

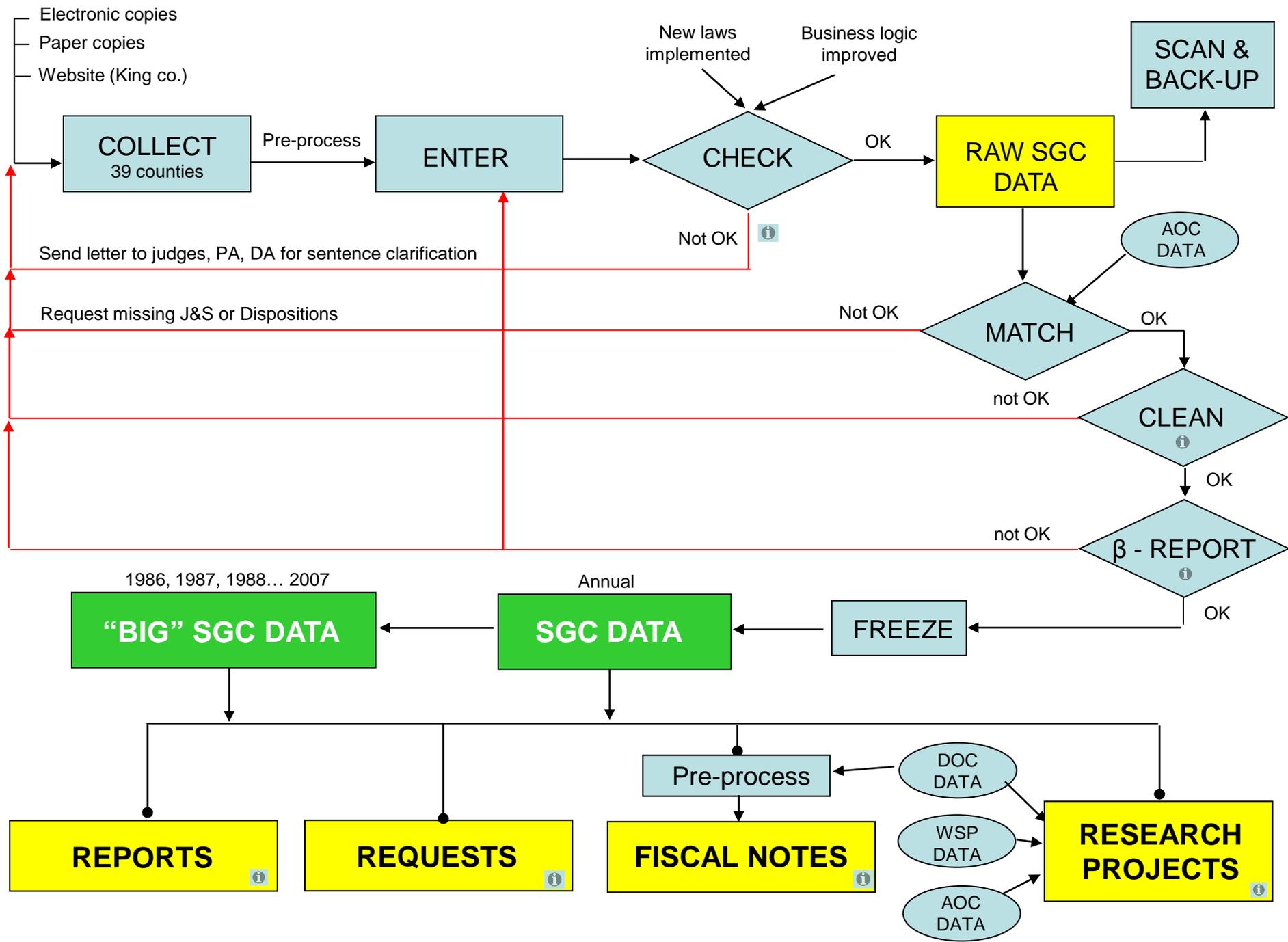
WASHINGTON STATE SENTENCING GUIDELINES COMMISSION



HOW WE COLLECT, CHECK, PROCESS, AND USE SENTENCING DATA

March 14, 2008

Duc Luu





IMPROVEMENT IN PROCESS

- Research team on mission
- Recently improved pre-process procedures
- Data entry protocols
- More data cleaning queries added
- Beta (preliminary/trial-and-error) reports implemented
- Expedite communication for sentence clarification
- Bidding in process for new programmer.



IMPROVEMENT OPPORTUNITIES

- Consistent and friendly support from counties:
 - Sending J&S/dispositions with timely manner
 - Quick responses from judges to clarify sentences
 - Completeness of J&S/dispositions
- More data elements for research:
 - “gang” factor findings in J&S
 - domestic violence findings
 - SID
 - date of prior offenses
 - etc.



SUGGESTIONS

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REPORTS

- Annual
 - Statistical Summary of Adult Felony Sentencing
 - Juvenile Disposition Summary
 - Judicial Sentencing Practices
 - Persistent Offender Sentencing
 - Adult Sentencing Guidelines Manual
 - Juvenile Disposition Manual
- Biennial
 - Recidivism of Adult Felons
 - Recidivism of Juvenile Offenders
 - Disparity & Disproportionality in Adult Felon Sentencing
 - Disparity & Disproportionality in Juvenile Sentencing.



β (preliminary) REPORTS

- Race proportionality: too many J&S/dispositions missed race/ethnicity or gender
- Check data against prior years' data: any significant discrepancies?
- Any mitigated exceptional sentence with aggravated reasons? Or vice versa
- Review 2 strikers or 3 strikers
- Eligibility of SSOSA, DOSA, first-time offender waiver
- Etc.



REQUESTS

- SGC Commission members
- Legislature
- Governor
- Other federal/state agencies
- Research institutions, criminal justice organizations
- Public.

CHECK (60+ queries)

- Sentenced out of standard range/grid, is it exceptional?
- If exceptional, missing reason?
- Missing required data (missing a page of J&S)
- Invalid date of birth, too old or too young
- Did all persistent offenders get life sentence?
- Marked as FTOW but there was offense in history
- Etc.

CLEAN (100+ queries)

Run the step “CHECK” again & add:

- Review all J&S when a juvenile was sentenced as an adult
- Is there any new crime codes used temporary?
- Review all legitimate J&S but entry program did not accept due to lacking of program support.
- Were drug crimes sentenced under drug sentence grid?
- Any multiple-offense J&S with sentence based on secondary offense instead of primary offense?
- Any determinate plus offense was not sentenced under determinate plus?
- Review all life and death sentences
- Etc.



FISCAL NOTES

- Un-biased prison/jail bed impact prediction
- Meet with technical workgroup to discuss assumptions to be used for the coming session
- Get raw historical data from DOC
- Create hypothetical dataset based on the assumptions
- Compute additional useful data ready for fiscal notes (prison discount, phase-in factors)
- Apply “convergent validity” to all data
- Prepare commonly used narrative template to summarize bill when doing fiscal notes
- All SGC research staff intensively work on fiscal notes request during legislative session.



RESEARCH PROJECTS

- Commission
- Federal
- Inter-agency projects
- Legislature
- Provide SGC data to others for their own research.



- The Sentencing Guidelines Commission promotes accountability and equity in adult and juvenile sentencing, provides accurate and timely information about sentencing, and recommends improvements in the criminal justice system.
- According to Superior Court Criminal Rule 7.2 and Juvenile Court Rule 7.12, the clerk of the courts or the juvenile court forwards copies of all judgment and sentence forms and every disposition order, adjudication or deferred adjudication, to the Commission. When sentences depart from the standard sentence range or when the juvenile court imposes a sentence based upon a finding of manifest injustice, courts also submit written findings of fact and conclusions of law to the Commission.
- The Commission in Olympia currently receives the judgment and sentence forms in three different ways: paper copies sent through post office, electronic copies sent through e-mail, and by accessing to King county's website.
- In average, the Commission received and enter approximately 29K adult felony judgment and sentence forms and 12K juvenile dispositions from 39 counties. The forms average between five to ten pages in length, depending the inclusion of findings and conclusions. And the forms vary from counties to counties. The Commission staff pre-process the forms by opening the mail, stamping receiving date (for measure turn-around time), coding before entering into the database.
- The Commission is required to conduct ongoing research aimed at identifying matter relating to the improvement of the adult criminal and the juvenile justice systems. Based on available information, the Commission is also obliged to submit biennial reports to the legislature and the governor covering racial disproportionality in juvenile and adult sentencing; the capacity of state and local juvenile and adult facilities and resources; and recidivism information on adult and juvenile offenders./.

