ROLL CALL Members Present:

Dave Boerner               Michael Kawamura
Rep. Sherry Appleton       Hon. Ronald Kessler
Ida Ballasiotes            Tim Killian
Sheriff Michael Brasfield  Sen. Adam Kline
John Clayton               Hon. Dean Lum
Jeri Costa                 Lenell Nussbaum
Hon. Tari Eitzen           Lynda Ring Erickson
Hon. Ellen Fair            Sen. Pam Roach
Russ Hauge                 Mary Ellen Stone
Ann Heath                  Eldon Vail
Lucy Isaki

Invited Participants
Hon. Leonard Costello, Kitsap Co. Superior Court
Hon. Gordon Godfrey, Grays Harbor Co. Superior Court
Hon. Kathleen O’Connor, Spokane Co. Superior Court Association
Hon. Stephen Warning, Cowlitz Co. Superior Court
Hon. Chris Wickham, Thurston Co. Superior Court

Staff Present
Jean Soliz-Conklin
Dr. Razak Garoui
Keri-Anne Jetzer
Stevie Peterson
Teresa Waller

Others Present:
Steve Aos, Washington Institute for Public Policy; Shani Bauer, Senate Committee Services; Karen Daniels, Department of Corrections (DOC); Larry Fehr, Pioneer Human Services; Seth Fine, Asst. Chief Criminal Deputy Snohomish County Prosecutor’s Office; Sheila Gall, Association of Washington Cities (AWC); John Gower, House of Representatives; Rashi Gupta, Washington State Association of Counties; Bryan Houghton,
I. CALL TO ORDER
   Dave Boerner, Chair, opened the meeting at 9:16 a.m.

II. Approval of Minutes for April 11, 2008

III. Executive Director’s Report – Jean Soliz-Conklin, Executive Director
   a. SGC Research Plan Report (See Exhibit A)
      Jean reviewed a brief research plan with the Commission, reminding them of the new
      research staff and emphasizing a focus on fiscal notes, data quality and report
      improvements in 2008. She proposed that the SGC issue an in-depth report on the status
      of the sentencing reform Act in 2009.
   b. New Process for Commissioner Travel Reimbursement
      In order to ensure compliance with state travel regulations, Jean and Stevie asked
      Commissioners to fill out a form which documents their exact mileage for meeting
      attendance.

IV. Appointment of Ad Hoc Committee to review Sex Offense Statutes of Limitation
   The Commission was briefed regarding the expectations of the legislature that the SGC
   conduct a review of sex offense statutes of limitations and report back to the Commission
   at or before the November meeting. The chairman appointed the following members to
   conduct the review and make recommendations to the whole commission: Commissioner
   Lynda Ring Erickson, Jeri Costa, and Mary Ellen Stone.

V. Community Custody Research Presentations (See Exhibits B & C)
   The Commission heard PowerPoint presentations by Dr. Christopher Lowenkamp and
   Stephen Aos as part of their analysis of the research related to community custody best
   practices. Dr. Lowenkamp is an Assistant Research Professor in the Division of Criminal
   Justice and also serves as the Director of The Center for Criminal Justice Research at the
   University of Cincinnati. Steve Aos, Deputy Director of the Washington State Institute
   for Public Policy, has presented to the Commission many times and is a co-author of
   Evidence-based Public Policy Options to Reduce Future Prison Construction, Criminal

VI. Lunch
   Commissioners continued their conversation with the panelists and each other during
   lunch.
VII. Risk and Needs Assessment
Karen Daniels, DOC Assistant Secretary for Community Corrections, briefly reviewed the *Washington State Department of Corrections Static Risk Assessment* instrument for the Commission.

Thurston County Superior Court Judge Chris Wickham talked about Thurston County’s use of the instrument for pre-sentencing decisions. Judge Wickham told the Commission that before Thurston County began using the static risk instrument during the pretrial phase, the jails were full much of the time because judges were concerned about risk to the community. Using a validated risk instrument has significantly improved the knowledge base by which the judges make release decisions. While housing and employment information helps judges assess the risk of an offender absconding; the risk instrument helps determine the risk to the community. Judge Wickham said the county is now conducting a bail study, which will provide more data about the actual impact of using the risk assessment instrument for more than a year in Thurston County.

VIII. Community Custody Policy Discussion
The Commission and invited guests began its discussion of the policy issues that relate to simplification and improvement of the state community custody structure. The brief discussion included the following remarks:

- The juvenile system has been very effective; so examining that may be a place to start when considering adult community custody.
- Juveniles are within a three-legged system
  - Assessment of risk and needs
  - Evidence-based programs
  - Quality assurance
- Local probation is one significant difference between the systems.
- Juvenile probation officers recommend length of confinement and whether probation is appropriate.
- Juvenile programs such as Family Functional Therapy (FFT) and Family Integrated Treatment (FIT) have been demonstrated effectively from an individual and cost-benefit perspective.
- Moving the juvenile system into evidence-based approaches took time and training.
- Looking at the quality of the adult service delivery system is necessary, too.
- We need to look beyond risk to determine what services should be ordered.
- The Aos meta-analysis lists cost-effective adult programs.
- Judges often see risk before it shows up as criminal history.
- Full assessment of adults takes 60 to 90 days.
  - We may be able to collaborate with DOC to begin assessments sooner. This is under discussion in some counties.
- Funding will be an issue; but we can now look at long-term savings from investments and the legislature has funded the middle Aos-recommended portfolio.
• Economies could be realized by eliminating unnecessary presentence investigations.

Staff was asked to develop a comparison of the decision points and funding for programming for community custody for juveniles and adults.

IX. Adjournment

The meeting was adjourned at 4:00 p.m.

APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION

__________________________________________________________________________
Dave Boerner Date

__________________________________________________________________________
Jean Soliz-Conklin Date