The former compact was very permissive but the current compact requires states to sign on. After an offender from Arkansas whose supervision was transferred to Washington murdered four Lakewood police officers in 2009, Governor Gregoire ordered a review and ICAOS established an Ad Hoc Committee to make recommendations to for changes to urgent issues in the rules. The Committee found several deficiencies with the compact, including issues with absconding violations, retaking and transfer requests. As a result of these findings, several changes were approved by at the annual ICAOS meeting in October of 2010. These changes will go into affect on March 2011 (see attached report for more details). As a result of these changes, DOC will have more information about an out-of-state offender requesting to transfer into Washington and a clearer authority to return an offender to a sending state if they demonstrate that they are a risk to public safety.

**Juvenile-**
Cheryl Sullivan-Colglazier from Juvenile Rehabilitation Administration and Commissioner on the Interstate Compact for Juveniles (ICJ) gave an update regarding ICJ. She explained the key differences between the adult and the juvenile compact, specifically, the significant role of parental rights and the case-by-case collaborative approach that allows for more flexibility. There is also a lack of tiered sanctioning, though a recent amendment allows receiving state to sanction and requires the receiving state to pick up the cost of the sanction. Many juvenile transfers are runaways. Washington has very balanced numbers as far as how many kids it sends out and how many it receives through the compact. Cheryl discussed the make-up and decision-making process of the Washington State Council on ICJ which includes a representative group of stakeholders. The larger ICJ has a new Ad Hoc Committee on victim notification that is charged with clarifying who is responsible for victim notification.
IV. Legislative Committee-Update/Action

Dave Boerner gave an overview.

HB 1020 (fifty percent earned release time) The House Public Safety and Emergency Preparedness Committee would not be supporting that bill because the savings was not significant enough to trump their concerns over truth-in-sentencing.

HB 1323 (delayed offender sentencing) There may be a similar bill coming out that will be clearer, but the Legislative Committee had concerns and questions as to what this bill would accomplish.

HB 1063 (juvenile life without parole) This bill is supposed to be getting a hearing though Sandy and Lynn DeLano have not yet heard if they have set a date.

SB 5236 (persistent offender) Dan Satterberg explained that this bill had been amended to only include offenders with all B offenses and as such, the ISRB review would only apply to 10 offenders. The Governor would also have to approve the decision of the ISRB.

HB 1835 (assault in the first degree) Members would like the Legislative Committee to discuss this at the next Tuesday teleconference and expressed some concerns.

V. Executive Director Report

Sandy Mullins gave an overview of HB 1371, the bill to eliminate and consolidate boards & commissions based on the Governor’s proposal. Members gave input as to how the SGC and SOPB might stay in existence. John Clayton explained that the Commission weighed in on the bills that had successfully reformed the juvenile system and should be sure to note this success whenever possible.

Dave Boerner discussed the history of national movements in punishment and how we are on the brink of a new shift towards evidence-based corrections. He referenced and members discussed the Washington Post editorial by Newt Gingrich on the new “Right on Crime” campaign. Members discussed how to implement research-based ideas and how local practice would also have an effect on this shift. Members noted that the drug grid was one of the greatest successes of the SGC and that this was the perfect example of how the commission is a mechanism to implement legislative intent.

Break 10:35 a.m. – 10:55 a.m.

Hon. Ellen Fair shared some ideas to improve the SGC-at-a-glance paper Sandy developed to educate the legislature. In particular, she suggested that it include bullet points with estimates as to how much specific SGC recommendations had saved the state to demonstrate that the commission saves more than it costs.
Sandy discussed the difficulty of pinpointing the savings that can be attributed to DOSA and the drug grid. She discussed the savings that could be reliably measured, such as the savings in corrected sentences resulting from the letters that the SGC sends out to judges and lawyers. This averaged over $200K a year in savings from corrected community corrections, jail, and prison sentences.

VI. Sex Offender Policy Board-Update
Shoshana Kehoe-Ehlers, Program Director for the SOPB, discussed the 2010 Annual SOPB Report to the Legislature. She provided an overview of the Reyes case review that was requested by Senators Hargrove and McAuliffe and the subsequent recommendations, which included centralizing leveling for juveniles at the End of Sentence Review Committee, closing gaps in notification, and the development of school safety plans. The Board also recommended statutory changes to clarify or correct inconsistencies related to registration and notification and additional improvements to leveling and risk assessment. The Board continued its analysis of issues related to juveniles who sexually offend, making recommendations regarding juvenile risk assessment tools, petitions for relief from registration, and record sealing. There are two bills, SB 5203 and SB 5204 sponsored by Senator Regala, resulting from these recommendations. Shoshana also summarized the continued work of Board and staff to analyze the federal Adam Walsh Act and suggest areas of implementation that would enhance the Washington State system of registration and notification.

John Clayton suggested that there might be grant funding available to develop a validated juvenile risk assessment tool.

VII. Evidence Based Community Custody Workgroup
Sandy Mullins and Dave Boerner described the endorsement letter that the EBCC was developing to submit to the legislature in support of the cost-benefit model developed by WSIPP.

Sandy summarized the distributed summary from The Council of State Governments Justice Center’s January 2011 report, *The National Summit on Justice Reinvestment and Public Safety: Addressing Recidivism, Crime, and Corrections Spending*. The report describes the principles that have been proven to work for cutting corrections costs and improving public safety: focus on high-risk population; evidence based programs with quality assurance; effective community supervision policies and practices; and place-based strategies. The report also described the three stages of justice reinvestment implementation: analyzing data and developing policy options; adopting new policies and putting reinvestment strategies into place; and measuring performance. Commission members discussed how Washington State had successfully engaged in justice reinvestment in juvenile corrections and was in the process of applying the principles in adult corrections.
VIII. Adjournment
The Chair Dave Boerner adjourned the meeting at 1:33 a.m.

APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION

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Dave Boerner, Chair                      Date

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Sandy Mullins, Executive Director       Date