

# Washington State Sentencing Guidelines Commission

-----  
**Materials for September 11, 2009 meeting**

## **TABLE OF CONTENTS**

### **Tab 1:**

1.1	Adult Felony Sex Offense Sentences FY08.....	1
1.2	Adult Felony Property Offense Sentences FY08.....	2
1.3	Adult Felony Other Offense Sentences FY08.....	3

### **Tab 2:**

2.1	Property Offense Sentencing Grid No Range Modifications.....	4
2.2	Property Offense Sentencing Grid V2, Range Modifications.....	7
2.3	Property Offense Sentencing Grid V2 REV, Same as 2.2 without 50% ERT	12
2.4	Property Offense Sentencing Grid V3, Same as 2.3 with TMVOP2 Seriousness Level Increase .....	18
2.5	Sex Offense Sentencing Grid No Range Modifications.....	25

### **Tab 3:**

3.1	Prison Sentence Reduction of 30 Days .....	27
3.2	Sentence Reduction of 30 Days V2.....	28
3.3	Sentence Reduction of 30 Days, 50% ERT Reinstated V2.....	30
3.4	Sentence Reduction of 45 Days .....	32
3.5	Sentence Reduction of 45 Days, 50% ERT Reinstated.....	34
3.6	Sentence Reduction of 60 Days .....	36
3.7	Sentence Reduction of 60 Days, 50% ERT Reinstated.....	38
3.8	Sentence Reduction of 5%, 10%, and 15% .....	40

### **Tab 4:**

4.1	Nonviolent Sentence Reduction 5% .....	44
4.2	Nonviolent Sentence Reduction 10%.....	50
4.3	Nonviolent Sentence Reduction 15%.....	56
4.4	Nonviolent Sentence Reduction 30 Days.....	62
4.5	Nonviolent Sentence Reduction 45 Days.....	68
4.6	Nonviolent Sentence Reduction 60 Days.....	74

### **Tab 5:**

5.1	Drug Grid 30 Day Reduction .....	80
5.2	Drug Grid 30 Day Reduction, 50% ERT Reinstated .....	83
5.3	Drug Grid 60 Day Reduction .....	86
5.4	Drug Grid 60 Day Reduction, 50% ERT Reinstated .....	89

## **Tab 6:**

6.1	Reinstate 50% Earned Release Time .....	92
6.2	Phase out Nonviolent Drug Possession Offenses .....	94
6.3	Eliminate Community Custody from Jail Sentence .....	97

## **Tab 7:**

7.1	Mandatory FTOW (Electronic Monitoring – Property Offenders).....	99
7.2	Mandatory FTOW V2 (Add judicial Discretion and Removes Community Custody) .....	104

## **Tab 8:**

8.1	Standard Grid Reduction 30 Days.....	107
8.2	Standard Grid Reduction 30 Days, 50% ERT Reinstated.....	110
8.3	Standard Grid Reduction 60 Days.....	113
8.4	Standard Grid Reduction 60 Days, 50% Days Reinstated .....	116

## **Tab 9:**

9.1	Distribution of Sentences with Offender Score 9 or Above.....	119
9.2	Review of FY2008 Judgment and Sentences - With an Actual Offender Score of 20 or More.....	122

TAB 1

---

## ADULT FELONY SEX OFFENSE SENTENCES FISCAL YEAR 2008

LEVEL	SCORE										GRAND TOTAL*	
	0	1	2	3	4	5	6	7	8	9+		
XVI	-	-	-	-	-	-	-	-	-	-	-	-
XV	-	-	-	-	-	-	-	-	-	-	-	-
XIV	-	-	-	-	-	-	-	-	-	-	-	-
XIII	-	-	-	-	-	-	-	-	-	-	-	-
XII	28	5	2	30	8	3	7	5	1	16	105	
XI	24	3	4	25	4	5	2	2	1	6	76	
X	62	2	4	31	2	2	20	4	1	11	139	
IX	2	-	-	2	-	-	-	-	-	3	7	
VIII	-	-	-	-	-	-	-	-	-	-	-	
VII	58	5	3	31	3	1	11	3	2	7	124	
VI	47	12	9	20	7	2	7	1	1	11	117	
V	56	10	4	15	1	3	4	-	-	9	102	
IV	-	-	-	-	-	-	-	-	-	-	-	
III	18	1	1	3	4	-	2	1	-	3	33	
II ☆	2	1		6	22	26	16	32	33	118	256	
I	-	-	-	-	-	-	-	-	-	-	-	
<b>TOTAL*</b>	<b>297</b>	<b>39</b>	<b>27</b>	<b>163</b>	<b>51</b>	<b>42</b>	<b>69</b>	<b>48</b>	<b>39</b>	<b>184</b>	<b>959</b>	

☆ Level II includes Failure to Register as sex offenses.

\* Excludes all unranked offense sentences and Sexual Motivation finding.

## ADULT FELONY PROPERTY OFFENSE SENTENCES FISCAL YEAR 2008

LEVEL	SCORE										GRAND TOTAL**	
	0	1	2	3	4	5	6	7	8	9+		
XVI	-	-	-	-	-	-	-	-	-	-	-	-
XV	-	-	-	-	-	-	-	-	-	-	-	-
XIV	-	-	-	-	-	-	-	-	-	-	-	-
XIII	-	-	-	-	-	-	-	-	-	-	-	-
XII	-	-	-	-	-	-	-	-	-	-	-	-
XI	-	-	-	-	-	-	-	-	-	-	-	-
X	-	-	-	-	-	-	-	-	-	-	-	-
IX	-	-	-	-	-	-	-	-	-	-	-	-
VIII	-	-	-	-	-	-	-	-	-	-	-	-
VII	-	-	-	-	-	-	-	-	-	-	-	-
VI	18	12	5	7	3	6	2	3	2	5	63	63
V	1	-	-	-	-	1	2	1	1	3	9	9
IV	242	151	77	93	72	66	57	29	33	131	951	951
III	282	189	176	105	92	72	78	38	40	144	1,216	1,216
II	511	240	193	187	130	126	114	75	82	323	1,981	1,981
I	1,264	866	562	510	397	345	217	166	195	547	5,069	5,069
<b>TOTAL**</b>	<b>2,318</b>	<b>1,458</b>	<b>1,013</b>	<b>902</b>	<b>694</b>	<b>616</b>	<b>470</b>	<b>312</b>	<b>353</b>	<b>1,153</b>	<b>9,289</b>	<b>9,289</b>

\*\* Excludes all unranked offense sentences.

## ADULT FELONY OTHER OFFENSE SENTENCES FISCAL YEAR 2008

LEVEL	SCORE										GRAND TOTAL ***
	0	1	2	3	4	5	6	7	8	9+	
XVI	8	-	-	-		-	-	-	-	-	8
XV	17	5	3	1	7	2	3	1	1	7	47
XIV	31	9	6	4	4	-	1	2	3	5	65
XIII	-	1	-	-	-	-	-	-	-	-	1
XII	23	1	6	5	8	8	3	3	7	5	69
XI	11	1	1	2	3	-	3	-	-	1	22
X	4	1	2	-	4	2	1	3	1	6	24
IX	103	31	51	27	29	19	17	16	13	57	363
VIII	27	14	1	4	5	1	3	2	3	6	66
VII	43	39	62	42	37	29	25	14	17	46	354
VI	8	1	2	2	3	2	4	1	-	4	27
V	188	106	96	101	70	47	33	17	18	49	725
IV	579	268	182	135	100	86	61	42	32	149	1,634
III	1,021	640	483	266	217	186	108	85	67	155	3,228
II	115	112	63	71	53	35	39	30	27	164	709
I	140	103	76	69	59	54	46	29	30	90	696
<b>TOTAL ***</b>	<b>2,318</b>	<b>1,332</b>	<b>1,034</b>	<b>729</b>	<b>599</b>	<b>471</b>	<b>347</b>	<b>245</b>	<b>219</b>	<b>744</b>	<b>8,038</b>

\*\*\* Excludes Drug Grid sentences and unranked offense sentences.

TAB 2

---

**PROPOSAL**  
**PROPERTY OFFENSE SENTENCING GRID**  
**325 – Sentencing Guidelines Commission**  
**July 7, 2009**

**SUMMARY**

**This proposal creates a separate sentencing grid for property offenses. This grid does not create any new sentencing ranges but merely collapses some seriousness levels into one seriousness level and collapses the offender scores from nine columns to four.**

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for other property offenses
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **The list of offenses included in our definition of property offenses is attached**
- All sentencing alternatives were excluded with the exception of DOSA

**Proposed Property Offense Sentencing Grid**

Seriousness Level	Offender Score				Current SL Levels
	0 to 2	3 to 5	6 to 7	8 to 9+	
VI	51 - 82	67 - 102	98 - 144	129 - 198	10
V	12.03 - 34	26 - 54	46 - 89	67 - 116	6, 7
IV	3 - 17	13 - 43	33 - 68	53 - 96	4, 5
III	1 - 12	9 - 22	22 - 43	43 - 68	3
II	0 - 9	4 - 18	17 - 29	33 - 57	2
I	0 - 5	2 - 12	12.03 - 18	17 - 29	1

**Impact on prison and jail beds.**

In FY08, there was a total of 6,709 property offenses whose sentence length was affected by the proposed grid. Of those 4,752 were jail sentences, 508 were DOSA sentences and 1,449 were non-DOSA prison sentences.

It is believed that the bed impacts are slightly over-estimated because some offenders who were sentenced at the low end of the range under the current grid may not be sentenced at the low end of the proposed grid due to the collapsing of the offender score columns. Take for example offenders with a score of 2 or a score of 4 who were sentenced to the low end of the range under the current sentencing grid. Under the proposed grid, offenders with a score of 2 or 4 are now in the same column and it would be unlikely that both would receive a sentence length equal to the low end of the range.

**Average Monthly Population Jail and Prison Impacts  
Property Offense Grid - Test 1  
Sentencing Guidelines Commission  
July 1, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	32	93	113	121	124	125	126	126	126	127
<b>Prison AMP (DOSA)</b>	-1	-5	-6	-6	-7	-7	-7	-7	-7	-7
<b>Prison AMP (Non-DOSA)</b>	-20	-51	-64	-73	-72	-71	-70	-70	-70	-71
<b>Prison AMP (Total)</b>	-21	-57	-70	-80	-79	-77	-77	-77	-77	-77

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	127	127	127	127	127	127	127	127	127	127
<b>Prison AMP (DOSA)</b>	-7	-7	-7	-7	-7	-7	-7	-7	-7	-7
<b>Prison AMP (Non-DOSA)</b>	-71	-71	-71	-71	-71	-71	-71	-71	-71	-71
<b>Prison AMP (Total)</b>	-77	-77	-77	-77	-77	-77	-77	-77	-77	-77

<b>Codes</b>	<b>PROPERTY OFFENSES (THEFTS/FRAUDS)</b>	<b>Offense Level</b>
5416	ADV MONEY - EXT CREDIT	V
2012	ARSON 2	IV
2316	BURGLARY 2	III
3417	COUNTERFEIT - 3RD CONVICT. AND >\$10,000	II
3064	DEFRAUDING INNKEEPER >\$75	IV
2764	EXTORTION 2	III
5414	EXTORTIONATE EXT OF CREDIT	V
5417	EXTORTIONATE MEANS TO COLLECT	V
4718	FALSE VERIFICATION FOR WELFARE	I
3002	FORGERY	I
3230	INSURANCE CLAIMS TRAFFICKING SUBSEQ	II
2063	MALICIOUS EXPLOSION 3 (POST 7/26/97)	X
2146	MALICIOUS INJURY RAILROAD PROP (POST 7/24/99)	III
2152	MALICIOUS MISCHIEF 1	II
2172	MALICIOUS MISCHIEF 2	I
2026	MALICIOUS PLACEMENT OF EXPLOSIVES 3 (POST 7/26/97)	VII
2621	ORGANIZED RETAIL THEFT 1	III
2622	ORGANIZED RETAIL THEFT 2	II
2804	POSS STOLEN PROPERTY 1	I
2812	POSS STOLEN PROPERTY 2	II
2730	POSS STOLEN VEHICLE	II
2104	RECKLESS BURNING	I
2310	RESIDENTIAL BURGLARY	IV
2631	RETAIL THEFT W/EXTENU CIRCUMSTN 1	III
2632	RETAIL THEFT W/EXTENU CIRCUMSTN 2	II
2724	TAKING MV W/o PERMISSION (OLD CODE)	
2726	TAKING MV W/o PERMISSION 1	V
2728	TAKING MV W/o PERMISSION 2	I
2502	THEFT 1	II
2552	THEFT 2	I
2614	THEFT 2 - WELFARE FRAUD	I
2710	THEFT MOT VEH	II
2947	THEFT OF A FIREARM	VI
2735	THEFT OF LIVESTOCK 1	IV
2736	THEFT OF LIVESTOCK 2	III
2746	THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	I
2748	THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	II
2641	THEFT W/ INTENT RESELL 1	III
2642	THEFT W/ INTENT RESELL 2	II
2526	THEFT1 - WELFARE FRAUD	II
5424	TRAFFICKING IN STOLEN PROP 1	IV
5426	TRAFFICKING IN STOLEN PROP 2	III
3324	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	II
3326	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-2ND	IV
2702	UNLAWFUL ISSUE OF CHECKS/DRAFT	I
2512	UNLAWFUL OBTAIN FINANCIAL INFO (POST 7/21/01)	II
3302	UNLAWFUL POSS OF FICTITIOUS IDENTIFICATION	I
3343	UNLAWFUL POSS OF INSTRUMENTS OF FINANCIAL FRAUD	I
3353	UNLAWFUL POSS OF PAYMENT INSTRUMENTS	I
3323	UNLAWFUL POSS OF PERSONAL IDENTIFICATION DEVICE	I
3373	UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	I
3097	UNLAWFUL USE OF FOOD STAMPS	I
2374	VEHICLE PROWL 1	I

**PROPOSAL**  
**PROPERTY OFFENSE SENTENCING GRID V2**  
**325 – Sentencing Guidelines Commission**  
**July 7, 2009**

**SUMMARY**

This proposal creates a separate sentencing grid for property offenses. This grid collapses some seriousness levels and offender score. The philosophy behind the proposed grid follows analyses completed by the Washington State Institute for Public Policy<sup>1</sup>. Their studies show that

- lower recidivism rates are located in the cells with low offender scores
- recidivism rates for property offenders has been increasing since 1986
- prison sentences for property offenders do not decrease recidivism and may increase it
- for offenders who do get prison sentences that recidivism rates decrease 1.0% for every additional 6 mos spent in prison

As a result, the grid cells under the lower offender scores were decreased and as the offender score increases, the ranges get higher and wider. The high ranges for offender score of 9+ were also increased.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for other property offenses
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **The list of offenses included in our definition of property offenses is attached**
- All sentencing alternatives were excluded with the exception of DOSA

---

<sup>1</sup> Barnoski, R. (2004). *Sentences for adult felons in Washington: Options to address prison overcrowding – Part II (Recidivism Analyses)*. Olympia: Washington State Institute for Public Policy, Document No. 04-07-1201.

### Proposed Property Offense Sentencing Grid

Seriousness Level	Offender Score						Current SL Levels
	0 to 2	3 to 4	5 to 6	7	8	9+	
VI	12.03 - 20	21 - 34	35 - 56	53 - 85	81 - 125	125 - 205	10
V	4 - 12	12.03 - 20	20 - 32	31 - 50	49 - 75	74 - 120	6, 7
IV	3 - 8	6 - 12	12.03 - 20	21 - 35	36 - 59	60 - 102	4, 5
III	2 - 5	5 - 12	12.03 - 19	19 - 31	29 - 48	47 - 72	3
II	0 - 90d	4 - 12	12.03 - 18	17 - 27	25 - 40	37 - 60	2
I	0 - 60d	2 - 6	6 - 12	12.03 - 18	15 - 24	20 - 32	1

#### Impact on prison and jail beds.

In FY08, there was a total of 5,662 property offenses whose sentence length was affected by the proposed grid. Of those 3,659 were jail sentences, 476 were DOSA sentences and 1,527 were non-DOSA prison sentences.

The average length of stay for jail sentences decreased from 2.5 mos to 2.1 mos, for non-DOSA prison sentences the average length of stay increased from 13.4 mos to 14.2 mos and the average length of stay for DOSA sentences decreased from 9.8 mos to 8.7 mos (this is partly due to 21 DOSA sentences no longer being eligible for a DOSA sentence).

It is believed that the bed impacts are slightly over-estimated because some offenders who were sentenced at the low end of the range under the current grid may not be sentenced at the low end of the proposed grid due to the collapsing of the offender score columns. Take for example offenders with a score of 2 or a score of 4 who were sentenced to the low end of the range under the current sentencing grid. Under the proposed grid, offenders with a score of 2 or 4 are now in the same column and it would be unlikely that both would receive a sentence length equal to the low end of the range.

**Average Monthly Population Jail and Prison Impacts**  
**Property Offense Sentencing Grid - V2**  
**Sentencing Guidelines Commission**  
**July 7, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	-6	-3	-2	-2	-1	-1	-1	-1	-1	-1
<b>Prison AMP (DOSA)</b>	-4	-23	-28	-30	-31	-31	-31	-32	-32	-32
<b>Prison AMP (Non-DOSA)</b>	-64	-217	-301	-335	-342	-342	-342	-342	-343	-344
<b>Prison AMP (Total)</b>	-68	-240	-330	-365	-373	-373	-374	-374	-375	-376

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	-1	-1	-1	-1	-1	-1	-1	-1	-1	-1
<b>Prison AMP (DOSA)</b>	-32	-32	-32	-32	-32	-32	-32	-32	-32	-32
<b>Prison AMP (Non-DOSA)</b>	-345	-345	-345	-345	-345	-345	-345	-345	-345	-345
<b>Prison AMP (Total)</b>	-377	-377	-377	-377	-377	-377	-377	-377	-377	-377

<b>Codes</b>	<b>PROPERTY OFFENSES (THEFTS/FRAUDS)</b>	<b>Offense Level</b>
5416	ADV MONEY - EXT CREDIT	V
2012	ARSON 2	IV
2316	BURGLARY 2	III
3417	COUNTERFEIT - 3RD CONVICT. AND >\$10,000	II
3064	DEFRAUDING INNKEEPER >\$75	IV
2764	EXTORTION 2	III
5414	EXTORTIONATE EXT OF CREDIT	V
5417	EXTORTIONATE MEANS TO COLLECT	V
4718	FALSE VERIFICATION FOR WELFARE	I
3002	FORGERY	I
3230	INSURANCE CLAIMS TRAFFICKING SUBSEQ	II
2063	MALICIOUS EXPLOSION 3 (POST 7/26/97)	X
2146	MALICIOUS INJURY RAILROAD PROP (POST 7/24/99)	III
2152	MALICIOUS MISCHIEF 1	II
2172	MALICIOUS MISCHIEF 2	I
2026	MALICIOUS PLACEMENT OF EXPLOSIVES 3 (POST 7/26/97)	VII
2621	ORGANIZED RETAIL THEFT 1	III
2622	ORGANIZED RETAIL THEFT 2	II
2804	POSS STOLEN PROPERTY 1	I
2812	POSS STOLEN PROPERTY 2	II
2730	POSS STOLEN VEHICLE	II
2104	RECKLESS BURNING	I
2310	RESIDENTIAL BURGLARY	IV
2631	RETAIL THEFT W/EXTENU CIRCUMSTN 1	III
2632	RETAIL THEFT W/EXTENU CIRCUMSTN 2	II
2724	TAKING MV W/o PERMISSION (OLD CODE)	
2726	TAKING MV W/o PERMISSION 1	V
2728	TAKING MV W/o PERMISSION 2	I
2502	THEFT 1	II
2552	THEFT 2	I
2614	THEFT 2 - WELFARE FRAUD	I
2710	THEFT MOT VEH	II
2947	THEFT OF A FIREARM	VI
2735	THEFT OF LIVESTOCK 1	IV
2736	THEFT OF LIVESTOCK 2	III
2746	THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	I
2748	THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	II
2641	THEFT W/ INTENT RESELL 1	III
2642	THEFT W/ INTENT RESELL 2	II
2526	THEFT1 - WELFARE FRAUD	II
5424	TRAFFICKING IN STOLEN PROP 1	IV
5426	TRAFFICKING IN STOLEN PROP 2	III
3324	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	II
3326	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-2ND	IV
2702	UNLAWFUL ISSUE OF CHECKS/DRAFT	I
2512	UNLAWFUL OBTAIN FINANCIAL INFO (POST 7/21/01)	II
3302	UNLAWFUL POSS OF FICTITIOUS IDENTIFICATION	I
3343	UNLAWFUL POSS OF INSTRUMENTS OF FINANCIAL FRAUD	I
3353	UNLAWFUL POSS OF PAYMENT INSTRUMENTS	I
3323	UNLAWFUL POSS OF PERSONAL IDENTIFICATION DEVICE	I
3373	UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	I
3097	UNLAWFUL USE OF FOOD STAMPS	I
2374	VEHICLE PROWL 1	I

**Number of Sentences by Where in the Range\*  
Where Most Serious Offense is a Property Offense  
by Seriousness Level and Offender Score**

Seriousness Level	Offender Score																																
	0			1			2			3			4			5			6			7			8			9					
	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High			
6	4	0	2	3	1	1	3	1	0	2	2	1	0	1	1	2	2	1	0	1	0	0	0	1	1	0	0	0	0	0	0	1	0
5	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
4	80	63	15	57	44	4	40	5	10	39	23	6	20	14	17	24	13	13	11	15	5	2	7	5	7	6	2	29	35	15			
3	111	92	29	81	66	8	78	68	10	48	16	14	48	17	8	24	15	11	19	22	12	11	10	5	11	9	2	31	36	15			
2	26	405	33	94	93	14	69	86	9	70	77	19	64	12	24	56	21	19	28	26	27	23	16	10	28	15	6	79	52	51			
1	63	1018	67	20	757	55	315	137	44	204	181	77	150	158	66	128	146	33	117	13	42	73	28	24	70	34	42	147	103	177			

\*WIR = Where in the Range determines where the sentence length falls within the presumptive range. Any enhancements were stripped from the sentence length prior to the calculation.  
 Low = low end of the range  
 High = high end of the range  
 Mid = somewhere between the Low and the High end of the range

**Percentage of Sentences by Where in the Range\*  
Where Most Serious Offense is a Property Offense  
by Seriousness Level and Offender Score**

Seriousness Level	Offender Score																													
	0			1			2			3			4			5			6			7			8			9		
	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High
6	67%	0%	33%	60%	20%	20%	75%	25%	0%	40%	40%	20%	0%	50%	50%	40%	40%	20%	0%	100%	0%	0%	0%	100%	100%	0%	0%	0%	100%	0%
5	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
4	51%	40%	9%	54%	42%	4%	73%	9%	18%	57%	34%	9%	39%	27%	33%	48%	26%	26%	35%	48%	16%	14%	50%	36%	47%	40%	13%	37%	44%	19%
3	48%	40%	13%	52%	43%	5%	50%	44%	6%	62%	21%	18%	66%	23%	11%	48%	30%	22%	36%	42%	23%	42%	38%	19%	50%	41%	9%	38%	44%	18%
2	6%	87%	7%	47%	46%	7%	42%	52%	5%	42%	46%	11%	64%	12%	24%	58%	22%	20%	35%	32%	33%	47%	33%	20%	57%	31%	12%	43%	29%	28%
1	5%	89%	6%	2%	91%	7%	64%	28%	9%	44%	39%	17%	40%	42%	18%	42%	48%	11%	68%	8%	24%	58%	22%	19%	48%	23%	29%	34%	24%	41%

\*WIR = Where in the Range determines where the sentence length falls within the presumptive range. Any enhancements were stripped from the sentence length prior to the calculation.  
 Low = low end of the range  
 High = high end of the range  
 Mid = somewhere between the Low and the High end of the range

represents over 50% of sentences

**PROPOSAL**  
**PROPERTY OFFENSE SENTENCING GRID V2 REV**  
**325 – Sentencing Guidelines Commission**  
**August 31, 2009**

*This proposal was revised to bring the data in line with policy effective 7/1/2010 when 50% earned release time will have sunset.*

**SUMMARY**

This proposal creates a separate sentencing grid for property offenses. This grid collapses some seriousness levels and offender score. The philosophy behind the proposed grid follows analyses completed by the Washington State Institute for Public Policy<sup>1</sup>. Their studies show that

- lower recidivism rates are located in the cells with low offender scores
- recidivism rates for property offenders has been increasing since 1986
- prison sentences for property offenders do not decrease recidivism and may increase it
- for offenders who do get prison sentences that recidivism rates decrease 1.0% for every additional 6 mos spent in prison

As a result, the grid cells under the lower offender scores were decreased and as the offender score increases, the ranges get higher and wider. The high ranges for offender score of 9+ were also increased.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for other property offenses
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **The list of offenses included in our definition of property offenses is attached**
- All sentencing alternatives were excluded with the exception of DOSA
- **Assumes 50% ERT has sunset as of July 1, 2010**

---

<sup>1</sup> Barnoski, R. (2004). *Sentences for adult felons in Washington: Options to address prison overcrowding – Part II (Recidivism Analyses)*. Olympia: Washington State Institute for Public Policy, Document No. 04-07-1201.

- DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.

### Proposed Property Offense Sentencing Grid

Seriousness Level	Offender Score						Current SL Levels
	0 to 2	3 to 4	5 to 6	7	8	9+	
VI	12.03 - 20	21 - 34	35 - 56	53 - 85	81 - 125	125 - 205	10
V	4 - 12	12.03 - 20	20 - 32	31 - 50	49 - 75	74 - 120	6, 7
IV	3 - 8	6 - 12	12.03 - 20	21 - 35	36 - 59	60 - 102	4, 5
III	2 - 5	5 - 12	12.03 - 19	19 - 31	29 - 48	47 - 72	3
II	0 - 90d	4 - 12	12.03 - 18	17 - 27	25 - 40	37 - 60	2
I	0 - 60d	2 - 6	6 - 12	12.03 - 18	15 - 24	20 - 32	1

#### Impact on prison and jail beds.

In FY08 there were 5,662 sentences that were affected by the proposal.

#### For the jail sentences:

- current average sentence length was 3.4 mos
- current average length of stay was 2.5 mos
- current number of sentences was 3,135
- estimated number of current offenders was 2,165
- proposed average sentence length was 2.9 mos
- proposed average length of stay was 2.1 mos
- number of sentences was 3,659
- estimated number of proposed offenders was 2,532
- Over 500 prison sentences became jail sentences under the proposal

#### For the non-DOSA prison sentences Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.2 mos
- current average length of stay was 14.5 mos
- current number of sentences was 793
- estimated number of current offenders was 70
- proposed average sentence length was 26.7 mos
- proposed average length of stay was 15.3 mos
- proposed number of sentences was 600
- estimated number of proposed offenders was 53

<sup>2</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

- there were 193 prison sentences that became jail sentences under the proposal

For the non-DOSA prison sentences Non-Low Risk Estimates<sup>3</sup>:

- current average sentence length was 26.7 mos
- current average length of stay was 13.4 mos
- current number of sentences was 2,051
- estimated current number of offenders was 1,430
- proposed average sentence length was 28.5 mos
- proposed average length of stay was 14.2 mos
- proposed number of sentences was 1,527
- estimated number of proposed offenders was 1064

For the DOSA prison sentences Low Risk Estimates<sup>2</sup>:

- current average sentence length was 19.1 mos
- current average length of stay was 10.2 mos
- proposed average sentence length was 17.2 mos
- proposed average length of stay was 9.1 mos
- number of sentences was 200
- estimated number of offenders was 18
- there was no change in the number of sentences between current and proposed policies

For the DOSA prison sentences Non-Low Risk Estimates<sup>3</sup>:

- current average sentence length was 20.4 mos
- current average length of stay was 9.8 mos
- proposed average sentence length was 18.1 mos
- proposed average length of stay was 8.7 mos
- number of sentences was 476
- estimated number of offenders was 330
- there was no change in the number of sentences between current and proposed policies

It is believed that the bed impacts are slightly over-estimated because some offenders who were sentenced at the low end of the range under the current grid may not be sentenced at the low end of the proposed grid due to the collapsing of the offender score columns. Take for example offenders with a score of 2 or a score of 4 who were sentenced to the low end of the range under the current sentencing grid. Under the proposed grid, offenders with a score of 2 or 4 are now in the same column and it would be unlikely that both would receive a sentence length equal to the low end of the range.

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>3</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts**  
**Property Offense Sentencing Grid - V2rev**  
**Sentencing Guidelines Commission**  
**August 31, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	14	46	53	55	56	56	56	57	57	57
<b>Prison AMP (DOSAs)</b>	-5	-26	-30	-31	-32	-32	-32	-32	-32	-32
<b>Prison AMP (Non-DOSA)</b>	-76	-244	-323	-347	-348	-345	-345	-346	-347	-347
<b>Prison AMP (Total)</b>	-81	-270	-353	-378	-379	-377	-377	-378	-379	-379

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	57	57	57	57	57	57	57	57	57	57
<b>Prison AMP (DOSAs)</b>	-32	-32	-32	-32	-32	-32	-32	-32	-32	-32
<b>Prison AMP (Non-DOSA)</b>	-347	-348	-348	-348	-348	-348	-348	-348	-348	-348
<b>Prison AMP (Total)</b>	-379	-380	-380	-380	-380	-380	-380	-380	-380	-380

<b>Codes</b>	<b>PROPERTY OFFENSES (THEFTS/FRAUDS)</b>	<b>Offense Level</b>
5416	ADV MONEY - EXT CREDIT	V
2012	ARSON 2	IV
2316	BURGLARY 2	III
3417	COUNTERFEIT - 3RD CONVICT. AND >\$10,000	II
3064	DEFRAUDING INNKEEPER >\$75	IV
2764	EXTORTION 2	III
5414	EXTORTIONATE EXT OF CREDIT	V
5417	EXTORTIONATE MEANS TO COLLECT	V
4718	FALSE VERIFICATION FOR WELFARE	I
3002	FORGERY	I
3230	INSURANCE CLAIMS TRAFFICKING SUBSEQ	II
2063	MALICIOUS EXPLOSION 3 (POST 7/26/97)	X
2146	MALICIOUS INJURY RAILROAD PROP (POST 7/24/99)	III
2152	MALICIOUS MISCHIEF 1	II
2172	MALICIOUS MISCHIEF 2	I
2026	MALICIOUS PLACEMENT OF EXPLOSIVES 3 (POST 7/26/97)	VII
2621	ORGANIZED RETAIL THEFT 1	III
2622	ORGANIZED RETAIL THEFT 2	II
2804	POSS STOLEN PROPERTY 1	I
2812	POSS STOLEN PROPERTY 2	II
2730	POSS STOLEN VEHICLE	II
2104	RECKLESS BURNING	I
2310	RESIDENTIAL BURGLARY	IV
2631	RETAIL THEFT W/EXTENU CIRCUMSTN 1	III
2632	RETAIL THEFT W/EXTENU CIRCUMSTN 2	II
2724	TAKING MV W/o PERMISSION (OLD CODE)	
2726	TAKING MV W/o PERMISSION 1	V
2728	TAKING MV W/o PERMISSION 2	I
2502	THEFT 1	II
2552	THEFT 2	I
2614	THEFT 2 - WELFARE FRAUD	I
2710	THEFT MOT VEH	II
2947	THEFT OF A FIREARM	VI
2735	THEFT OF LIVESTOCK 1	IV
2736	THEFT OF LIVESTOCK 2	III
2746	THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	I
2748	THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	II
2641	THEFT W/ INTENT RESELL 1	III
2642	THEFT W/ INTENT RESELL 2	II
2526	THEFT1 - WELFARE FRAUD	II
5424	TRAFFICKING IN STOLEN PROP 1	IV
5426	TRAFFICKING IN STOLEN PROP 2	III
3324	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	II
3326	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-2ND	IV
2702	UNLAWFUL ISSUE OF CHECKS/DRAFT	I
2512	UNLAWFUL OBTAIN FINANCIAL INFO (POST 7/21/01)	II
3302	UNLAWFUL POSS OF FICTITIOUS IDENTIFICATION	I
3343	UNLAWFUL POSS OF INSTRUMENTS OF FINANCIAL FRAUD	I
3353	UNLAWFUL POSS OF PAYMENT INSTRUMENTS	I
3323	UNLAWFUL POSS OF PERSONAL IDENTIFICATION DEVICE	I
3373	UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	I
3097	UNLAWFUL USE OF FOOD STAMPS	I
2374	VEHICLE PROWL 1	I

**Number of Sentences by Where in the Range\*  
Where Most Serious Offense is a Property Offense  
by Seriousness Level and Offender Score**

Seriousness Level	Offender Score																																
	0			1			2			3			4			5			6			7			8			9					
	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High			
6	4	0	2	3	1	1	3	1	0	2	2	1	0	1	1	2	2	1	0	1	0	0	0	1	1	0	0	0	0	0	0	1	0
5	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
4	80	63	15	57	44	4	40	5	10	39	23	6	20	14	17	24	13	13	11	15	5	2	7	5	7	6	2	29	35	15			
3	111	92	29	81	66	8	78	68	10	48	16	14	48	17	8	24	15	11	19	22	12	11	10	5	11	9	2	31	36	15			
2	26	405	33	94	93	14	69	86	9	70	77	19	64	12	24	56	21	19	28	26	27	23	16	10	28	15	6	79	52	51			
1	63	1018	67	20	757	55	315	137	44	204	181	77	150	158	66	128	146	33	117	13	42	73	28	24	70	34	42	147	103	177			

\*WIR = Where in the Range determines where the sentence length falls within the presumptive range. Any enhancements were stripped from the sentence length prior to the calculation.  
 Low = low end of the range  
 High = high end of the range  
 Mid = somewhere between the Low and the High end of the range

**Percentage of Sentences by Where in the Range\*  
Where Most Serious Offense is a Property Offense  
by Seriousness Level and Offender Score**

Seriousness Level	Offender Score																													
	0			1			2			3			4			5			6			7			8			9		
	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High
6	67%	0%	33%	60%	20%	20%	75%	25%	0%	40%	40%	20%	0%	50%	50%	40%	40%	20%	0%	100%	0%	0%	0%	100%	100%	0%	0%	0%	100%	0%
5	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%
4	51%	40%	9%	54%	42%	4%	73%	9%	18%	57%	34%	9%	39%	27%	33%	48%	26%	26%	35%	48%	16%	14%	50%	36%	47%	40%	13%	37%	44%	19%
3	48%	40%	13%	52%	43%	5%	50%	44%	6%	62%	21%	18%	66%	23%	11%	48%	30%	22%	36%	42%	23%	42%	38%	19%	50%	41%	9%	38%	44%	18%
2	6%	87%	7%	47%	46%	7%	42%	52%	5%	42%	46%	11%	64%	12%	24%	58%	22%	20%	35%	32%	33%	47%	33%	20%	57%	31%	12%	43%	29%	28%
1	5%	89%	6%	2%	91%	7%	64%	28%	9%	44%	39%	17%	40%	42%	18%	42%	48%	11%	68%	8%	24%	58%	22%	19%	48%	23%	29%	34%	24%	41%

\*WIR = Where in the Range determines where the sentence length falls within the presumptive range. Any enhancements were stripped from the sentence length prior to the calculation.  
 Low = low end of the range  
 High = high end of the range  
 Mid = somewhere between the Low and the High end of the range

represents over 50% of sentences

**PROPOSAL**  
**PROPERTY OFFENSE SENTENCING GRID V3**  
**325 – Sentencing Guidelines Commission**  
**August 31, 2009**

*Proposal V3 is identical to proposal V2 with one exception: the seriousness level for Taking a Motor Vehicle Without Permission 2<sup>nd</sup> Degree was increased.*

**SUMMARY**

This proposal creates a separate sentencing grid for property offenses. This grid collapses some seriousness levels and offender score. It also increases the seriousness level for Taking a Motor Vehicle Without Permission 2<sup>nd</sup> Degree (TMVWOP2). The philosophy behind the proposed grid follows analyses completed by the Washington State Institute for Public Policy<sup>1</sup>. Their studies show that

- lower recidivism rates are located in the cells with low offender scores
- recidivism rates for property offenders has been increasing since 1986
- prison sentences for property offenders do not decrease recidivism and may increase it
- for offenders who do get prison sentences that recidivism rates decrease 1.0% for every additional 6 mos spent in prison

As a result, the grid cells under the lower offender scores were decreased and as the offender score increases, the ranges get higher and wider. The high ranges for offender score of 9+ were also increased.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for other property offenses
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **The list of offenses included in our definition of property offenses is attached**

---

<sup>1</sup> Barnoski, R. (2004). *Sentences for adult felons in Washington: Options to address prison overcrowding – Part II (Recidivism Analyses)*. Olympia: Washington State Institute for Public Policy, Document No. 04-07-1201.

- All sentencing alternatives were excluded with the exception of DOSA
- The proposed seriousness level of TMVWOP2 was increased to level 2 on the proposed grid. This is a one level increase from the current seriousness level.
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

### Proposed Property Offense Sentencing Grid

Seriousness Level	Offender Score						Current SL Levels
	0 to 2	3 to 4	5 to 6	7	8	9+	
VI	12.03 - 20	21 - 34	35 - 56	53 - 85	81 - 125	125 - 205	10
V	4 - 12	12.03 - 20	20 - 32	31 - 50	49 - 75	74 - 120	6, 7
IV	3 - 8	6 - 12	12.03 - 20	21 - 35	36 - 59	60 - 102	4, 5
III	2 - 5	5 - 12	12.03 - 19	19 - 31	29 - 48	47 - 72	3
II	0 - 90d	4 - 12	12.03 - 18	17 - 27	25 - 40	37 - 60	2
I	0 - 60d	2 - 6	6 - 12	12.03 - 18	15 - 24	20 - 32	1

#### Impact on prison and jail beds.

In FY08 there were 5,725 sentences that were affected by the proposal.

#### For the jail sentences:

- current average sentence length was 3.4 mos
- current average length of stay was 2.4 mos
- current number of sentences was 3,219
- estimated number of current offenders was 2,222
- proposed average sentence length was 2.9 mos
- proposed average length of stay was 2.1 mos
- number of sentences was 3,678
- estimated number of proposed offenders was 2,545
- Over 495 prison sentences became jail sentences under the proposal

For the non-DOSA prison sentences Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.4 mos
- current average length of stay was 14.6 mos
- current number of sentences was 783
- estimated number of current offenders was 69
- proposed average sentence length was 27.9 mos
- proposed average length of stay was 15.8 mos
- proposed number of sentences was 604
- estimated number of proposed offenders was 53
- there were 179 prison sentences that became jail sentences under the proposal
- there were 36 jail sentences that became prison sentences under the proposal

For the non-DOSA prison sentences Non-Low Risk Estimates<sup>3</sup>:

- current average sentence length was 26.9 mos
- current average length of stay was 13.5 mos
- current number of sentences was 2,029
- estimated current number of offenders was 1,415
- proposed average sentence length was 29.1 mos
- proposed average length of stay was 14.4 mos
- proposed number of sentences was 1,570
- estimated number of proposed offenders was 1082

For the DOSA prison sentences Low Risk Estimates<sup>2</sup>:

- current average sentence length was 19.1 mos
- current average length of stay was 10.2 mos
- proposed average sentence length was 17.6 mos
- proposed average length of stay was 9.3 mos
- number of sentences was 200
- estimated number of offenders was 18
- there was no change in the number of sentences between current and proposed policies

For the DOSA prison sentences Non-Low Risk Estimates<sup>3</sup>:

- current average sentence length was 20.3 mos
- current average length of stay was 9.8 mos
- proposed average sentence length was 18.4 mos
- proposed average length of stay was 8.8 mos
- number of sentences was 477
- estimated number of offenders was 331
- there was no change in the number of sentences between current and proposed policies

---

<sup>2</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>3</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

It is believed that the bed impacts are slightly over-estimated because some offenders who were sentenced at the low end of the range under the current grid may not be sentenced at the low end of the proposed grid due to the collapsing of the offender score columns. Take for example offenders with a score of 2 or a score of 4 who were sentenced to the low end of the range under the current sentencing grid. Under the proposed grid, offenders with a score of 2 or 4 are now in the same column and it would be unlikely that both would receive a sentence length equal to the low end of the range.

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts**  
**Property Offense Sentencing Grid - V3**  
**Sentencing Guidelines Commission**  
**August 28, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	11	39	46	48	49	49	49	49	49	49
<b>Prison AMP (DOSAs)</b>	-5	-23	-27	-28	-28	-28	-28	-28	-29	-28
<b>Prison AMP (Non-DOSA)</b>	-69	-215	-275	-293	-293	-290	-289	-290	-290	-290
<b>Prison AMP (Total)</b>	-74	-239	-302	-321	-321	-318	-318	-318	-319	-319

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	50	50	50	50	50	50	50	50	50	50
<b>Prison AMP (DOSAs)</b>	-29	-29	-29	-29	-29	-29	-29	-29	-29	-29
<b>Prison AMP (Non-DOSA)</b>	-291	-291	-291	-291	-291	-291	-291	-291	-291	-291
<b>Prison AMP (Total)</b>	-319	-320	-320	-320	-320	-320	-320	-320	-320	-320

<b>FY08 Property Offenses</b>	<b>Frequency</b>
2552 THEFT 2	937
2316 BURG 2 (NONDWELLING)-POST 7/90	821
3002 FORGERY	725
2812 POSS STOLEN PROPERTY 2	581
2310 RESIDENTIAL BURGLARY-POST 7/90	492
<b>2728 TMVWOP 2</b>	<b>401</b>
2502 THEFT 1	391
2804 POSS STOLEN PROPERTY 1	297
2730 POSSESSION OF STOLEN VEHICLE	241
2172 MALICIOUS MISCHIEF 2	231
5426 TRAFFICKING IN STOLEN PROP 2	143
5424 TRAFFICKING IN STOLEN PROP 1	124
2710 THEFT OF MOTOR VEHICLE	68
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	62
2152 MALICIOUS MISCHIEF 1	55
2947 THEFT OF A FIREARM (POST 7/22/95)	37
2012 ARSON 2	32
3353 UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	20
2104 RECKLESS BURNING 1	10
2622 ORGANIZED RETAIL THEFT 2	10
2724 TMVWOP pre 6/13/02	9
2746 THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	8
2726 TMVWOP 1	5
2748 THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	4
2614 THEFT 2 - WELFARE FRAUD	3
2632 RETAIL THEFT W EXTENUATING CIRCUMST 2	3
2764 EXTORTION 2	3
2374 VEHICLE PROWL 1	2
2526 THEFT 1 - WELFARE FRAUD	2
2621 ORGANIZED RETAIL THEFT 1	2
3302 FORGERY	2
2631 RETAIL THEFT W EXTENUATING CIRCUMST 1	1
2642 THEFT WITH INTENT TO RESELL 2	1
2736 THEFT OF LIVESTOCK 2	1
3373 UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	1

<b>Codes</b>	<b>PROPERTY OFFENSES (THEFTS/FRAUDS)</b>	<b>Offense Level</b>
5416	ADV MONEY - EXT CREDIT	V
2012	ARSON 2	IV
2316	BURGLARY 2	III
3417	COUNTERFEIT - 3RD CONVICT. AND >\$10,000	II
3064	DEFRAUDING INNKEEPER >\$75	IV
2764	EXTORTION 2	III
5414	EXTORTIONATE EXT OF CREDIT	V
5417	EXTORTIONATE MEANS TO COLLECT	V
4718	FALSE VERIFICATION FOR WELFARE	I
3002	FORGERY	I
3230	INSURANCE CLAIMS TRAFFICKING SUBSEQ	II
2063	MALICIOUS EXPLOSION 3 (POST 7/26/97)	X
2146	MALICIOUS INJURY RAILROAD PROP (POST 7/24/99)	III
2152	MALICIOUS MISCHIEF 1	II
2172	MALICIOUS MISCHIEF 2	I
2026	MALICIOUS PLACEMENT OF EXPLOSIVES 3 (POST 7/26/97)	VII
2621	ORGANIZED RETAIL THEFT 1	III
2622	ORGANIZED RETAIL THEFT 2	II
2804	POSS STOLEN PROPERTY 1	I
2812	POSS STOLEN PROPERTY 2	II
2730	POSS STOLEN VEHICLE	II
2104	RECKLESS BURNING	I
2310	RESIDENTIAL BURGLARY	IV
2631	RETAIL THEFT W/EXTENU CIRCUMSTN 1	III
2632	RETAIL THEFT W/EXTENU CIRCUMSTN 2	II
2724	TAKING MV W/o PERMISSION (OLD CODE)	
2726	TAKING MV W/o PERMISSION 1	V
2728	TAKING MV W/o PERMISSION 2	I
2502	THEFT 1	II
2552	THEFT 2	I
2614	THEFT 2 - WELFARE FRAUD	I
2710	THEFT MOT VEH	II
2947	THEFT OF A FIREARM	VI
2735	THEFT OF LIVESTOCK 1	IV
2736	THEFT OF LIVESTOCK 2	III
2746	THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	I
2748	THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	II
2641	THEFT W/ INTENT RESELL 1	III
2642	THEFT W/ INTENT RESELL 2	II
2526	THEFT1 - WELFARE FRAUD	II
5424	TRAFFICKING IN STOLEN PROP 1	IV
5426	TRAFFICKING IN STOLEN PROP 2	III
3324	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	II
3326	UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-2ND	IV
2702	UNLAWFUL ISSUE OF CHECKS/DRAFT	I
2512	UNLAWFUL OBTAIN FINANCIAL INFO (POST 7/21/01)	II
3302	UNLAWFUL POSS OF FICTITIOUS IDENTIFICATION	I
3343	UNLAWFUL POSS OF INSTRUMENTS OF FINANCIAL FRAUD	I
3353	UNLAWFUL POSS OF PAYMENT INSTRUMENTS	I
3323	UNLAWFUL POSS OF PERSONAL IDENTIFICATION DEVICE	I
3373	UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	I
3097	UNLAWFUL USE OF FOOD STAMPS	I
2374	VEHICLE PROWL 1	I

**Number of Sentences by Where in the Range\*  
Where Most Serious Offense is a Property Offense  
by Seriousness Level and Offender Score**

Seriousness Level	Offender Score																																						
	0			1			2			3			4			5			6			7			8			9											
	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High						
6	4	0	2	3	1	1	3	1	0	2	2	1	0	1	1	2	2	1	0	1	0	0	0	1	1	0	0	0	0	0	0	1	0	0	0	0	0	1	0
5	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
4	80	63	15	57	44	4	40	5	10	39	23	6	20	14	17	24	13	13	11	15	5	2	7	5	7	6	2	29	35	15	7	6	2	29	35	15			
3	111	92	29	81	66	8	78	68	10	48	16	14	48	17	8	24	15	11	19	22	12	11	10	5	11	9	2	31	36	15	11	10	5	31	36	15			
2	26	405	33	94	93	14	69	86	9	70	77	19	64	12	24	56	21	19	28	26	27	23	16	10	28	15	6	79	52	51	23	16	10	79	52	51			
1	63	1018	67	20	757	55	315	137	44	204	181	77	150	158	66	128	146	33	117	13	42	73	28	24	70	34	42	147	103	177	73	28	24	147	103	177			

\*WIR = Where in the Range determines where the sentence length falls within the presumptive range. Any enhancements were stripped from the sentence length prior to the calculation.  
 Low = low end of the range  
 High = high end of the range  
 Mid = somewhere between the Low and the High end of the range

**Percentage of Sentences by Where in the Range\*  
Where Most Serious Offense is a Property Offense  
by Seriousness Level and Offender Score**

Seriousness Level	Offender Score																																			
	0			1			2			3			4			5			6			7			8			9								
	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High	Low	Mid	High
6	67%	0%	33%	60%	20%	20%	75%	25%	0%	40%	40%	20%	0%	50%	50%	40%	40%	20%	0%	100%	0%	0%	0%	100%	100%	0%	0%	0%	100%	0%	0%	0%	0%	0%	100%	0%
5	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	0%
4	51%	40%	9%	54%	42%	4%	73%	9%	18%	57%	34%	9%	39%	27%	33%	48%	26%	26%	35%	48%	16%	14%	50%	36%	47%	40%	13%	37%	44%	19%	47%	40%	13%	37%	44%	19%
3	48%	40%	13%	52%	43%	5%	50%	44%	6%	62%	21%	18%	66%	23%	11%	48%	30%	22%	36%	42%	23%	42%	38%	19%	50%	41%	9%	38%	44%	18%	42%	38%	19%	50%	41%	9%
2	6%	87%	7%	47%	46%	7%	42%	52%	5%	42%	46%	11%	64%	12%	24%	58%	22%	20%	35%	32%	33%	47%	33%	20%	57%	31%	12%	43%	29%	28%	47%	33%	20%	57%	31%	12%
1	5%	89%	6%	2%	91%	7%	64%	28%	9%	44%	39%	17%	40%	42%	18%	42%	48%	11%	68%	8%	24%	58%	22%	19%	48%	23%	29%	34%	24%	41%	58%	22%	19%	48%	23%	29%

\*WIR = Where in the Range determines where the sentence length falls within the presumptive range. Any enhancements were stripped from the sentence length prior to the calculation.  
 Low = low end of the range  
 High = high end of the range  
 Mid = somewhere between the Low and the High end of the range

represents over 50% of sentences

**PROPOSAL**  
**SEX OFFENSE SENTENCING GRID**  
**325 – Sentencing Guidelines Commission**  
**July 7, 2009**

**SUMMARY**

**This proposal creates a separate sentencing grid for sex offenses. This grid does not create any new sentencing ranges but merely collapses seriousness levels 1 through 4 into one seriousness level and collapses the offender scores from nine columns to four.**

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for child sex offenses
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **The definition of sex offense excludes offenses with a sexual motivation finding and Failure to Register offenses**
- All sentencing alternatives were excluded with the exception of DOSA and Determinate Plus sentences.

**Proposed Sex Offense Sentencing Grid**

Seriousness Level	Offender Score				Current SL Levels
	0 to 1	2 to 4	5 to 7	8 to 9+	
IX	93 - 136	111 - 171	138 - 236	209 - 318	12
VIII	78 - 114	95 - 147	120 - 211	185 - 280	11
VII	51 - 68	62 - 96	77 - 144	129 - 198	10
VI	31 - 48	41 - 68	57 - 116	108 - 171	9
V	21 - 27	31 - 54	46 - 102	87 - 144	8
IV	15 - 27	26 - 48	41 - 89	77 - 116	7
III	12.03 - 20	21 - 41	36 - 75	67 - 102	6
II	6 - 12	12.03 - 29	33 - 68	62 - 96	5
I	0 - 8	3 - 16	14 - 43	33 - 68	1, 2, 3, 4

**Impact on prison and jail beds.**

In FY08, there was a total of 362 sex offenses whose sentence length was affected by the proposed grid. Of those 29 were jail sentences and 333 were prison sentences.

It is believed that the bed impacts are slightly over-estimated because some offenders who were sentenced at the low end of the range under the current grid may not be sentenced at the low end of the proposed grid due to the collapsing of the offender score columns. For example, under the current grid, offenders with a score of 2 or a score of 4 may be sentenced to the low end of the range under the related seriousness level. Under the proposed grid, offenders with a score of 2 or 4 are now in the same column and would undoubtedly both receive a sentence length equal to the low end of the range.

**Average Monthly Population Jail and Prison Impacts  
Sex Offender Grid - Test 1  
Sentencing Guidelines Commission  
July 1, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	0	1	1	2	2	2	2	2	2	2
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	0	0	3	6	7	4	-2	-11	-21	-32
<b>Prison AMP (Total)</b>	0	0	3	6	7	4	-2	-11	-21	-32

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	2	2	2	2	2	2	2	2	2	2
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-40	-48	-57	-65	-73	-81	-89	-96	-102	-106
<b>Prison AMP (Total)</b>	-40	-48	-57	-65	-73	-81	-89	-96	-102	-106

TAB 3

---

**PROPOSAL**  
**PRISON SENTENCE REDUCTION OF 30 DAYS**  
**POST EARNED RELEASE TIME CALCULATION**  
**Sentencing Guidelines Commission**  
**April 17, 2009**

**SUMMARY**

This proposal would reduce all prison sentence lengths by 30 days after the earned release calculation had been made for offenses that are not Class A sex offenses or serious violent offenses.

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data includes all prison sentences except Death and Life Without Parole.
- It is assumed that 50% earned release time will not sunset.
- Bed Impact Method: The sentence adjustment is calculated by subtracting 30 days from the sentence total after the calculation of length of stay.

**Average Monthly Population Jail and Prison Impacts**  
**Proposal Prison Sent Reduction of 30 Days Post ERT Calc**  
**Sentencing Guidelines Commission**  
**April 17, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
Jail AMP	0	0	0	0	0	0	0	0	0	0
Prison AMP (DOS A)	-18	-62	-71	-72	-72	-72	-72	-72	-72	-72
Prison AMP (Non-DOSA)	-118	-381	-468	-513	-527	-535	-539	-540	-542	-544
<b>Prison AMP (Total)</b>	<b>-136</b>	<b>-443</b>	<b>-539</b>	<b>-585</b>	<b>-599</b>	<b>-607</b>	<b>-611</b>	<b>-613</b>	<b>-614</b>	<b>-616</b>

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Jail AMP	0	0	0	0	0	0	0	0	0	0
Prison AMP (DOS A)	-72	-72	-72	-72	-72	-72	-72	-72	-72	-72
Prison AMP (Non-DOSA)	-544	-545	-545	-545	-546	-546	-546	-546	-546	-546
<b>Prison AMP (Total)</b>	<b>-616</b>	<b>-617</b>	<b>-617</b>	<b>-618</b>						

**PROPOSAL V2**  
**SENTENCE REDUCTION OF 30 DAYS**  
**Sentencing Guidelines Commission**  
**August 27, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 30 days after the earned release calculation had been made for offenses that are not Class A sex offenses or serious violent offenses
- Assumes that 50% earned release time (ERT) will sunset July 1, 2010
- Includes only jail sentences with a confinement time of 6 mos or greater were included. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 30 days would be subtracted.

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences with serious violent or Class A sex offenses.
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

**Impact on prison and jail beds.**

In FY08 there were 11,166 sentences applicable for the proposed 30 day reduction.

For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 4.5 mos
- number of sentences was 3,604
- estimated number of proposed offenders was 2,544

For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 12.7 mos
- number of sentences was 2,152
- estimated number of offenders was 435

For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 29.7 mos
- current average length of stay was 16.5 mos
- proposed average length of stay was 15.5 mos
- number of sentences was 7,562
- estimated number of proposed offenders was 5,702

The grid below shows the overall total of all the bed costs and savings under this proposal.

## Average Monthly Population Jail and Prison Impacts Reduce Sentences by 30 Days V2 Sentencing Guidelines Commission August 27, 2009

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-132	-212	-212	-212	-212	-212	-212	-212	-212	-212
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-108	-359	-441	-483	-496	-502	-505	-507	-508	-509
<b>Prison AMP (Total)</b>	-108	-359	-441	-483	-496	-502	-505	-507	-508	-509

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-212	-212	-212	-212	-212	-212	-212	-212	-212	-212
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-510	-510	-511	-511	-511	-511	-511	-511	-511	-511
<b>Prison AMP (Total)</b>	-510	-510	-511	-511	-511	-511	-511	-511	-511	-511

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**PROPOSAL V2**  
**SENTENCE REDUCTION OF 30 DAYS**  
**50% ERT REINSTATED**  
**Sentencing Guidelines Commission**  
**August 27, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 30 days after the earned release calculation had been made for offenses that are not Class A sex offenses or serious violent offenses
- Assumes that 50% earned release time (ERT) will be reinstated on July 1, 2010, without modification
- Includes only jail sentences with a confinement time of 6 mos or greater were included. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 30 days would be subtracted.

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences with serious violent or Class A sex offenses.
- **It is assumed that 50% earned release time will be reinstated on July 1, 2010, without modification.**

**Impact on prison and jail beds.**

In FY08 there were 11,166 sentences applicable for the proposed 30 day reduction.

For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 4.5 mos
- number of sentences was 3,604
- estimated number of proposed offenders was 2,544

For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 10.9 mos
- number of sentences was 2,152
- estimated number of offenders was 435

For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 29.7 mos
- current average length of stay was 16.5 mos
- proposed average length of stay was 15.5 mos
- number of sentences was 7,562
- estimated number of proposed offenders was 5,702

The grid below shows the overall total of all the bed costs and savings under this proposal.

## Average Monthly Population Jail and Prison Impacts Reduce Sentence by 30 Days, 50% ERT Reinstated V2 Sentencing Guidelines Commission August 27, 2009

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-132	-212	-212	-212	-212	-212	-212	-212	-212	-212
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-121	-401	-492	-540	-555	-562	-566	-568	-569	-570
<b>Prison AMP (Total)</b>	-121	-401	-492	-540	-555	-562	-566	-568	-569	-570

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-212	-212	-212	-212	-212	-212	-212	-212	-212	-212
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-571	-571	-572	-572	-572	-572	-572	-572	-572	-572
<b>Prison AMP (Total)</b>	-571	-571	-572	-572	-572	-572	-572	-572	-572	-572

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**PROPOSAL**  
**SENTENCE REDUCTION OF 45 DAYS**  
**Sentencing Guidelines Commission**  
**August 27, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 45 days after the earned release calculation had been made for offenses that are not Class A sex offenses or serious violent offenses
- Assumes that 50% earned release time (ERT) will sunset July 1, 2010
- Includes only jail sentences with a confinement time of 6 mos or greater were included. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 45 days would be subtracted.

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences with serious violent or Class A sex offenses.
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

**Impact on prison and jail beds**

In FY08 there were 11,166 sentences applicable for the proposed 45 day reduction.

For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 4.0 mos
- number of sentences was 3,604
- estimated number of proposed offenders was 2,544

For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 12.2 mos
- number of sentences was 2,152
- estimated number of offenders was 435

For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 29.7 mos
- current average length of stay was 16.5 mos
- proposed average length of stay was 15.0 mos
- number of sentences was 7,562
- estimated number of proposed offenders was 5,702

The grid below shows the overall total of all the bed costs and savings under this proposal.

## Average Monthly Population Jail and Prison Impacts Reduce Sentences by 45 Days Sentencing Guidelines Commission August 27, 2009

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-204	-318	-318	-318	-318	-318	-318	-318	-318	-318
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-172	-541	-664	-726	-744	-754	-758	-761	-763	-764
<b>Prison AMP (Total)</b>	-172	-541	-664	-726	-744	-754	-758	-761	-763	-764

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-318	-318	-318	-318	-318	-318	-318	-318	-318	-318
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-765	-766	-766	-766	-766	-766	-767	-767	-767	-767
<b>Prison AMP (Total)</b>	-765	-766	-766	-766	-766	-766	-767	-767	-767	-767

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**PROPOSAL**  
**SENTENCE REDUCTION OF 45 DAYS**  
**50% ERT REINSTATED**  
**Sentencing Guidelines Commission**  
**August 27, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 45 days after the earned release calculation had been made for offenses that are not Class A sex offenses or serious violent offenses
- Assumes that 50% earned release time (ERT) will be reinstated on July 1, 2010, without modification
- Includes only jail sentences with a confinement time of 6 mos or greater were included. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 45 days would be subtracted.

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences with serious violent or Class A sex offenses.
- **It is assumed that 50% earned release time will be reinstated on July 1, 2010, without modification.**

**Impact on prison and jail beds**

In FY08 there were 11,166 sentences applicable for the proposed 45 day reduction.

For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 4.0 mos
- number of sentences was 3,604
- estimated number of proposed offenders was 2,544

For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 10.4 mos
- number of sentences was 2,152
- estimated number of offenders was 435

For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 29.7 mos
- current average length of stay was 16.5 mos
- proposed average length of stay was 15.0 mos
- number of sentences was 7,562
- estimated number of proposed offenders was 5,702

The grid below shows the overall total of all the bed costs and savings under this proposal.

## Average Monthly Population Jail and Prison Impacts Reduce Sentence by 45 Days, 50% ERT Reinstated Sentencing Guidelines Commission August 27, 2009

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-204	-318	-318	-318	-318	-318	-318	-318	-318	-318
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-186	-584	-715	-783	-804	-814	-819	-822	-824	-825
<b>Prison AMP (Total)</b>	-186	-584	-715	-783	-804	-814	-819	-822	-824	-825

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-318	-318	-318	-318	-318	-318	-318	-318	-318	-318
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-826	-827	-827	-827	-827	-827	-828	-828	-828	-828
<b>Prison AMP (Total)</b>	-826	-827	-827	-827	-827	-827	-828	-828	-828	-828

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**PROPOSAL**  
**SENTENCE REDUCTION OF 60 DAYS**  
**Sentencing Guidelines Commission**  
**August 27, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 60 days after the earned release calculation had been made for offenses that are not Class A sex offenses or serious violent offenses
- Assumes that 50% earned release time (ERT) will sunset July 1, 2010
- Includes only jail sentences with a confinement time of 6 mos or greater were included. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 60 days would be subtracted.

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences with serious violent or Class A sex offenses.
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

**Impact on prison and jail beds**

In FY08 there were 11,166 sentences applicable for the proposed 60 day reduction.

For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 3.5 mos
- number of sentences was 3,604
- estimated number of proposed offenders was 2,544

For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 11.7 mos
- number of sentences was 2,152
- estimated number of offenders was 435

For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 29.7 mos
- current average length of stay was 16.5 mos
- proposed average length of stay was 14.5 mos
- number of sentences was 7,562
- estimated number of proposed offenders was 5,702

The grid below shows the overall total of all the bed costs and savings under this proposal.

## Average Monthly Population Jail and Prison Impacts

### Reduce Sentences by 60 Days

#### Sentencing Guidelines Commission

August 27, 2009

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-281	-424	-424	-424	-424	-424	-424	-424	-424	-424
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-242	-726	-888	-968	-993	-1,005	-1,011	-1,014	-1,017	-1,019
<b>Prison AMP (Total)</b>	-242	-726	-888	-968	-993	-1,005	-1,011	-1,014	-1,017	-1,019

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-424	-424	-424	-424	-424	-424	-424	-424	-424	-424
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-1,020	-1,021	-1,021	-1,022	-1,022	-1,022	-1,022	-1,022	-1,023	-1,023
<b>Prison AMP (Total)</b>	-1,020	-1,021	-1,021	-1,022	-1,022	-1,022	-1,022	-1,022	-1,023	-1,023

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**PROPOSAL**  
**SENTENCE REDUCTION OF 60 DAYS**  
**50% ERT REINSTATED**  
**Sentencing Guidelines Commission**  
**August 27, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 60 days after the earned release calculation had been made for offenses that are not Class A sex offenses or serious violent offenses
- Assumes that 50% earned release time (ERT) will be reinstated on July 1, 2010, without modification
- Includes only jail sentences with a confinement time of 6 mos or greater were included. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 60 days would be subtracted.

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences with serious violent or Class A sex offenses.
- **It is assumed that 50% earned release time will be reinstated on July 1, 2010, without modification.**

**Impact on prison and jail beds.**

In FY08 there were 11,166 sentences applicable for the proposed 60 day reduction.

For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 3.5 mos
- number of sentences was 3,604
- estimated number of proposed offenders was 2,544

For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 9.9 mos
- number of sentences was 2,152
- estimated number of offenders was 435

For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 29.7 mos
- current average length of stay was 16.5 mos
- proposed average length of stay was 14.5 mos
- number of sentences was 7,562
- estimated number of proposed offenders was 5,702

The grid below shows the overall total of all the bed costs and savings under this proposal.

## Average Monthly Population Jail and Prison Impacts Reduce Sentence 60 Days, 50% ERT Reinstated Sentencing Guidelines Commission August 27, 2009

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-281	-424	-424	-424	-424	-424	-424	-424	-424	-424
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-258	-769	-939	-1,025	-1,052	-1,065	-1,072	-1,075	-1,078	-1,080
<b>Prison AMP (Total)</b>	-258	-769	-939	-1,025	-1,052	-1,065	-1,072	-1,075	-1,078	-1,080

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-424	-424	-424	-424	-424	-424	-424	-424	-424	-424
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-1,081	-1,082	-1,082	-1,083	-1,083	-1,083	-1,083	-1,083	-1,084	-1,084
<b>Prison AMP (Total)</b>	-1,081	-1,082	-1,082	-1,083	-1,083	-1,083	-1,083	-1,083	-1,084	-1,084

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**PROPOSAL**  
**5%, 10% AND 15% SENTENCE REDUCTIONS**  
**Sentencing Guidelines Commission**  
**March 5, 2009**

**SUMMARY**

This proposal would reduce all standard sentences by 5%, 10% and 15%.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes Death, Life Without Parole, DOSA, FTOW, SSOSA and Determinate Plus sentences
- It is assumed that 50% earned release time will not sunset.
- Bed Impact Method: The sentence adjustment is calculated by subtracting any enhancements from the sentence length and then multiplying that number by .05 (or .10 or .15 as applicable). The proposed length of stay was calculated by subtracting the sentence adjustment from the sentence length.

**Impact on prison and jail beds**

In FY08 there were 7,805 prison sentences and 15,688 jail sentences eligible for the reduction per the above assumptions.

For the prison sentences, the average current sentence length was 35.9 mos and the current length of stay was 21.4 mos.

For the jail sentences, the average current sentence length was 3.2 mos and the current length of stay was 2.3 mos.

5% Prison Reduction Proposal

For prison sentences, the proposed length of stay was 20.4 mos which is 1.0 months shorter than the current length of stay. For jail sentences, the proposed length of stay was 2.2 mos which is .12 months shorter than the current length of stay.

Analysis shows a total bed impact of -279 in FY11 when the jail beds reach maximum impact and a total impact of -497 in FY15 after which the impacts continue to get larger.

**Average Monthly Population Jail and Prison Impacts  
PROPOSAL - 5% Sentence Reduction  
Sentencing Guidelines Commission  
March 5, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	-73	-105	-105	-105	-105	-105	-105	-105	-105	-105
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-38	-174	-274	-343	-373	-392	-405	-416	-428	-439
<b>Prison AMP (Total)</b>	-38	-174	-274	-343	-373	-392	-405	-416	-428	-439

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	-105	-105	-105	-105	-105	-105	-105	-105	-105	-105
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-449	-458	-466	-477	-483	-490	-503	-512	-520	-526
<b>Prison AMP (Total)</b>	-449	-458	-466	-477	-483	-490	-503	-512	-520	-526

**End of Year Jail and Prison Bed Impacts  
PROPOSAL - 5% Sentence Reduction  
Sentencing Guidelines Commission  
March 5, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail Beds</b>	-105	-105	-105	-105	-105	-105	-105	-105	-105	-105
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-114	-218	-321	-359	-382	-399	-410	-421	-432	-443
<b>Prison Beds (Total)</b>	-114	-218	-321	-359	-382	-399	-410	-421	-432	-443

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail Beds</b>	-105	-105	-105	-105	-105	-105	-105	-105	-105	-105
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-454	-461	-473	-479	-486	-495	-508	-516	-523	-528
<b>Prison Beds (Total)</b>	-454	-461	-473	-479	-486	-495	-508	-516	-523	-528

10% Prison Reduction Proposal

For prison sentences, the proposed length of stay was 19.4 mos which is 2.0 months shorter than the current length of stay. For jail sentences, the proposed length of stay was 2.1 mos which is .2 months shorter than the current length of stay.

Analysis shows a total bed impact of -566 in FY11 when the jail beds reach maximum impact and a total impact of -999 in FY15 after which the impacts continue to get larger.

**Average Monthly Population Jail and Prison Impacts  
PROPOSAL - 10% Sentence Reduction  
Sentencing Guidelines Commission  
March 5, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	-148	-211	-211	-211	-211	-211	-211	-211	-211	-211
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-83	-355	-562	-693	-751	-788	-814	-837	-860	-883
<b>Prison AMP (Total)</b>	-83	-355	-562	-693	-751	-788	-814	-837	-860	-883

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	-211	-211	-211	-211	-211	-211	-211	-211	-211	-211
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-902	-920	-940	-958	-971	-990	-1,014	-1,032	-1,046	-1,057
<b>Prison AMP (Total)</b>	-902	-920	-940	-958	-971	-990	-1,014	-1,032	-1,046	-1,057

**End of Year Jail and Prison Bed Impacts  
PROPOSAL - 10% Sentence Reduction  
Sentencing Guidelines Commission  
March 5, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail Beds</b>	-211	-211	-211	-211	-211	-211	-211	-211	-211	-211
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-241	-444	-651	-724	-769	-802	-824	-848	-871	-891
<b>Prison Beds (Total)</b>	-241	-444	-651	-724	-769	-802	-824	-848	-871	-891

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail Beds</b>	-211	-211	-211	-211	-211	-211	-211	-211	-211	-211
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-912	-927	-950	-963	-978	-1,001	-1,023	-1,038	-1,051	-1,062
<b>Prison Beds (Total)</b>	-912	-927	-950	-963	-978	-1,001	-1,023	-1,038	-1,051	-1,062

15% Prison Reduction Proposal

For prison sentences, the proposed length of stay was 18.4 mos which is 3.0 months shorter than the current length of stay. For jail sentences, the proposed length of stay was 2.0 mos which is .3 months shorter than the current length of stay.

Analysis shows a total bed impact of -861 in FY11 when the jail beds reach maximum impact and a total impact of -1,505 in FY15 after which the impacts continue to get larger.

**Average Monthly Population Jail and Prison Impacts  
PROPOSAL - 15% Sentence Reduction  
Sentencing Guidelines Commission  
March 5, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	-226	-316	-316	-316	-316	-316	-316	-316	-316	-316
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-131	-545	-862	-1,049	-1,134	-1,189	-1,226	-1,262	-1,299	-1,332
<b>Prison AMP (Total)</b>	-131	-545	-862	-1,049	-1,134	-1,189	-1,226	-1,262	-1,299	-1,332

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	-316	-316	-316	-316	-316	-316	-316	-316	-316	-316
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-1,360	-1,389	-1,419	-1,443	-1,468	-1,499	-1,532	-1,557	-1,576	-1,594
<b>Prison AMP (Total)</b>	-1,360	-1,389	-1,419	-1,443	-1,468	-1,499	-1,532	-1,557	-1,576	-1,594

**End of Year Jail and Prison Bed Impacts  
PROPOSAL - 15% Sentence Reduction  
Sentencing Guidelines Commission  
March 5, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail Beds</b>	-316	-316	-316	-316	-316	-316	-316	-316	-316	-316
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-375	-682	-989	-1,095	-1,162	-1,208	-1,242	-1,278	-1,315	-1,345
<b>Prison Beds (Total)</b>	-375	-682	-989	-1,095	-1,162	-1,208	-1,242	-1,278	-1,315	-1,345

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail Beds</b>	-316	-316	-316	-316	-316	-316	-316	-316	-316	-316
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-1,373	-1,403	-1,431	-1,452	-1,481	-1,514	-1,545	-1,566	-1,584	-1,601
<b>Prison Beds (Total)</b>	-1,373	-1,403	-1,431	-1,452	-1,481	-1,514	-1,545	-1,566	-1,584	-1,601

TAB 4

---

**PROPOSAL**  
**NONVIOLENT SENTENCE REDUCTION 5%**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 5% for offenses that are nonviolent and do not have a violent (including serious violent) offense in history
- Assumes that 50% earned release time will sunset
- Includes only jail sentences with a confinement time of 2 mos or greater. An offender with a sentence of 2 mos would average about 1.4 mos of the sentence in confinement.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Sentences where credit for time served was equal to the confinement length were excluded
- Only jail sentences with a confinement length of 2 mos or greater were included
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

## **Impact on prison and jail beds**

In FY08 there were 12,353 sentences applicable for the proposed 5 percent reduction.

### For the jail sentences:

- current average sentence length was 4.7 mos
- current average length of stay was 3.4 mos
- proposed average length of stay was 3.2 mos
- number of sentences was 7,378
- estimated number of proposed offenders was 5,075

### For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 12.6 mos
- number of sentences was 2,152
- estimated number of offenders was 435

### For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.9 mos
- current average length of stay was 13.8 mos
- proposed average length of stay was 12.5 mos
- number of sentences was 4,975
- estimated number of proposed offenders was 3,448

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts**  
**Proposal NonViolent Sentence Reduction 5%**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-67	-100	-100	-100	-100	-100	-100	-100	-100	-100
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-56	-227	-327	-380	-396	-407	-410	-412	-412	-412
<b>Prison AMP (Total)</b>	-56	-227	-327	-380	-396	-407	-410	-412	-412	-412

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-100	-100	-100	-100	-100	-100	-100	-100	-100	-100
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-412	-412	-412	-412	-412	-412	-413	-414	-414	-415
<b>Prison AMP (Total)</b>	-412	-412	-412	-412	-412	-412	-413	-414	-414	-415

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7348 POSS CNTL SUBS-OTHER EXC.PCP/FLUNIT	1583
7346 POSS CNTL SUBS SCH I/II OR FLUNIT	921
2552 THEFT 2	718
1102 ASSAULT 3 - POST 7/1/88	706
7315 MFG DEL P W/I HER COC (POST 6/30/02) (L7)	609
2316 BURG 2 (NONDWELLING)-POST 7/90	573
3002 FORGERY	532
2812 POSS STOLEN PROPERTY 2	492
7420 DEL OR P W/I METH - 1ST OFF (POST 6/30/98)	436
2502 THEFT 1	414
2310 RESIDENTIAL BURGLARY-POST 7/90	411
2566 IDENTITY THEFT 2 (POST 7/21/01)	345
7618 ATT. ELUDE POLICE VEHICLE	339
526 UNLAWFUL POSS OF FIREARM 2	331
470 DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	313
2728 TMVWOP 2	291
2804 POSS STOLEN PROPERTY 1	260
5160 BAIL JUMP W/ B or C-POST 7/89	251
7344 MFG DEL P W/I MARIJ - 1ST OFF	222
2730 POSSESSION OF STOLEN VEHICLE	187
2215 HARASSMENT	169
2172 MALICIOUS MISCHIEF 2	162
5424 TRAFFICKING IN STOLEN PROP 1	103
5062 ESCAPE 2	87
5426 TRAFFICKING IN STOLEN PROP 2	83
1926 FAIL TO REG AS SEX OFFENDER - SUBSEQ	77
7374 FORGED PRESCRIP VUCSA - 1ST	72
838 RAPE OF A CHILD 3-POST 7/90	64
7622 HIT AND RUN - INJURY (POST 6/7/00)	64
845 CHILD MOLESTATION 2-POST 7/90	59
2710 THEFT OF MOTOR VEHICLE	57
2564 IDENTITY THEFT 1 (POST 7/21/01)	56
2152 MALICIOUS MISCHIEF 1	54
1925 FAIL TO REG AS SEX OFFENDER - POST 7/24/99	52
525 UNLAWFUL POSS OF FIREARM 1	51
1022 ASSAULT 2 - POST 7/1/88	51
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	50
664 UNLAWFUL IMPRISONMENT	44
7410 MFG METH - 1ST OFFENSE (POST 6/30/98)	43
6500 RIOT	40
762 RAPE 3	39
472 VIOLATION OF FOREIGN PROTECTION ORDER	37
2924 ROBBERY 2	35
7335 MFG DEL P W/I HER COC 2+ (POST 6/30/02) (L7)	34
7645 DRIVING UNDER THE INFLUENCE (FEL)(POST 07/01/2007)	34
7664 VEH ASSAULT DISREGARD SAFETY (POST 7/21/01)	34
527 POSSESSION OF A STOLEN FIREARM	33
2947 THEFT OF A FIREARM (POST 7/22/95)	32
3010 CRIMINAL IMPERSONATION 1	25
5054 ESCAPE 1	25
846 CHILD MOLESTATION 3-POST 7/90	24
853 INDECENT LIB-DD VICTM-POST7/90	24
1144 CUSTODIAL ASSAULT - POST 7/89	22
2219 TELEPHONE HARASSMENT (POST 7/24/99)	21
5073 ESC FROM COMMUN CUST-POST 6/92	20
7424 DEL OR P W/I METH - SCH ZONE OFF (POST 6/30/98)	20
7440 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	19
4736 TAMPERING WITH A WITNESS	18
3353 UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	17

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
530 ALIEN IN POSSESSION OF A FIREARM	16
981 POSS DEPICTIONS OF MINORS (POST 06/07/06)	16
985 COMMUNICATION WITH A MINOR new	16
2902 ROBBERY 1	15
5454 MONEY LAUNDERING	15
7338 MFG DEL P W/I HER COC - SCH Z (POST 6/30/02) (L7)	14
7422 DEL OR P W/I METH - 2ND OFF (POST 6/30/98)	14
1100 ASSAULT OF A CHILD 3	13
7328 MFG DEL P W/I MARIJ -2ND OFFENSE	13
5174 INTIMIDATING A PUBLIC SERVANT	12
2622 ORGANIZED RETAIL THEFT 2	11
860 VOYEURISM	10
494 MALICIOUS HARASSMENT	9
2077 THREATS TO BOMB - POST 7/89	9
2238 STALKING (POST 6/30/00)	9
7892 ANIMAL CRUELTY 1	9
6862 PROMOTING PROSTITUTION 2	8
540 POSS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	7
979 POSS DEPICTIONS OF MINORS	7
2104 RECKLESS BURNING 1	7
2724 TMVWOP pre 6/13/02	7
5002 RENDERING CRIMINAL ASSTANCE 1	7
684 LURING OF CHILD	6
865 VOYEURISM (POST 06/07/06)	6
986 DEALING IN DEPIC. OF MINOR (POST 6/30/01)	6
2070 INCENDIARY DEVICES (POST 7/24/99)	6
926 INCEST 2	5
970 SEXUAL EXPLOITATN (POST 6/30/01)	5
2012 ARSON 2	5
2633 RETAIL THEFT W EXTENUATING CIRCUMST 3	5
2746 THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	5
4706 PERJURY 2	5
4734 INTIMIDATING A WITNESS	5
7323 MFG DEL P W/I MARIJ-SCH ZONE	5
7448 POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	5
7621 HIT AND RUN - DEATH (POST 7/21/01)	5
672 CUSTODIAL INTERFERENCE 1	4
1945 FAIL TO REG AS KIDNAPPER - POST 7/24/99	4
2526 THEFT 1 - WELFARE FRAUD	4
2632 RETAIL THEFT W EXTENUATING CIRCUMST 2	4
2726 TMVWOP 1	4
3253 SECURITY ACT VIOLATN-Post 7/89	4
7270 USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	4
7316 MFG DEL P W/I SC I/II NARC OR FLUNT-1ST OFF	4
7376 FORGED PRESCRIPTION VUCSA 2+	4
7414 MFG METH - SCH ZONE OFF (POST 6/30/98)	4
7488 MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	4
460 DRIVE- BY SHOOTING (POST 6/30/97)	3
870 CUSTODIAL SEXUAL MISCONDUCT 1	3
2302 BURGLARY 1	3
2748 THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	3
5208 POSSESSION OF CS- BY PRISONERS	3
5212 POSSESSION OF DEADLY WEAPON BY PRISONER	3
6804 INDECENT EXPOSURE (POST 7/24/99)	3
6852 PROMOTING PROSTITUTION 1	3
7306 OVER 18- DEL OTH TO MINOR	3
7350 POSS CS SCH I/II IN CORR FACIL	3
8220 VOTER REGISTRATION VIOLATION	3
458 PROTECT ORDR-DV CIVIL (RCW 26)	2
654 KIDNAPPING 2	2

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
924 INCEST 1	2
1020 ASSAULT OF A CHILD 2	2
1204 CRIMINAL MISTREATMENT 1	2
1214 CRIMINAL MISTREATMENT 2 (POST 6/7/06)	2
2250 GANG INTIMIDATION	2
2374 VEHICLE PROWL 1	2
2384 COMPUTER TRESPASS 1	2
2614 THEFT 2 - WELFARE FRAUD	2
2621 ORGANIZED RETAIL THEFT 1	2
2764 EXTORTION 2	2
3302 FORGERY	2
5074 WILL FAIL TO RTN FROM WORK REL	2
5157 BAIL JUMP W/ CLASS A-POST 7/89	2
5427 LEADING ORGANIZED CRIME	2
7305 INV MINR IN DRUG DEAL-Post7/89- 1ST	2
7442 M/ D/P W/ I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	2
523 DEL FIREARM TO INELIG PERSON	1
533 DELIVERY OF FIREARM BY DEALER TO INELIGIBLE PERSON	1
821 RAPE OF A CHILD 1 <18 (POST 8/31/01)	1
848 SEXUAL MISCONDUCT 1-POST 7/90	1
964 FAMILY ABANDONMENT	1
974 SEXUAL EXPLOITATN-U16-PRE 7/89	1
1223 ABANDON DEPENDENT PERSON 1	1
1226 ABANDONMENT OF DEPENDANT PERSONS 2 (POST 06/07/06)	1
1234 ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1
2002 ARSON 1	1
2562 IDENTITY THEFT	1
2631 RETAIL THEFT W EXTENUATING CIRCUMST 1	1
2735 THEFT OF LIVESTOCK 1	1
2736 THEFT OF LIVESTOCK 2	1
3133 THEFT OF TELECOMMUNICATIONS SVC	1
3143 UNLAWFUL SUBLEASING OF MOTOR VEHICLE	1
3204 INSURANCE FRAUD	1
3373 UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	1
4726 BRIBING A WITNESS	1
4754 INTIMIDATING A JUDGE	1
4760 MALICIOUS PROSECUTION	1
5158 BAIL JUMP W/ CLASS B-PRE 7/89	1
5435 USE OF PROCEEDS OF CRIM PROFIT	1
7021 PROFESSIONAL GAMBLING 1 (POST 7/26/97)	1
7122 UNLAWFUL STORAGE OF ANHYDROUS AMMONIA	1
7206 FORGED PRESCRIPTION VULDA	1
7208 SELL OR DELIVER LEGEND DRUGS	1
7302 CONTRLD SUB HOMICIDE-POST 7/89 -1ST	1
7304 OVER 18- DEL S I/II NARC/FLUNT/METH MINOR	1
7313 MFG DEL P W/ I HER COC (POST 6/30/02) (L8)	1
7317 MFG DEL P W/ I HER COC	1
7357 DEL MAT IN LIEU OF CS-POST7/89 -1ST	1
7662 VEH ASSAULT UNDER INFL/RECKLESS (POST 7/21/01)	1
7674 ILL TRANSFER OF MOTOR VEH CERT	1
8746 FALSE INFO IN INDUS INS CLAIM	1
9208 COMMERCIAL FISHING W/O A LICENSE - 1ST	1
9460 FALSE STATEMENT DEPT REVENUE	1

**PROPOSAL**  
**NONVIOLENT SENTENCE REDUCTION 10%**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 10% for offenses that are nonviolent and do not have a violent (including serious violent) offense in history
- Assumes that 50% earned release time will sunset
- Includes only jail sentences with a confinement time of 2 mos or greater. An offender with a sentence of 2 mos would average about 1.4 mos of the sentence in confinement.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Sentences where credit for time served was equal to the confinement length were excluded
- Only jail sentences with a confinement length of 2 mos or greater were included
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

## **Impact on prison and jail beds**

In FY08 there were 12,353 sentences applicable for the proposed 5 percent reduction.

### For the jail sentences:

- current average sentence length was 4.7 mos
- current average length of stay was 3.4 mos
- proposed average length of stay was 2.9 mos
- number of sentences was 7,378
- estimated number of proposed offenders was 5,075

### For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 11.5 mos
- number of sentences was 2,152
- estimated number of offenders was 435

### For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.9 mos
- current average length of stay was 13.8 mos
- proposed average length of stay was 11.2 mos
- number of sentences was 4,975
- estimated number of proposed offenders was 3,448

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts**  
**Proposal NonViolent Sentence Reduction 10%**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-139	-200	-200	-200	-200	-200	-200	-200	-200	-200
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-124	-469	-676	-767	-798	-817	-821	-824	-824	-824
<b>Prison AMP (Total)</b>	-124	-469	-676	-767	-798	-817	-821	-824	-824	-824

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-200	-200	-200	-200	-200	-200	-200	-200	-200	-200
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-824	-824	-824	-824	-824	-826	-827	-828	-830	-831
<b>Prison AMP (Total)</b>	-824	-824	-824	-824	-824	-826	-827	-828	-830	-831

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7348 POSS CNTL SUBS-OTHER EXC.PCP/FLUNIT	1583
7346 POSS CNTL SUBS SCH I/II OR FLUNIT	921
2552 THEFT 2	718
1102 ASSAULT 3 - POST 7/1/88	706
7315 MFG DEL P W/I HER COC (POST 6/30/02) (L7)	609
2316 BURG 2 (NONDWELLING)-POST 7/90	573
3002 FORGERY	532
2812 POSS STOLEN PROPERTY 2	492
7420 DEL OR P W/I METH - 1ST OFF (POST 6/30/98)	436
2502 THEFT 1	414
2310 RESIDENTIAL BURGLARY-POST 7/90	411
2566 IDENTITY THEFT 2 (POST 7/21/01)	345
7618 ATT. ELUDE POLICE VEHICLE	339
526 UNLAWFUL POSS OF FIREARM 2	331
470 DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	313
2728 TMVWOP 2	291
2804 POSS STOLEN PROPERTY 1	260
5160 BAIL JUMP W/ B or C-POST 7/89	251
7344 MFG DEL P W/I MARIJ - 1ST OFF	222
2730 POSSESSION OF STOLEN VEHICLE	187
2215 HARASSMENT	169
2172 MALICIOUS MISCHIEF 2	162
5424 TRAFFICKING IN STOLEN PROP 1	103
5062 ESCAPE 2	87
5426 TRAFFICKING IN STOLEN PROP 2	83
1926 FAIL TO REG AS SEX OFFENDER - SUBSEQ	77
7374 FORGED PRESCRIP VUCSA - 1ST	72
838 RAPE OF A CHILD 3-POST 7/90	64
7622 HIT AND RUN - INJURY (POST 6/7/00)	64
845 CHILD MOLESTATION 2-POST 7/90	59
2710 THEFT OF MOTOR VEHICLE	57
2564 IDENTITY THEFT 1 (POST 7/21/01)	56
2152 MALICIOUS MISCHIEF 1	54
1925 FAIL TO REG AS SEX OFFENDER - POST 7/24/99	52
525 UNLAWFUL POSS OF FIREARM 1	51
1022 ASSAULT 2 - POST 7/1/88	51
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	50
664 UNLAWFUL IMPRISONMENT	44
7410 MFG METH - 1ST OFFENSE (POST 6/30/98)	43
6500 RIOT	40
762 RAPE 3	39
472 VIOLATION OF FOREIGN PROTECTION ORDER	37
2924 ROBBERY 2	35
7335 MFG DEL P W/I HER COC 2+ (POST 6/30/02) (L7)	34
7645 DRIVING UNDER THE INFLUENCE (FEL)(POST 07/01/2007)	34
7664 VEH ASSAULT DISREGARD SAFETY (POST 7/21/01)	34
527 POSSESSION OF A STOLEN FIREARM	33
2947 THEFT OF A FIREARM (POST 7/22/95)	32
3010 CRIMINAL IMPERSONATION 1	25
5054 ESCAPE 1	25
846 CHILD MOLESTATION 3-POST 7/90	24
853 INDECENT LIB-DD VICTM-POST7/90	24
1144 CUSTODIAL ASSAULT - POST 7/89	22
2219 TELEPHONE HARASSMENT (POST 7/24/99)	21
5073 ESC FROM COMMUN CUST-POST 6/92	20
7424 DEL OR P W/I METH - SCH ZONE OFF (POST 6/30/98)	20
7440 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	19
4736 TAMPERING WITH A WITNESS	18
3353 UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	17

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
530 ALIEN IN POSSESSION OF A FIREARM	16
981 POSS DEPICTIONS OF MINORS (POST 06/07/06)	16
985 COMMUNICATION WITH A MINOR new	16
2902 ROBBERY 1	15
5454 MONEY LAUNDERING	15
7338 MFG DEL P W/I HER COC - SCH Z (POST 6/30/02) (L7)	14
7422 DEL OR P W/I METH - 2ND OFF (POST 6/30/98)	14
1100 ASSAULT OF A CHILD 3	13
7328 MFG DEL P W/I MARIJ -2ND OFFENSE	13
5174 INTIMIDATING A PUBLIC SERVANT	12
2622 ORGANIZED RETAIL THEFT 2	11
860 VOYEURISM	10
494 MALICIOUS HARASSMENT	9
2077 THREATS TO BOMB - POST 7/89	9
2238 STALKING (POST 6/30/00)	9
7892 ANIMAL CRUELTY 1	9
6862 PROMOTING PROSTITUTION 2	8
540 POSS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	7
979 POSS DEPICTIONS OF MINORS	7
2104 RECKLESS BURNING 1	7
2724 TMVWOP pre 6/13/02	7
5002 RENDERING CRIMINAL ASSTANCE 1	7
684 LURING OF CHILD	6
865 VOYEURISM (POST 06/07/06)	6
986 DEALING IN DEPIC. OF MINOR (POST 6/30/01)	6
2070 INCENDIARY DEVICES (POST 7/24/99)	6
926 INCEST 2	5
970 SEXUAL EXPLOITATN (POST 6/30/01)	5
2012 ARSON 2	5
2633 RETAIL THEFT W EXTENUATING CIRCUMST 3	5
2746 THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	5
4706 PERJURY 2	5
4734 INTIMIDATING A WITNESS	5
7323 MFG DEL P W/I MARIJ-SCH ZONE	5
7448 POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	5
7621 HIT AND RUN - DEATH (POST 7/21/01)	5
672 CUSTODIAL INTERFERENCE 1	4
1945 FAIL TO REG AS KIDNAPPER - POST 7/24/99	4
2526 THEFT 1 - WELFARE FRAUD	4
2632 RETAIL THEFT W EXTENUATING CIRCUMST 2	4
2726 TMVWOP 1	4
3253 SECURITY ACT VIOLATN-Post 7/89	4
7270 USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	4
7316 MFG DEL P W/I SC I/II NARC OR FLUNT-1ST OFF	4
7376 FORGED PRESCRIPTION VUCSA 2+	4
7414 MFG METH - SCH ZONE OFF (POST 6/30/98)	4
7488 MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	4
460 DRIVE- BY SHOOTING (POST 6/30/97)	3
870 CUSTODIAL SEXUAL MISCONDUCT 1	3
2302 BURGLARY 1	3
2748 THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	3
5208 POSSESSION OF CS- BY PRISONERS	3
5212 POSSESSION OF DEADLY WEAPON BY PRISONER	3
6804 INDECENT EXPOSURE (POST 7/24/99)	3
6852 PROMOTING PROSTITUTION 1	3
7306 OVER 18- DEL OTH TO MINOR	3
7350 POSS CS SCH I/II IN CORR FACIL	3
8220 VOTER REGISTRATION VIOLATION	3
458 PROTECT ORDR-DV CIVIL (RCW 26)	2
654 KIDNAPPING 2	2

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
924 INCEST 1	2
1020 ASSAULT OF A CHILD 2	2
1204 CRIMINAL MISTREATMENT 1	2
1214 CRIMINAL MISTREATMENT 2 (POST 6/7/06)	2
2250 GANG INTIMIDATION	2
2374 VEHICLE PROWL 1	2
2384 COMPUTER TRESPASS 1	2
2614 THEFT 2 - WELFARE FRAUD	2
2621 ORGANIZED RETAIL THEFT 1	2
2764 EXTORTION 2	2
3302 FORGERY	2
5074 WILL FAIL TO RTN FROM WORK REL	2
5157 BAIL JUMP W/ CLASS A-POST 7/89	2
5427 LEADING ORGANIZED CRIME	2
7305 INV MINR IN DRUG DEAL-Post7/89- 1ST	2
7442 M/ D/P W/ I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	2
523 DEL FIREARM TO INELIG PERSON	1
533 DELIVERY OF FIREARM BY DEALER TO INELIGIBLE PERSON	1
821 RAPE OF A CHILD 1 <18 (POST 8/31/01)	1
848 SEXUAL MISCONDUCT 1-POST 7/90	1
964 FAMILY ABANDONMENT	1
974 SEXUAL EXPLOITATN-U16-PRE 7/89	1
1223 ABANDON DEPENDENT PERSON 1	1
1226 ABANDONMENT OF DEPENDANT PERSONS 2 (POST 06/07/06)	1
1234 ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1
2002 ARSON 1	1
2562 IDENTITY THEFT	1
2631 RETAIL THEFT W EXTENUATING CIRCUMST 1	1
2735 THEFT OF LIVESTOCK 1	1
2736 THEFT OF LIVESTOCK 2	1
3133 THEFT OF TELECOMMUNICATIONS SVC	1
3143 UNLAWFUL SUBLEASING OF MOTOR VEHICLE	1
3204 INSURANCE FRAUD	1
3373 UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	1
4726 BRIBING A WITNESS	1
4754 INTIMIDATING A JUDGE	1
4760 MALICIOUS PROSECUTION	1
5158 BAIL JUMP W/ CLASS B-PRE 7/89	1
5435 USE OF PROCEEDS OF CRIM PROFIT	1
7021 PROFESSIONAL GAMBLING 1 (POST 7/26/97)	1
7122 UNLAWFUL STORAGE OF ANHYDROUS AMMONIA	1
7206 FORGED PRESCRIPTION VULDA	1
7208 SELL OR DELIVER LEGEND DRUGS	1
7302 CONTRLD SUB HOMICIDE-POST 7/89 -1ST	1
7304 OVER 18- DEL S I/II NARC/FLUNT/METH MINOR	1
7313 MFG DEL P W/ I HER COC (POST 6/30/02) (L8)	1
7317 MFG DEL P W/ I HER COC	1
7357 DEL MAT IN LIEU OF CS-POST7/89 -1ST	1
7662 VEH ASSAULT UNDER INFL/RECKLESS (POST 7/21/01)	1
7674 ILL TRANSFER OF MOTOR VEH CERT	1
8746 FALSE INFO IN INDUS INS CLAIM	1
9208 COMMERCIAL FISHING W/O A LICENSE - 1ST	1
9460 FALSE STATEMENT DEPT REVENUE	1

**PROPOSAL**  
**NONVIOLENT SENTENCE REDUCTION 15%**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 15% for offenses that are nonviolent and do not have a violent (including serious violent) offense in history
- Assumes that 50% earned release time will sunset
- Includes only jail sentences with a confinement time of 2 mos or greater. An offender with a sentence of 2 mos would average about 1.4 mos of the sentence in confinement.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Sentences where credit for time served was equal to the confinement length were excluded
- Only jail sentences with a confinement length of 2 mos or greater were included
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

### **Impact on prison and jail beds**

In FY08 there were 12,353 sentences applicable for the proposed 5 percent reduction.

#### For the jail sentences:

- current average sentence length was 4.7 mos
- current average length of stay was 3.4 mos
- proposed average length of stay was 2.7 mos
- number of sentences was 7,378
- estimated number of proposed offenders was 5,075

#### For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 10.3 mos
- number of sentences was 2,152
- estimated number of offenders was 435

#### For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.9 mos
- current average length of stay was 13.8 mos
- proposed average length of stay was 10.0 mos
- number of sentences was 4,975
- estimated number of proposed offenders was 3,448

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts**  
**Proposal Non Violent Sentence Reduction 15%**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-212	-300	-300	-300	-300	-300	-300	-300	-300	-300
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-208	-732	-1,042	-1,160	-1,204	-1,227	-1,233	-1,236	-1,236	-1,236
<b>Prison AMP (Total)</b>	-208	-732	-1,042	-1,160	-1,204	-1,227	-1,233	-1,236	-1,236	-1,236

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-300	-300	-300	-300	-300	-300	-300	-300	-300	-300
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-1,236	-1,236	-1,237	-1,237	-1,238	-1,240	-1,242	-1,244	-1,246	-1,247
<b>Prison AMP (Total)</b>	-1,236	-1,236	-1,237	-1,237	-1,238	-1,240	-1,242	-1,244	-1,246	-1,247

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7348 POSS CNTL SUBS-OTHER EXC.PCP/FLUNIT	1583
7346 POSS CNTL SUBS SCH I/II OR FLUNIT	921
2552 THEFT 2	718
1102 ASSAULT 3 - POST 7/1/88	706
7315 MFG DEL P W/I HER COC (POST 6/30/02) (L7)	609
2316 BURG 2 (NONDWELLING)-POST 7/90	573
3002 FORGERY	532
2812 POSS STOLEN PROPERTY 2	492
7420 DEL OR P W/I METH - 1ST OFF (POST 6/30/98)	436
2502 THEFT 1	414
2310 RESIDENTIAL BURGLARY-POST 7/90	411
2566 IDENTITY THEFT 2 (POST 7/21/01)	345
7618 ATT. ELUDE POLICE VEHICLE	339
526 UNLAWFUL POSS OF FIREARM 2	331
470 DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	313
2728 TMVWOP 2	291
2804 POSS STOLEN PROPERTY 1	260
5160 BAIL JUMP W/ B or C-POST 7/89	251
7344 MFG DEL P W/I MARIJ - 1ST OFF	222
2730 POSSESSION OF STOLEN VEHICLE	187
2215 HARASSMENT	169
2172 MALICIOUS MISCHIEF 2	162
5424 TRAFFICKING IN STOLEN PROP 1	103
5062 ESCAPE 2	87
5426 TRAFFICKING IN STOLEN PROP 2	83
1926 FAIL TO REG AS SEX OFFENDER - SUBSEQ	77
7374 FORGED PRESCRIP VUCSA - 1ST	72
838 RAPE OF A CHILD 3-POST 7/90	64
7622 HIT AND RUN - INJURY (POST 6/7/00)	64
845 CHILD MOLESTATION 2-POST 7/90	59
2710 THEFT OF MOTOR VEHICLE	57
2564 IDENTITY THEFT 1 (POST 7/21/01)	56
2152 MALICIOUS MISCHIEF 1	54
1925 FAIL TO REG AS SEX OFFENDER - POST 7/24/99	52
525 UNLAWFUL POSS OF FIREARM 1	51
1022 ASSAULT 2 - POST 7/1/88	51
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	50
664 UNLAWFUL IMPRISONMENT	44
7410 MFG METH - 1ST OFFENSE (POST 6/30/98)	43
6500 RIOT	40
762 RAPE 3	39
472 VIOLATION OF FOREIGN PROTECTION ORDER	37
2924 ROBBERY 2	35
7335 MFG DEL P W/I HER COC 2+ (POST 6/30/02) (L7)	34
7645 DRIVING UNDER THE INFLUENCE (FEL)(POST 07/01/2007)	34
7664 VEH ASSAULT DISREGARD SAFETY (POST 7/21/01)	34
527 POSSESSION OF A STOLEN FIREARM	33
2947 THEFT OF A FIREARM (POST 7/22/95)	32
3010 CRIMINAL IMPERSONATION 1	25
5054 ESCAPE 1	25
846 CHILD MOLESTATION 3-POST 7/90	24
853 INDECENT LIB-DD VICTM-POST7/90	24
1144 CUSTODIAL ASSAULT - POST 7/89	22
2219 TELEPHONE HARASSMENT (POST 7/24/99)	21
5073 ESC FROM COMMUN CUST-POST 6/92	20
7424 DEL OR P W/I METH - SCH ZONE OFF (POST 6/30/98)	20
7440 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	19
4736 TAMPERING WITH A WITNESS	18
3353 UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	17

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
530 ALIEN IN POSSESSION OF A FIREARM	16
981 POSS DEPICTIONS OF MINORS (POST 06/07/06)	16
985 COMMUNICATION WITH A MINOR new	16
2902 ROBBERY 1	15
5454 MONEY LAUNDERING	15
7338 MFG DEL P W/I HER COC - SCH Z (POST 6/30/02) (L7)	14
7422 DEL OR P W/I METH - 2ND OFF (POST 6/30/98)	14
1100 ASSAULT OF A CHILD 3	13
7328 MFG DEL P W/I MARIJ -2ND OFFENSE	13
5174 INTIMIDATING A PUBLIC SERVANT	12
2622 ORGANIZED RETAIL THEFT 2	11
860 VOYEURISM	10
494 MALICIOUS HARASSMENT	9
2077 THREATS TO BOMB - POST 7/89	9
2238 STALKING (POST 6/30/00)	9
7892 ANIMAL CRUELTY 1	9
6862 PROMOTING PROSTITUTION 2	8
540 POSS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	7
979 POSS DEPICTIONS OF MINORS	7
2104 RECKLESS BURNING 1	7
2724 TMVWOP pre 6/13/02	7
5002 RENDERING CRIMINAL ASSTANCE 1	7
684 LURING OF CHILD	6
865 VOYEURISM (POST 06/07/06)	6
986 DEALING IN DEPIC. OF MINOR (POST 6/30/01)	6
2070 INCENDIARY DEVICES (POST 7/24/99)	6
926 INCEST 2	5
970 SEXUAL EXPLOITATN (POST 6/30/01)	5
2012 ARSON 2	5
2633 RETAIL THEFT W EXTENUATING CIRCUMST 3	5
2746 THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	5
4706 PERJURY 2	5
4734 INTIMIDATING A WITNESS	5
7323 MFG DEL P W/I MARIJ-SCH ZONE	5
7448 POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	5
7621 HIT AND RUN - DEATH (POST 7/21/01)	5
672 CUSTODIAL INTERFERENCE 1	4
1945 FAIL TO REG AS KIDNAPPER - POST 7/24/99	4
2526 THEFT 1 - WELFARE FRAUD	4
2632 RETAIL THEFT W EXTENUATING CIRCUMST 2	4
2726 TMVWOP 1	4
3253 SECURITY ACT VIOLATN-Post 7/89	4
7270 USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	4
7316 MFG DEL P W/I SC I/II NARC OR FLUNT-1ST OFF	4
7376 FORGED PRESCRIPTION VUCSA 2+	4
7414 MFG METH - SCH ZONE OFF (POST 6/30/98)	4
7488 MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	4
460 DRIVE- BY SHOOTING (POST 6/30/97)	3
870 CUSTODIAL SEXUAL MISCONDUCT 1	3
2302 BURGLARY 1	3
2748 THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	3
5208 POSSESSION OF CS- BY PRISONERS	3
5212 POSSESSION OF DEADLY WEAPON BY PRISONER	3
6804 INDECENT EXPOSURE (POST 7/24/99)	3
6852 PROMOTING PROSTITUTION 1	3
7306 OVER 18- DEL OTH TO MINOR	3
7350 POSS CS SCH I/II IN CORR FACIL	3
8220 VOTER REGISTRATION VIOLATION	3
458 PROTECT ORDR-DV CIVIL (RCW 26)	2
654 KIDNAPPING 2	2

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
924 INCEST 1	2
1020 ASSAULT OF A CHILD 2	2
1204 CRIMINAL MISTREATMENT 1	2
1214 CRIMINAL MISTREATMENT 2 (POST 6/7/06)	2
2250 GANG INTIMIDATION	2
2374 VEHICLE PROWL 1	2
2384 COMPUTER TRESPASS 1	2
2614 THEFT 2 - WELFARE FRAUD	2
2621 ORGANIZED RETAIL THEFT 1	2
2764 EXTORTION 2	2
3302 FORGERY	2
5074 WILL FAIL TO RTN FROM WORK REL	2
5157 BAIL JUMP W/ CLASS A-POST 7/89	2
5427 LEADING ORGANIZED CRIME	2
7305 INV MINR IN DRUG DEAL-Post7/89- 1ST	2
7442 M/ D/P W/ I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	2
523 DEL FIREARM TO INELIG PERSON	1
533 DELIVERY OF FIREARM BY DEALER TO INELIGIBLE PERSON	1
821 RAPE OF A CHILD 1 <18 (POST 8/31/01)	1
848 SEXUAL MISCONDUCT 1-POST 7/90	1
964 FAMILY ABANDONMENT	1
974 SEXUAL EXPLOITATN-U16-PRE 7/89	1
1223 ABANDON DEPENDENT PERSON 1	1
1226 ABANDONMENT OF DEPENDANT PERSONS 2 (POST 06/07/06)	1
1234 ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1
2002 ARSON 1	1
2562 IDENTITY THEFT	1
2631 RETAIL THEFT W EXTENUATING CIRCUMST 1	1
2735 THEFT OF LIVESTOCK 1	1
2736 THEFT OF LIVESTOCK 2	1
3133 THEFT OF TELECOMMUNICATIONS SVC	1
3143 UNLAWFUL SUBLEASING OF MOTOR VEHICLE	1
3204 INSURANCE FRAUD	1
3373 UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	1
4726 BRIBING A WITNESS	1
4754 INTIMIDATING A JUDGE	1
4760 MALICIOUS PROSECUTION	1
5158 BAIL JUMP W/ CLASS B-PRE 7/89	1
5435 USE OF PROCEEDS OF CRIM PROFIT	1
7021 PROFESSIONAL GAMBLING 1 (POST 7/26/97)	1
7122 UNLAWFUL STORAGE OF ANHYDROUS AMMONIA	1
7206 FORGED PRESCRIPTION VULDA	1
7208 SELL OR DELIVER LEGEND DRUGS	1
7302 CONTRLD SUB HOMICIDE-POST 7/89 -1ST	1
7304 OVER 18- DEL S I/II NARC/FLUNT/METH MINOR	1
7313 MFG DEL P W/ I HER COC (POST 6/30/02) (L8)	1
7317 MFG DEL P W/ I HER COC	1
7357 DEL MAT IN LIEU OF CS-POST7/89 -1ST	1
7662 VEH ASSAULT UNDER INFL/RECKLESS (POST 7/21/01)	1
7674 ILL TRANSFER OF MOTOR VEH CERT	1
8746 FALSE INFO IN INDUS INS CLAIM	1
9208 COMMERCIAL FISHING W/O A LICENSE - 1ST	1
9460 FALSE STATEMENT DEPT REVENUE	1

**PROPOSAL**  
**NONVIOLENT SENTENCE REDUCTION OF 30 DAYS**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 30 days for offenses that are nonviolent and do not have a violent (including serious violent) offense in history
- Assumes that 50% earned release time will sunset
- Includes only jail sentences with a confinement time of 6 mos or greater. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 30 days would be subtracted.

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences where current offenses are not considered violent offense and where there is no history of a violent or offense.
- Only jail sentences with a confinement length of 6 mos or greater were included
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

### **Impact on prison and jail beds.**

In FY08 there were 7,685 sentences applicable for the proposed 30 day reduction.

#### For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 4.5 mos
- number of sentences was 2,710
- estimated number of proposed offenders was 1,861

#### For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 12.7 mos
- number of sentences was 2,152
- estimated number of offenders was 435

#### For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.9 mos
- current average length of stay was 13.8 mos
- proposed average length of stay was 12.8 mos
- number of sentences was 4,975
- estimated number of proposed offenders was 3,448

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts**  
**Proposal NonViolent Sent Reduction of 30 Days**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-97	-155	-155	-155	-155	-155	-155	-155	-155	-155
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-81	-252	-297	-316	-320	-322	-323	-323	-323	-323
<b>Prison AMP (Total)</b>	-81	-252	-297	-316	-320	-322	-323	-323	-323	-323

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-155	-155	-155	-155	-155	-155	-155	-155	-155	-155
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-323	-323	-323	-323	-323	-323	-323	-323	-323	-323
<b>Prison AMP (Total)</b>	-323	-323	-323	-323	-323	-323	-323	-323	-323	-323

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7348 POSS CNTL SUBS-OTHER EXC.PCP/FLUNIT	1070
7346 POSS CNTL SUBS SCH I/II OR FLUNIT	661
7315 MFG DEL P W/I HER COC (POST 6/30/02) (L7)	489
7420 DEL OR P W/I METH - 1ST OFF (POST 6/30/98)	405
2316 BURG 2 (NONDWELLING)-POST 7/90	331
2310 RESIDENTIAL BURGLARY-POST 7/90	318
470 DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	310
1102 ASSAULT 3 - POST 7/1/88	307
2552 THEFT 2	280
3002 FORGERY	241
2812 POSS STOLEN PROPERTY 2	236
2566 IDENTITY THEFT 2 (POST 7/21/01)	224
2502 THEFT 1	203
526 UNLAWFUL POSS OF FIREARM 2	179
2804 POSS STOLEN PROPERTY 1	164
7618 ATT. ELUDE POLICE VEHICLE	155
5160 BAIL JUMP W/ B or C-POST 7/89	139
2728 TMVWOP 2	138
2730 POSSESSION OF STOLEN VEHICLE	132
7344 MFG DEL P W/I MARIJ - 1ST OFF	106
5424 TRAFFICKING IN STOLEN PROP 1	86
1926 FAIL TO REG AS SEX OFFENDER - SUBSEQ	77
2215 HARASSMENT	65
838 RAPE OF A CHILD 3-POST 7/90	64
845 CHILD MOLESTATION 2-POST 7/90	59
5062 ESCAPE 2	59
7374 FORGED PRESCRIP VUCSA - 1ST	53
525 UNLAWFUL POSS OF FIREARM 1	51
2564 IDENTITY THEFT 1 (POST 7/21/01)	51
5426 TRAFFICKING IN STOLEN PROP 2	50
7622 HIT AND RUN - INJURY (POST 6/7/00)	45
2172 MALICIOUS MISCHIEF 2	40
762 RAPE 3	38
2710 THEFT OF MOTOR VEHICLE	36
7645 DRIVING UNDER THE INFLUENCE (FEL)(POST 07/01/2007)	34
7410 MFG METH - 1ST OFFENSE (POST 6/30/98)	33
527 POSSESSION OF A STOLEN FIREARM	32
2947 THEFT OF A FIREARM (POST 7/22/95)	32
7335 MFG DEL P W/I HER COC 2+ (POST 6/30/02) (L7)	31
472 VIOLATION OF FOREIGN PROTECTION ORDER	25
846 CHILD MOLESTATION 3-POST 7/90	24
853 INDECENT LIB-DD VICTM-POST7/90	24
1022 ASSAULT 2 - POST 7/1/88	23
2152 MALICIOUS MISCHIEF 1	23
5054 ESCAPE 1	23
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	22
6500 RIOT	21
664 UNLAWFUL IMPRISONMENT	20
2924 ROBBERY 2	20
7424 DEL OR P W/I METH - SCH ZONE OFF (POST 6/30/98)	20
1925 FAIL TO REG AS SEX OFFENDER - POST 7/24/99	17
981 POSS DEPICTIONS OF MINORS (POST 06/07/06)	16
1144 CUSTODIAL ASSAULT - POST 7/89	15
2902 ROBBERY 1	15
4736 TAMPERING WITH A WITNESS	14
7338 MFG DEL P W/I HER COC - SCH Z (POST 6/30/02) (L7)	14
7422 DEL OR P W/I METH - 2ND OFF (POST 6/30/98)	13
7664 VEH ASSAULT DISREGARD SAFETY (POST 7/21/01)	13
2219 TELEPHONE HARASSMENT (POST 7/24/99)	11

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
3010 CRIMINAL IMPERSONATION 1	11
7328 MFG DEL P W/I MARIJ -2ND OFFENSE	11
7440 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	11
2238 STALKING (POST 6/30/00)	9
985 COMMUNICATION WITH A MINOR new	7
3353 UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	7
5002 RENDERING CRIMINAL ASSTANCE 1	7
5454 MONEY LAUNDERING	7
986 DEALING IN DEPIC. OF MINOR (POST 6/30/01)	6
2077 THREATS TO BOMB - POST 7/89	6
2622 ORGANIZED RETAIL THEFT 2	6
5174 INTIMIDATING A PUBLIC SERVANT	6
494 MALICIOUS HARASSMENT	5
540 POSS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	5
926 INCEST 2	5
970 SEXUAL EXPLOITATN (POST 6/30/01)	5
1100 ASSAULT OF A CHILD 3	5
4734 INTIMIDATING A WITNESS	5
7323 MFG DEL P W/I MARIJ-SCH ZONE	5
7621 HIT AND RUN - DEATH (POST 7/21/01)	5
860 VOYEURISM	4
865 VOYEURISM (POST 06/07/06)	4
979 POSS DEPICTIONS OF MINORS	4
1945 FAIL TO REG AS KIDNAPPER - POST 7/24/99	4
2012 ARSON 2	4
2726 TMVWOP 1	4
5073 ESC FROM COMMUN CUST-POST 6/92	4
7414 MFG METH - SCH ZONE OFF (POST 6/30/98)	4
7448 POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	4
7488 MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	4
7892 ANIMAL CRUELTY 1	4
460 DRIVE- BY SHOOTING (POST 6/30/97)	3
672 CUSTODIAL INTERFERENCE 1	3
870 CUSTODIAL SEXUAL MISCONDUCT 1	3
2070 INCENDIARY DEVICES (POST 7/24/99)	3
2104 RECKLESS BURNING 1	3
2302 BURGLARY 1	3
2748 THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	3
3253 SECURITY ACT VIOLATN-Post 7/89	3
6852 PROMOTING PROSTITUTION 1	3
7306 OVER 18- DEL OTH TO MINOR	3
7316 MFG DEL P W/I SC I/II NARC OR FLUNT-1ST OFF	3
7350 POSS CS SCH I/II IN CORR FACIL	3
7376 FORGED PRESCRIPTION VUCSA 2+	3
530 ALIEN IN POSSESSION OF A FIREARM	2
654 KIDNAPPING 2	2
924 INCEST 1	2
1020 ASSAULT OF A CHILD 2	2
1204 CRIMINAL MISTREATMENT 1	2
1214 CRIMINAL MISTREATMENT 2 (POST 6/7/06)	2
2250 GANG INTIMIDATION	2
2374 VEHICLE PROWL 1	2
2384 COMPUTER TRESPASS 1	2
2724 TMVWOP pre 6/13/02	2
3302 FORGERY	2
5157 BAIL JUMP W/ CLASS A-POST 7/89	2
5427 LEADING ORGANIZED CRIME	2
6804 INDECENT EXPOSURE (POST 7/24/99)	2
6862 PROMOTING PROSTITUTION 2	2
7270 USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	2

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7305 INV MINR IN DRUG DEAL-Post7/89- 1ST	2
458 PROTECT ORDR-DV CIVIL (RCW 26)	1
684 LURING OF CHILD	1
821 RAPE OF A CHILD 1 <18 (POST 8/31/01)	1
848 SEXUAL MISCONDUCT 1-POST 7/90	1
964 FAMILY ABANDONMENT	1
974 SEXUAL EXPLOITATN-U16-PRE 7/89	1
1223 ABANDON DEPENDENT PERSON 1	1
1226 ABANDONMENT OF DEPENDANT PERSONS 2 (POST 06/07/06)	1
1234 ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1
2002 ARSON 1	1
2526 THEFT 1 - WELFARE FRAUD	1
2632 RETAIL THEFT W EXTENUATING CIRCUMST 2	1
2633 RETAIL THEFT W EXTENUATING CIRCUMST 3	1
2736 THEFT OF LIVESTOCK 2	1
2746 THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	1
2764 EXTORTION 2	1
3133 THEFT OF TELECOMMUNICATIONS SVC	1
3143 UNLAWFUL SUBLEASING OF MOTOR VEHICLE	1
3204 INSURANCE FRAUD	1
4706 PERJURY 2	1
4726 BRIBING A WITNESS	1
4754 INTIMIDATING A JUDGE	1
5158 BAIL JUMP W/ CLASS B-PRE 7/89	1
5208 POSSESSION OF CS- BY PRISONERS	1
5212 POSSESSION OF DEADLY WEAPON BY PRISONER	1
5435 USE OF PROCEEDS OF CRIM PROFIT	1
7122 UNLAWFUL STORAGE OF ANHYDROUS AMMONIA	1
7206 FORGED PRESCRIPTION VULDA	1
7302 CONTRLD SUB HOMICIDE-POST 7/89 -1ST	1
7304 OVER 18- DEL S I/II NARC/FLUNT/METH MINOR	1
7313 MFG DEL P W/I HER COC (POST 6/30/02) (L8)	1
7317 MFG DEL P W/I HER COC	1
7357 DEL MAT IN LIEU OF CS-POST7/89 -1ST	1
7442 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	1
7674 ILL TRANSFER OF MOTOR VEH CERT	1
9208 COMMERCIAL FISHING W/O A LICENSE - 1ST	1
9460 FALSE STATEMENT DEPT REVENUE	1

**PROPOSAL**  
**NONVIOLENT SENTENCE REDUCTION OF 45 DAYS**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 45 days for offenses that are nonviolent and do not have a violent (including serious violent) offense in history
- Assumes that 50% earned release time will sunset
- Includes only jail sentences with a confinement time of 6 mos or greater. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 45 days would be subtracted.

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences where current offenses are not considered violent offense and where there is no history of a violent or offense.
- Only jail sentences with a confinement length of 6 mos or greater were included
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

### **Impact on prison and jail beds.**

In FY08 there were 7,685 sentences applicable for the proposed 45 day reduction.

#### For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 4.0 mos
- number of sentences was 2,710
- estimated number of proposed offenders was 1,861

#### For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 12.2 mos
- number of sentences was 2,152
- estimated number of offenders was 435

#### For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.9 mos
- current average length of stay was 13.8 mos
- proposed average length of stay was 12.3 mos
- number of sentences was 4,975
- estimated number of proposed offenders was 3,448

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts  
 Proposal NonViolent Sent Reduction of 45 Days  
 Sentencing Guidelines Commission  
 September 1, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-150	-233	-233	-233	-233	-233	-233	-233	-233	-233
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSAs)</b>	-128	-380	-446	-474	-480	-483	-485	-485	-485	-485
<b>Prison AMP (Total)</b>	-128	-380	-446	-474	-480	-483	-485	-485	-485	-485

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-233	-233	-233	-233	-233	-233	-233	-233	-233	-233
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSAs)</b>	-485	-485	-485	-485	-485	-485	-485	-485	-485	-485
<b>Prison AMP (Total)</b>	-485	-485	-485	-485	-485	-485	-485	-485	-485	-485

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7348 POSS CNTL SUBS-OTHER EXC.PCP/FLUNIT	1070
7346 POSS CNTL SUBS SCH I/II OR FLUNIT	661
7315 MFG DEL P W/I HER COC (POST 6/30/02) (L7)	489
7420 DEL OR P W/I METH - 1ST OFF (POST 6/30/98)	405
2316 BURG 2 (NONDWELLING)-POST 7/90	331
2310 RESIDENTIAL BURGLARY-POST 7/90	318
470 DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	310
1102 ASSAULT 3 - POST 7/1/88	307
2552 THEFT 2	280
3002 FORGERY	241
2812 POSS STOLEN PROPERTY 2	236
2566 IDENTITY THEFT 2 (POST 7/21/01)	224
2502 THEFT 1	203
526 UNLAWFUL POSS OF FIREARM 2	179
2804 POSS STOLEN PROPERTY 1	164
7618 ATT. ELUDE POLICE VEHICLE	155
5160 BAIL JUMP W/ B or C-POST 7/89	139
2728 TMVWOP 2	138
2730 POSSESSION OF STOLEN VEHICLE	132
7344 MFG DEL P W/I MARIJ - 1ST OFF	106
5424 TRAFFICKING IN STOLEN PROP 1	86
1926 FAIL TO REG AS SEX OFFENDER - SUBSEQ	77
2215 HARASSMENT	65
838 RAPE OF A CHILD 3-POST 7/90	64
845 CHILD MOLESTATION 2-POST 7/90	59
5062 ESCAPE 2	59
7374 FORGED PRESCRIP VUCSA - 1ST	53
525 UNLAWFUL POSS OF FIREARM 1	51
2564 IDENTITY THEFT 1 (POST 7/21/01)	51
5426 TRAFFICKING IN STOLEN PROP 2	50
7622 HIT AND RUN - INJURY (POST 6/7/00)	45
2172 MALICIOUS MISCHIEF 2	40
762 RAPE 3	38
2710 THEFT OF MOTOR VEHICLE	36
7645 DRIVING UNDER THE INFLUENCE (FEL)(POST 07/01/2007)	34
7410 MFG METH - 1ST OFFENSE (POST 6/30/98)	33
527 POSSESSION OF A STOLEN FIREARM	32
2947 THEFT OF A FIREARM (POST 7/22/95)	32
7335 MFG DEL P W/I HER COC 2+ (POST 6/30/02) (L7)	31
472 VIOLATION OF FOREIGN PROTECTION ORDER	25
846 CHILD MOLESTATION 3-POST 7/90	24
853 INDECENT LIB-DD VICTM-POST7/90	24
1022 ASSAULT 2 - POST 7/1/88	23
2152 MALICIOUS MISCHIEF 1	23
5054 ESCAPE 1	23
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	22
6500 RIOT	21
664 UNLAWFUL IMPRISONMENT	20
2924 ROBBERY 2	20
7424 DEL OR P W/I METH - SCH ZONE OFF (POST 6/30/98)	20
1925 FAIL TO REG AS SEX OFFENDER - POST 7/24/99	17
981 POSS DEPICTIONS OF MINORS (POST 06/07/06)	16
1144 CUSTODIAL ASSAULT - POST 7/89	15
2902 ROBBERY 1	15
4736 TAMPERING WITH A WITNESS	14
7338 MFG DEL P W/I HER COC - SCH Z (POST 6/30/02) (L7)	14
7422 DEL OR P W/I METH - 2ND OFF (POST 6/30/98)	13
7664 VEH ASSAULT DISREGARD SAFETY (POST 7/21/01)	13
2219 TELEPHONE HARASSMENT (POST 7/24/99)	11

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
3010 CRIMINAL IMPERSONATION 1	11
7328 MFG DEL P W/I MARIJ -2ND OFFENSE	11
7440 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	11
2238 STALKING (POST 6/30/00)	9
985 COMMUNICATION WITH A MINOR new	7
3353 UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	7
5002 RENDERING CRIMINAL ASSTANCE 1	7
5454 MONEY LAUNDERING	7
986 DEALING IN DEPIC. OF MINOR (POST 6/30/01)	6
2077 THREATS TO BOMB - POST 7/89	6
2622 ORGANIZED RETAIL THEFT 2	6
5174 INTIMIDATING A PUBLIC SERVANT	6
494 MALICIOUS HARASSMENT	5
540 POSS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	5
926 INCEST 2	5
970 SEXUAL EXPLOITATN (POST 6/30/01)	5
1100 ASSAULT OF A CHILD 3	5
4734 INTIMIDATING A WITNESS	5
7323 MFG DEL P W/I MARIJ-SCH ZONE	5
7621 HIT AND RUN - DEATH (POST 7/21/01)	5
860 VOYEURISM	4
865 VOYEURISM (POST 06/07/06)	4
979 POSS DEPICTIONS OF MINORS	4
1945 FAIL TO REG AS KIDNAPPER - POST 7/24/99	4
2012 ARSON 2	4
2726 TMVWOP 1	4
5073 ESC FROM COMMUN CUST-POST 6/92	4
7414 MFG METH - SCH ZONE OFF (POST 6/30/98)	4
7448 POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	4
7488 MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	4
7892 ANIMAL CRUELTY 1	4
460 DRIVE- BY SHOOTING (POST 6/30/97)	3
672 CUSTODIAL INTERFERENCE 1	3
870 CUSTODIAL SEXUAL MISCONDUCT 1	3
2070 INCENDIARY DEVICES (POST 7/24/99)	3
2104 RECKLESS BURNING 1	3
2302 BURGLARY 1	3
2748 THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	3
3253 SECURITY ACT VIOLATN-Post 7/89	3
6852 PROMOTING PROSTITUTION 1	3
7306 OVER 18- DEL OTH TO MINOR	3
7316 MFG DEL P W/I SC I/II NARC OR FLUNT-1ST OFF	3
7350 POSS CS SCH I/II IN CORR FACIL	3
7376 FORGED PRESCRIPTION VUCSA 2+	3
530 ALIEN IN POSSESSION OF A FIREARM	2
654 KIDNAPPING 2	2
924 INCEST 1	2
1020 ASSAULT OF A CHILD 2	2
1204 CRIMINAL MISTREATMENT 1	2
1214 CRIMINAL MISTREATMENT 2 (POST 6/7/06)	2
2250 GANG INTIMIDATION	2
2374 VEHICLE PROWL 1	2
2384 COMPUTER TRESPASS 1	2
2724 TMVWOP pre 6/13/02	2
3302 FORGERY	2
5157 BAIL JUMP W/ CLASS A-POST 7/89	2
5427 LEADING ORGANIZED CRIME	2
6804 INDECENT EXPOSURE (POST 7/24/99)	2
6862 PROMOTING PROSTITUTION 2	2
7270 USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	2

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7305 INV MINR IN DRUG DEAL-Post7/89- 1ST	2
458 PROTECT ORDR-DV CIVIL (RCW 26)	1
684 LURING OF CHILD	1
821 RAPE OF A CHILD 1 <18 (POST 8/31/01)	1
848 SEXUAL MISCONDUCT 1-POST 7/90	1
964 FAMILY ABANDONMENT	1
974 SEXUAL EXPLOITATN-U16-PRE 7/89	1
1223 ABANDON DEPENDENT PERSON 1	1
1226 ABANDONMENT OF DEPENDANT PERSONS 2 (POST 06/07/06)	1
1234 ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1
2002 ARSON 1	1
2526 THEFT 1 - WELFARE FRAUD	1
2632 RETAIL THEFT W EXTENUATING CIRCUMST 2	1
2633 RETAIL THEFT W EXTENUATING CIRCUMST 3	1
2736 THEFT OF LIVESTOCK 2	1
2746 THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	1
2764 EXTORTION 2	1
3133 THEFT OF TELECOMMUNICATIONS SVC	1
3143 UNLAWFUL SUBLEASING OF MOTOR VEHICLE	1
3204 INSURANCE FRAUD	1
4706 PERJURY 2	1
4726 BRIBING A WITNESS	1
4754 INTIMIDATING A JUDGE	1
5158 BAIL JUMP W/ CLASS B-PRE 7/89	1
5208 POSSESSION OF CS- BY PRISONERS	1
5212 POSSESSION OF DEADLY WEAPON BY PRISONER	1
5435 USE OF PROCEEDS OF CRIM PROFIT	1
7122 UNLAWFUL STORAGE OF ANHYDROUS AMMONIA	1
7206 FORGED PRESCRIPTION VULDA	1
7302 CONTRLD SUB HOMICIDE-POST 7/89 -1ST	1
7304 OVER 18- DEL S I/II NARC/FLUNT/METH MINOR	1
7313 MFG DEL P W/I HER COC (POST 6/30/02) (L8)	1
7317 MFG DEL P W/I HER COC	1
7357 DEL MAT IN LIEU OF CS-POST7/89 -1ST	1
7442 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	1
7674 ILL TRANSFER OF MOTOR VEH CERT	1
9208 COMMERCIAL FISHING W/O A LICENSE - 1ST	1
9460 FALSE STATEMENT DEPT REVENUE	1

**PROPOSAL**  
**NONVIOLENT SENTENCE REDUCTION OF 60 DAYS**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

**SUMMARY**

This proposal:

- Reduces sentence lengths by 60 days for offenses that are nonviolent and do not have a violent (including serious violent) offense in history
- Assumes that 50% earned release time will sunset
- Includes only jail sentences with a confinement time of 6 mos or greater. An offender with a sentence of 6 mos would average about 4.3 mos of the sentence in confinement. It is from the 4.3 mos that the 60 days would be subtracted.

**Assumptions.**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated without a phase-in factor
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Data excludes FTOW, SSOSA, DOSA, exceptional and Death and Life Without Parole sentences.
- Data excludes any sentences where current offenses are not considered violent offense and where there is no history of a violent or offense.
- Only jail sentences with a confinement length of 6 mos or greater were included
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

### **Impact on prison and jail beds.**

In FY08 there were 7,685 sentences applicable for the proposed 60 day reduction.

#### For the jail sentences:

- current average sentence length was 7.6 mos
- current average length of stay was 5.5 mos
- proposed average length of stay was 3.5 mos
- number of sentences was 2,710
- estimated number of proposed offenders was 1,861

#### For the prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 11.7 mos
- number of sentences was 2,152
- estimated number of offenders was 435

#### For the prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 25.9 mos
- current average length of stay was 13.8 mos
- proposed average length of stay was 11.8 mos
- number of sentences was 4,975
- estimated number of proposed offenders was 3,448

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts**  
**Proposal NonViolent Sent Reduction of 60 Days**  
**Sentencing Guidelines Commission**  
**September 1, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-207	-310	-310	-310	-310	-310	-310	-310	-310	-310
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-180	-510	-596	-632	-640	-645	-646	-646	-647	-647
<b>Prison AMP (Total)</b>	-180	-510	-596	-632	-640	-645	-646	-646	-647	-647

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-310	-310	-310	-310	-310	-310	-310	-310	-310	-310
<b>Prison AMP (DOSAs)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-647	-647	-647	-647	-647	-647	-647	-647	-647	-647
<b>Prison AMP (Total)</b>	-647	-647	-647	-647	-647	-647	-647	-647	-647	-647

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7348 POSS CNTL SUBS-OTHER EXC.PCP/FLUNIT	1070
7346 POSS CNTL SUBS SCH I/II OR FLUNIT	661
7315 MFG DEL P W/I HER COC (POST 6/30/02) (L7)	489
7420 DEL OR P W/I METH - 1ST OFF (POST 6/30/98)	405
2316 BURG 2 (NONDWELLING)-POST 7/90	331
2310 RESIDENTIAL BURGLARY-POST 7/90	318
470 DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	310
1102 ASSAULT 3 - POST 7/1/88	307
2552 THEFT 2	280
3002 FORGERY	241
2812 POSS STOLEN PROPERTY 2	236
2566 IDENTITY THEFT 2 (POST 7/21/01)	224
2502 THEFT 1	203
526 UNLAWFUL POSS OF FIREARM 2	179
2804 POSS STOLEN PROPERTY 1	164
7618 ATT. ELUDE POLICE VEHICLE	155
5160 BAIL JUMP W/ B or C-POST 7/89	139
2728 TMVWOP 2	138
2730 POSSESSION OF STOLEN VEHICLE	132
7344 MFG DEL P W/I MARIJ - 1ST OFF	106
5424 TRAFFICKING IN STOLEN PROP 1	86
1926 FAIL TO REG AS SEX OFFENDER - SUBSEQ	77
2215 HARASSMENT	65
838 RAPE OF A CHILD 3-POST 7/90	64
845 CHILD MOLESTATION 2-POST 7/90	59
5062 ESCAPE 2	59
7374 FORGED PRESCRIP VUCSA - 1ST	53
525 UNLAWFUL POSS OF FIREARM 1	51
2564 IDENTITY THEFT 1 (POST 7/21/01)	51
5426 TRAFFICKING IN STOLEN PROP 2	50
7622 HIT AND RUN - INJURY (POST 6/7/00)	45
2172 MALICIOUS MISCHIEF 2	40
762 RAPE 3	38
2710 THEFT OF MOTOR VEHICLE	36
7645 DRIVING UNDER THE INFLUENCE (FEL)(POST 07/01/2007)	34
7410 MFG METH - 1ST OFFENSE (POST 6/30/98)	33
527 POSSESSION OF A STOLEN FIREARM	32
2947 THEFT OF A FIREARM (POST 7/22/95)	32
7335 MFG DEL P W/I HER COC 2+ (POST 6/30/02) (L7)	31
472 VIOLATION OF FOREIGN PROTECTION ORDER	25
846 CHILD MOLESTATION 3-POST 7/90	24
853 INDECENT LIB-DD VICTM-POST7/90	24
1022 ASSAULT 2 - POST 7/1/88	23
2152 MALICIOUS MISCHIEF 1	23
5054 ESCAPE 1	23
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	22
6500 RIOT	21
664 UNLAWFUL IMPRISONMENT	20
2924 ROBBERY 2	20
7424 DEL OR P W/I METH - SCH ZONE OFF (POST 6/30/98)	20
1925 FAIL TO REG AS SEX OFFENDER - POST 7/24/99	17
981 POSS DEPICTIONS OF MINORS (POST 06/07/06)	16
1144 CUSTODIAL ASSAULT - POST 7/89	15
2902 ROBBERY 1	15
4736 TAMPERING WITH A WITNESS	14
7338 MFG DEL P W/I HER COC - SCH Z (POST 6/30/02) (L7)	14
7422 DEL OR P W/I METH - 2ND OFF (POST 6/30/98)	13
7664 VEH ASSAULT DISREGARD SAFETY (POST 7/21/01)	13
2219 TELEPHONE HARASSMENT (POST 7/24/99)	11

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
3010 CRIMINAL IMPERSONATION 1	11
7328 MFG DEL P W/I MARIJ -2ND OFFENSE	11
7440 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	11
2238 STALKING (POST 6/30/00)	9
985 COMMUNICATION WITH A MINOR new	7
3353 UNLAWFUL POSSESSION OF PAYMENT INSTRUMENTS	7
5002 RENDERING CRIMINAL ASSTANCE 1	7
5454 MONEY LAUNDERING	7
986 DEALING IN DEPIC. OF MINOR (POST 6/30/01)	6
2077 THREATS TO BOMB - POST 7/89	6
2622 ORGANIZED RETAIL THEFT 2	6
5174 INTIMIDATING A PUBLIC SERVANT	6
494 MALICIOUS HARASSMENT	5
540 POSS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	5
926 INCEST 2	5
970 SEXUAL EXPLOITATN (POST 6/30/01)	5
1100 ASSAULT OF A CHILD 3	5
4734 INTIMIDATING A WITNESS	5
7323 MFG DEL P W/I MARIJ-SCH ZONE	5
7621 HIT AND RUN - DEATH (POST 7/21/01)	5
860 VOYEURISM	4
865 VOYEURISM (POST 06/07/06)	4
979 POSS DEPICTIONS OF MINORS	4
1945 FAIL TO REG AS KIDNAPPER - POST 7/24/99	4
2012 ARSON 2	4
2726 TMVWOP 1	4
5073 ESC FROM COMMUN CUST-POST 6/92	4
7414 MFG METH - SCH ZONE OFF (POST 6/30/98)	4
7448 POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	4
7488 MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	4
7892 ANIMAL CRUELTY 1	4
460 DRIVE- BY SHOOTING (POST 6/30/97)	3
672 CUSTODIAL INTERFERENCE 1	3
870 CUSTODIAL SEXUAL MISCONDUCT 1	3
2070 INCENDIARY DEVICES (POST 7/24/99)	3
2104 RECKLESS BURNING 1	3
2302 BURGLARY 1	3
2748 THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	3
3253 SECURITY ACT VIOLATN-Post 7/89	3
6852 PROMOTING PROSTITUTION 1	3
7306 OVER 18- DEL OTH TO MINOR	3
7316 MFG DEL P W/I SC I/II NARC OR FLUNT-1ST OFF	3
7350 POSS CS SCH I/II IN CORR FACIL	3
7376 FORGED PRESCRIPTION VUCSA 2+	3
530 ALIEN IN POSSESSION OF A FIREARM	2
654 KIDNAPPING 2	2
924 INCEST 1	2
1020 ASSAULT OF A CHILD 2	2
1204 CRIMINAL MISTREATMENT 1	2
1214 CRIMINAL MISTREATMENT 2 (POST 6/7/06)	2
2250 GANG INTIMIDATION	2
2374 VEHICLE PROWL 1	2
2384 COMPUTER TRESPASS 1	2
2724 TMVWOP pre 6/13/02	2
3302 FORGERY	2
5157 BAIL JUMP W/ CLASS A-POST 7/89	2
5427 LEADING ORGANIZED CRIME	2
6804 INDECENT EXPOSURE (POST 7/24/99)	2
6862 PROMOTING PROSTITUTION 2	2
7270 USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	2

<b>FY08 NonViolent Offenses</b>	<b>Frequency</b>
7305 INV MINR IN DRUG DEAL-Post7/89- 1ST	2
458 PROTECT ORDR-DV CIVIL (RCW 26)	1
684 LURING OF CHILD	1
821 RAPE OF A CHILD 1 <18 (POST 8/31/01)	1
848 SEXUAL MISCONDUCT 1-POST 7/90	1
964 FAMILY ABANDONMENT	1
974 SEXUAL EXPLOITATN-U16-PRE 7/89	1
1223 ABANDON DEPENDENT PERSON 1	1
1226 ABANDONMENT OF DEPENDANT PERSONS 2 (POST 06/07/06)	1
1234 ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1
2002 ARSON 1	1
2526 THEFT 1 - WELFARE FRAUD	1
2632 RETAIL THEFT W EXTENUATING CIRCUMST 2	1
2633 RETAIL THEFT W EXTENUATING CIRCUMST 3	1
2736 THEFT OF LIVESTOCK 2	1
2746 THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	1
2764 EXTORTION 2	1
3133 THEFT OF TELECOMMUNICATIONS SVC	1
3143 UNLAWFUL SUBLEASING OF MOTOR VEHICLE	1
3204 INSURANCE FRAUD	1
4706 PERJURY 2	1
4726 BRIBING A WITNESS	1
4754 INTIMIDATING A JUDGE	1
5158 BAIL JUMP W/ CLASS B-PRE 7/89	1
5208 POSSESSION OF CS- BY PRISONERS	1
5212 POSSESSION OF DEADLY WEAPON BY PRISONER	1
5435 USE OF PROCEEDS OF CRIM PROFIT	1
7122 UNLAWFUL STORAGE OF ANHYDROUS AMMONIA	1
7206 FORGED PRESCRIPTION VULDA	1
7302 CONTRLD SUB HOMICIDE-POST 7/89 -1ST	1
7304 OVER 18- DEL S I/II NARC/FLUNT/METH MINOR	1
7313 MFG DEL P W/I HER COC (POST 6/30/02) (L8)	1
7317 MFG DEL P W/I HER COC	1
7357 DEL MAT IN LIEU OF CS-POST7/89 -1ST	1
7442 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	1
7674 ILL TRANSFER OF MOTOR VEH CERT	1
9208 COMMERCIAL FISHING W/O A LICENSE - 1ST	1
9460 FALSE STATEMENT DEPT REVENUE	1

TAB 5

---

**PROPOSAL**  
**DRUG GRID 30 DAY REDUCTION**  
**325 – Sentencing Guidelines Commission**  
**August 21, 2009**

**SUMMARY**

This proposal reduces the low and high ends of the presumptive ranges on the drug sentencing grid by 30 days.

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Drug Offenses.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences of 11.03 months or greater will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, exceptional sentences, residential DOSA sentences and any sentences sentenced on the standard grid.
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

## **Impact on prison and jail beds**

In FY08 there were 8,163 drug sentences that were affected by the modification to the drug grid

### For the jail sentences:

- current average sentence length was 2.5 mos
- current average length of stay was 1.8 mos
- number of current sentences was 4,641
- estimated number of current offenders was 2,910
- proposed average sentence length was 2.1 mos
- proposed average length of stay was 1.5 mos
- number of proposed sentences was 4,639
- estimated number of proposed offenders was 2909

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 18.6 mos
- current average length of stay was 11.5 mos
- number of current sentences was 980
- proposed average sentence length was 17.6 mos
- proposed average length of stay was 10.9 mos
- number of proposed sentences was 979
- estimated number of offenders was 318
- one current prison sentence became a proposed jail sentence

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.6 mos
- current average length of stay was 12.1 mos
- current number of sentences was 2,153
- proposed average sentence length was 21.6 mos
- proposed average length of stay was 11.5 mos
- estimated number of proposed offenders was 1,271

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.9 mos
- current average length of stay was 14.0 mos
- proposed average sentence length was 18.6 mos
- proposed average length of stay was 12.4 mos
- number of sentences was 104
- estimated number of offenders was 34
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 24.5 mos
- current average length of stay was 14.2 mos
- proposed average sentence length was 23.1 mos
- proposed average length of stay was 13.5 mos
- number of sentences was 285
- estimated number of offenders was 177
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Reduce Drug Grid 30 Days  
Sentencing Guidelines Commission  
August 19, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-18	-52	-63	-66	-67	-67	-68	-68	-68	-68
<b>Prison AMP (DOSA)</b>	-2	-12	-14	-14	-14	-14	-14	-14	-14	-14
<b>Prison AMP (Non-DOSA)</b>	-5	-37	-57	-65	-69	-71	-72	-72	-73	-73
<b>Prison AMP (Total)</b>	-7	-49	-71	-79	-83	-85	-86	-87	-87	-87

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-68	-68	-68	-68	-68	-68	-68	-68	-68	-68
<b>Prison AMP (DOSA)</b>	-14	-14	-14	-14	-14	-14	-14	-14	-14	-14
<b>Prison AMP (Non-DOSA)</b>	-73	-73	-73	-73	-73	-73	-73	-73	-73	-73
<b>Prison AMP (Total)</b>	-87	-88	-88	-88	-88	-88	-88	-88	-88	-88

**PROPOSAL**  
**DRUG GRID 30 DAY REDUCTION, 50% ERT REINSTATED**  
**325 – Sentencing Guidelines Commission**  
**August 21, 2009**

**SUMMARY**

This proposal

- 1) reduces the low and high ends of the presumptive ranges on the drug sentencing grid by 30 days
- 2) assumes 50% ERT has been reinstated without modification

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Drug Offenses.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences of 11.03 months or greater will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, exceptional sentences, residential DOSA sentences and any sentences sentenced on the standard grid.
- **Assumes 50% ERT will be reinstated as of July 1, 2010, without modification**

## **Impact on prison and jail beds**

In FY08 there were 8,163 drug sentences that were affected by the modification to the drug grid

### For the jail sentences:

- current average sentence length was 2.5 mos
- current average length of stay was 1.8 mos
- number of current sentences was 4,641
- estimated number of current offenders was 2,910
- proposed average sentence length was 2.1 mos
- proposed average length of stay was 1.5 mos
- number of proposed sentences was 4,639
- estimated number of proposed offenders was 2909

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 18.6 mos
- current average length of stay was 11.5 mos
- number of current sentences was 980
- proposed average sentence length was 17.6 mos
- proposed average length of stay was 9.4 mos
- number of proposed sentences was 979
- estimated number of offenders was 318
- one current prison sentence became a proposed jail sentence

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.6 mos
- current average length of stay was 12.1 mos
- current number of sentences was 2,153
- proposed average sentence length was 21.6 mos
- proposed average length of stay was 11.5 mos
- estimated number of proposed offenders was 1,271

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.9 mos
- current average length of stay was 14.0 mos
- proposed average sentence length was 18.6 mos
- proposed average length of stay was 10.8 mos
- number of sentences was 104
- estimated number of offenders was 34
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 24.5 mos
- current average length of stay was 14.2 mos
- proposed average sentence length was 23.1 mos
- proposed average length of stay was 13.5 mos
- number of sentences was 285
- estimated number of offenders was 177
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Reduce Drug Grid 30 Days, 50% ERT Reinstated  
Sentencing Guidelines Commission  
August 21, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-18	-52	-63	-66	-67	-67	-68	-68	-68	-68
<b>Prison AMP (DOSA)</b>	-3	-13	-17	-18	-18	-19	-19	-19	-19	-19
<b>Prison AMP (Non-DOSA)</b>	-6	-53	-83	-96	-103	-107	-109	-110	-110	-111
<b>Prison AMP (Total)</b>	-9	-66	-99	-114	-122	-125	-128	-129	-129	-130

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-68	-68	-68	-68	-68	-68	-68	-68	-68	-68
<b>Prison AMP (DOSA)</b>	-19	-19	-19	-19	-19	-19	-19	-19	-19	-19
<b>Prison AMP (Non-DOSA)</b>	-111	-111	-111	-111	-111	-111	-111	-111	-111	-111
<b>Prison AMP (Total)</b>	-130	-130	-130	-130	-130	-130	-130	-130	-130	-130

**PROPOSAL**  
**DRUG GRID 60 DAY REDUCTION**  
**325 – Sentencing Guidelines Commission**  
**August 25, 2009**

**SUMMARY**

This proposal reduces the low and high ends of the presumptive ranges on the drug sentencing grid by 60 days.

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Drug Offenses.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences of 10.03 months or greater will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, exceptional sentences, residential DOSA sentences and any sentences sentenced on the standard grid.
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

## **Impact on prison and jail beds**

In FY08 there were 8,163 drug sentences that were affected by the modification to the drug grid

### For the jail sentences:

- current average sentence length was 2.5 mos
- current average length of stay was 1.8 mos
- number of current sentences was 4,641
- estimated number of current offenders was 2,910
- proposed average sentence length was 1.7 mos
- proposed average length of stay was 1.2 mos
- number of proposed sentences was 4,639
- estimated number of proposed offenders was 2909

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 18.6 mos
- current average length of stay was 11.5 mos
- number of current sentences was 980
- proposed average sentence length was 16.6 mos
- proposed average length of stay was 10.3 mos
- number of proposed sentences was 979
- estimated number of offenders was 318
- one current prison sentence became a proposed jail sentence

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.6 mos
- current average length of stay was 12.1 mos
- current number of sentences was 2,153
- proposed average sentence length was 20.6 mos
- proposed average length of stay was 11.0 mos
- estimated number of proposed offenders was 1,271

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.9 mos
- current average length of stay was 14.0 mos
- proposed average sentence length was 18.1 mos
- proposed average length of stay was 12.1 mos
- number of sentences was 104
- estimated number of offenders was 34
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 24.5 mos
- current average length of stay was 14.2 mos
- proposed average sentence length was 22.6 mos
- proposed average length of stay was 13.2 mos
- number of sentences was 285
- estimated number of offenders was 177
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Reduce Drug Grid 60 Days  
Sentencing Guidelines Commission  
August 21, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-38	-104	-125	-131	-133	-134	-135	-136	-136	-136
<b>Prison AMP (DOSA)</b>	-3	-14	-18	-19	-19	-19	-19	-19	-20	-20
<b>Prison AMP (Non-DOSA)</b>	-10	-75	-114	-130	-137	-141	-144	-145	-145	-146
<b>Prison AMP (Total)</b>	-13	-89	-132	-149	-157	-161	-163	-164	-165	-165

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-136	-136	-136	-136	-136	-136	-136	-136	-136	-136
<b>Prison AMP (DOSA)</b>	-20	-20	-20	-20	-20	-20	-20	-20	-20	-20
<b>Prison AMP (Non-DOSA)</b>	-146	-146	-146	-146	-146	-146	-146	-146	-146	-146
<b>Prison AMP (Total)</b>	-165	-166	-166	-166	-166	-166	-166	-166	-166	-166

**PROPOSAL**  
**DRUG GRID 60 DAY REDUCTION, 50% ERT REINSTATED**  
**325 – Sentencing Guidelines Commission**  
**August 25, 2009**

**SUMMARY**

This proposal

- 1) reduces the low and high ends of the presumptive ranges on the drug sentencing grid by 60 days
- 2) assumes 50% ERT has been reinstated without modification

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Drug Offenses.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences of 10.03 months or greater will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, exceptional sentences, residential DOSA sentences and any sentences sentenced on the standard grid.
- **Assumes 50% ERT will be reinstated as of July 1, 2010, without modification**

## **Impact on prison and jail beds**

In FY08 there were 8,163 drug sentences that were affected by the modification to the drug grid

### For the jail sentences:

- current average sentence length was 2.5 mos
- current average length of stay was 1.8 mos
- number of current sentences was 4,641
- estimated number of current offenders was 2,910
- proposed average sentence length was 1.7 mos
- proposed average length of stay was 1.2 mos
- number of proposed sentences was 4,639
- estimated number of proposed offenders was 2909

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 18.6 mos
- current average length of stay was 11.5 mos
- number of current sentences was 980
- proposed average sentence length was 16.6 mos
- proposed average length of stay was 8.9 mos
- number of proposed sentences was 979
- estimated number of offenders was 318
- one current prison sentence became a proposed jail sentence

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.6 mos
- current average length of stay was 12.1 mos
- current number of sentences was 2,153
- proposed average sentence length was 20.6 mos
- proposed average length of stay was 11.0 mos
- estimated number of proposed offenders was 1,271

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.9 mos
- current average length of stay was 14.0 mos
- proposed average sentence length was 18.1 mos
- proposed average length of stay was 10.5 mos
- number of sentences was 104
- estimated number of offenders was 34
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 24.5 mos
- current average length of stay was 14.2 mos
- proposed average sentence length was 22.6 mos
- proposed average length of stay was 13.2 mos
- number of sentences was 285
- estimated number of offenders was 177
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Reduce Drug Grid 60 Days, 50% ERT Reinstated  
Sentencing Guidelines Commission  
August 25, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-38	-104	-125	-131	-133	-134	-135	-136	-136	-136
<b>Prison AMP (DOSA)</b>	-3	-15	-20	-23	-23	-24	-24	-24	-24	-24
<b>Prison AMP (Non-DOSA)</b>	-12	-91	-138	-159	-170	-175	-178	-180	-181	-181
<b>Prison AMP (Total)</b>	-15	-106	-158	-182	-193	-199	-202	-204	-204	-205

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-136	-136	-136	-136	-136	-136	-136	-136	-136	-136
<b>Prison AMP (DOSA)</b>	-24	-24	-24	-24	-24	-24	-24	-24	-24	-24
<b>Prison AMP (Non-DOSA)</b>	-181	-182	-182	-182	-182	-182	-182	-182	-182	-182
<b>Prison AMP (Total)</b>	-205	-206	-206	-206	-206	-206	-206	-206	-206	-206

TAB 6

---

**PROPOSAL**  
**REINSTATE 50% EARNED RELEASE TIME**  
**325 – Sentencing Guidelines Commission**  
**September 3, 2009**

**SUMMARY**

This proposal reinstates 50% earned release time as of July 1, 2010, without any modification.

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Phase-in factors refer to the time between offense date and conviction date. As the sunset expiration date is based on conviction date, no phase-in factors were applied.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Death, LWOP and jail sentences were excluded
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates by hierarchy on the percentage of offenders who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT for the “current” policy, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). “Proposed” policy does not have the adjustment made to the sentence length.**

## Impact on prison and jail beds

For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 12.7 mos
- number of sentences was 2,152
- estimated number of offenders was 435

For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 22.8 mos
- current average length of stay was 13.7 mos
- proposed average length of stay was 12.7 mos
- number of sentences was 2,152
- estimated number of offenders was 435

The grid below shows the overall total of all the bed costs and savings under this proposal.

## Average Monthly Population Jail and Prison Impacts Reinstate 50% Earned Release Time Sentencing Guidelines Commission September 3, 2009

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (DOSA)</b>	-1	-5	-7	-8	-8	-8	-8	-8	-8	-8
<b>Prison AMP (Non-DOSA)</b>	-11	-42	-51	-58	-61	-62	-62	-63	-63	-63
<b>Prison AMP (Total)</b>	-12	-48	-58	-66	-69	-70	-70	-71	-71	-71

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (DOSA)</b>	-8	-8	-8	-8	-8	-8	-8	-8	-8	-8
<b>Prison AMP (Non-DOSA)</b>	-63	-63	-63	-63	-63	-63	-63	-63	-63	-63
<b>Prison AMP (Total)</b>	-71	-71	-71	-71	-71	-71	-71	-71	-71	-71

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

**PROPOSAL**  
**PHASE OUT NONVIOLENT DRUG POSSESSION OFFENSES**  
**325 – Sentencing Guidelines Commission**  
**September 9, 2009**

**SUMMARY**

This proposal would phase out confinement for drug possession offenders as defined in RCW 69.50.4013 and RCW 69.50.403 who have no prior violent felony history. It is assumed that these offenders would be placed in a confinement alternative program.

**The purpose of this proposal is not to define the alternative program, but to illustrate the bed savings that would be available if such a program existed.**

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Drug Crimes.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- Drug possession offenses include possession of a controlled substance (RCW 69.50.4013) and forged prescription for a controlled substance (RCW 69.50.403) offenses.
- Non-standard sentences (FTOW, Determinate Plus, exceptional) are excluded
- DOSA sentences were included as the alternative might be more attractive to offenders as they would not have to spend any time in confinement.
- There would likely be a community custody caseload impact, but without knowing what the alternative program would require, caseload impact could not be analyzed.
- **Assumes 50% ERT has sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

## Impact on prison beds

In FY08 there were 5,423 sentences applicable that would be phased out.

### For the jail sentences:

- current average sentence length was 2.4 mos
- current average length of stay was 1.7 mos
- number of sentences was 4,417
- estimated number of proposed offenders was 2,770

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 15.6 mos
- current average length of stay was 9.6 mos
- number of sentences was 605
- estimated number of offenders was 196

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 15.9 mos
- current average length of stay was 8.5 mos
- number of sentences was 921
- estimated number of proposed offenders was 483

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 11.8 mos
- current average length of stay was 7.9 mos
- number of sentences was 52
- estimated number of offenders was 17

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 11.8 mos
- current average length of stay was 6.9 mos
- number of sentences was 85
- estimated number of proposed offenders was 46

The grid below shows the overall total of all the bed costs and savings under this proposal.

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would were required to have 17% of their sentence added back to their total confinement bringing their ERT from 50% to 33% to be in line with policy as of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset or reinstatement of 50% ERT

**Average Monthly Population Jail and Prison Impacts**  
**Proposal Phase Out Nonviolent Drug Possession Offenses**  
**Sentencing Guidelines Commission**  
**September 9, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-133	-315	-371	-387	-393	-397	-398	-400	-400	-401
<b>Prison AMP (DOSAs)</b>	-9	-28	-34	-36	-37	-37	-37	-37	-37	-37
<b>Prison AMP (Non-DOSA)</b>	-113	-377	-485	-515	-526	-531	-534	-537	-537	-538
<b>Prison AMP (Total)</b>	-122	-405	-519	-551	-563	-568	-572	-574	-575	-575

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-402	-402	-402	-402	-402	-402	-402	-402	-402	-402
<b>Prison AMP (DOSAs)</b>	-37	-37	-37	-37	-37	-37	-37	-37	-37	-37
<b>Prison AMP (Non-DOSA)</b>	-539	-539	-539	-539	-539	-539	-539	-539	-539	-539
<b>Prison AMP (Total)</b>	-576	-577	-577	-577	-577	-577	-577	-577	-577	-577

**PROPOSAL**  
**ELIMINATE COMMUNITY CUSTODY FROM JAIL SENTENCES**  
**325 – Sentencing Guidelines Commission**  
**August 11, 2009**

**SUMMARY**

This proposal removes community custody terms from jail sentences

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- FY 2008 community custody data were updated to reflect the changes of ESSB 5288/SSB 6162 that have already taken effect.
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Although the length of total confinement is not affected by the proposed modifications to community custody, jail lengths of stay were included in the analysis to insure proper timing of the community custody impacts.
- Bed impacts are calculated with no phase-in factor
- Sentencing alternatives FTOW and SSOSA were excluded from the analysis as were any exceptional sentences.
- Sentences with no community custody term issued were excluded
- DOC provided estimates by hierarchy on the amount of offenders released from jail to be supervised on community custody who have been designated as High Risk Violent and High Risk Non-Violent. Those estimates were used to calculate the number of offenders who are expected to be on community custody. The hierarchy is as follows: 1) Sex offenses 2) Serious Violent offenses 3) Violent offenses 4) Crimes Against Person and 5) Violations of the Uniform Controlled Substance Act.

**Impact on prison and jail beds**

In FY08 there was a total of 6,854 jail sentences who had a community custody term issued. That converted into approximately 3,056 offenders.

Sex Offenses

- Number of sentences totaled 472
- Average sentence length was 2.7 mos
- Average length of stay was 1.9 mos
- Average length of community custody was 12.0 (minimum was 9.0 mos)
- Estimated number of offenders was 311

Serious Violent Offenses

There were no serious violent records to analyze

Violent Offenses

- Number of sentences totaled 534
- Average sentence length was 6.0 mos
- Average length of stay was 4.3 mos
- Average length of community custody was 12.0 (minimum was 1.0 mos)
- Estimated number of offenders was 286

Crime Against Person Offenses

- Number of sentences totaled 1,172
- Average sentence length was 4.4 mos
- Average length of stay was 3.2 mos
- Average length of community custody was 12.0 (minimum was 2.0 mos)
- Estimated number of offenders was 614

VUCSA Offenses

- Number of sentences totaled 4,676
- Average sentence length was 2.7 mos
- Average length of stay was 2.0 mos
- Average length of community custody was 12.0 (minimum was 1.0 mos)
- Estimated number of offenders was 1,848

**Average Monthly Community Custody Caseload Impacts  
Proposal Elimination of CommCust on Jail Sentences  
Sentencing Guidelines Commission  
August 11, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Comm Cust from Jail AMP</b>	-1,112	-2,937	-3,033	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035
<b>Comm Cust from Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Comm Cust from Prison AMP (Non-DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Comm Custody Caseload AMP (Total)</b>	-1,112	-2,937	-3,033	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Comm Cust from Jail AMP</b>	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035
<b>Comm Cust from Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Comm Cust from Prison AMP (Non-DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Comm Custody Caseload AMP (Total)</b>	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035	-3,035

TAB 7

---

**PROPOSAL**  
**ELECTRONIC HOME MONITORING FOR PROPERTY OFFENDERS**  
**325 – Sentencing Guidelines Commission**  
**February 25, 2009**

**SUMMARY**

This proposal would make the First Time Offender Waiver (FTOW) mandatory for all found eligible.

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed and community custody caseload impacts for this exercise were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Although the length of total confinement is not affected by the proposed modifications to community custody, jail and prison lengths of stay were included in the analysis to insure proper timing of the community custody impacts.
- Sentencing alternatives such as DOSA and SSOSA were excluded
- Sentences for Persistent Offenders (Determinate-Plus) were excluded
- Exceptional sentences and sentences with enhancements were excluded
- Sentences that had a community custody term greater than 12 months were excluded as they were more likely ineligible based on a secondary offense.
- Impacts are calculated without a phase-in factor, assuming the proposal would be implemented immediately
- Offenders with a current jail sentence were given a proposed sentence of 1.24 months (the average sentence length for FTOW sentences in FY08) while offenders with a current prison sentence were given a proposed sentence of 3 months.
- All offenders were given a proposed community custody term of 12 months
- Community Custody Caseload Impact Method: Sentences that were FTOW-eligible, less the exclusive sentences mentioned above, were captured. The proposed sentence length

was calculated using 12 months community custody. Caseload impact was then calculated.

- **Bed Impact Method:** Sentences that were FTOW-eligible, less the exclusive sentences mentioned above, were captured. The proposed sentences were calculated based on current disposition, i.e. jail sentences received 1.23 months and prison sentences received 3 months. Bed impact was then calculated.

**Impact on prison and jail beds.**

In FY08 a total of 7,160 sentences were eligible for FTOW. Of those, 1,363 (15.7%) actually received a FTOW sentence.

Of the FTOW-eligible sentences that did not receive a FTOW sentence and did not have a community custody term greater than 12 months (6,771 total), there were 6,480 jail sentences and 291 prison sentences.

For the jail sentences, the average current sentence length was 2.0 months and the average current length of stay was 1.5 mos. Under the proposal, there would be 6,771 jail sentences with a proposed average sentence length of 1.3mos and a proposed length of stay of .9 mos.

For the prison sentences, the average current sentence length was 23.6 mos and the average current length of stay was 12.4 mos. Under the proposal, all of the prison sentences would become jail sentences.

Analysis indicates an initial impact of -248 total jail and prison beds and reaches maximum impact at -425 total jail and prison beds in FY14.

**Average Monthly Population Jail and Prison Impacts  
PROPOSAL - Mandatory FTOW  
Sentencing Guidelines Commission  
February 25, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail AMP</b>	-145	-198	-198	-198	-198	-198	-198	-198	-198	-198
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-103	-195	-221	-226	-227	-227	-227	-227	-227	-227
<b>Prison AMP (Total)</b>	-103	-195	-221	-226	-227	-227	-227	-227	-227	-227

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	-198	-198	-198	-198	-198	-198	-198	-198	-198	-198
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-227	-227	-227	-227	-227	-227	-227	-227	-227	-227
<b>Prison AMP (Total)</b>	-227	-227	-227	-227	-227	-227	-227	-227	-227	-227

**End of Year Jail and Prison Bed Impacts**  
**PROPOSAL - Mandatory FTOW**  
**Sentencing Guidelines Commission**  
**February 25, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
<b>Jail Beds</b>	-198	-198	-198	-198	-198	-198	-198	-198	-198	-198
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-166	-212	-226	-227	-227	-227	-227	-227	-227	-227
<b>Prison Beds (Total)</b>	-166	-212	-226	-227	-227	-227	-227	-227	-227	-227

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail Beds</b>	-198	-198	-198	-198	-198	-198	-198	-198	-198	-198
<b>Prison Beds (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison Beds (Non-DOSA)</b>	-227	-227	-227	-227	-227	-227	-227	-227	-227	-227
<b>Prison Beds (Total)</b>	-227	-227	-227	-227	-227	-227	-227	-227	-227	-227

**Impact on community custody caseload.**

In FY08, there were 6,480 jail sentences and 291 prison sentences that were FTOW-eligible and did not have a community custody term greater than 12 months.

For the jail sentences, the average community custody term was 5.5 mos (54% had no community custody term issued). For prison sentences, the average community custody term was 3.9 mos (68% had no community custody term issued). Sentences with a community custody term longer than 12 mos were removed from the sample as they were more likely ineligible based on a secondary offense. The proposed community custody term was 12 mos for all sentences.

Analysis indicates a community custody caseload impact of 193 in FY10 and reaches maximum impact at 458 in FY16.

**Average Monthly Community Custody Caseload Impacts**  
**PROPOSAL - Mandatory FTOW**  
**Sentencing Guidelines Commission**  
**February 25, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
Comm Cust from Jail AMP	190	389	388	388	388	388	388	388	388	388
Comm Cust from Prison AMP (DOSA)	0	0	0	0	0	0	0	0	0	0
Comm Cust from Prison AMP (Non-DOSA)	3	30	55	67	70	71	71	71	71	71
Comm Custody Caseload AMP (Total)	193	419	443	455	458	458	458	458	458	458

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Comm Cust from Jail AMP	388	388	388	388	388	388	388	388	388	388
Comm Cust from Prison AMP (DOSA)	0	0	0	0	0	0	0	0	0	0
Comm Cust from Prison AMP (Non-DOSA)	71	71	71	71	71	71	71	71	71	71
Comm Custody Caseload AMP (Total)	458	458	458	458	458	458	458	458	458	458

**End of Year Community Caseload Impacts**  
**PROPOSAL - Mandatory FTOW**  
**Sentencing Guidelines Commission**  
**February 25, 2009**

	Fiscal Year									
	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
Comm Cust from Jail	369	388	388	388	388	388	388	388	388	388
Comm Cust from Prison (DOSA)	0	0	0	0	0	0	0	0	0	0
Comm Cust from Prison (Non-DOSA)	11	44	62	70	71	71	71	71	71	71
Comm Custody Caseload (Total)	380	432	450	457	458	458	458	458	458	458

	Fiscal Year									
	FY20	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
Comm Cust from Jail	388	388	388	388	388	388	388	388	388	388
Comm Cust from Prison (DOSA)	0	0	0	0	0	0	0	0	0	0
Comm Cust from Prison (Non-DOSA)	71	71	71	71	71	71	71	71	71	71
Comm Custody Caseload (Total)	458	458	458	458	458	458	458	458	458	458

## Most Serious Offense for FTOW-Eligible Prison Sentences

470 DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	1
525 UNLAWFUL POSS OF FIREARM 1	6
526 UNLAWFUL POSS OF FIREARM 2	3
527 POSSESSION OF A STOLEN FIREARM	5
1102 ASSAULT 3 - POST 7/1/88	1
1234 ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1
2215 HARASSMENT	1
2238 STALKING (POST 6/30/00)	1
2310 RESIDENTIAL BURGLARY-POST 7/90	37
2316 BURG 2 (NONDWELLING)-POST 7/90	13
2384 COMPUTER TRESPASS 1	1
2502 THEFT 1	24
2552 THEFT 2	7
2564 IDENTITY THEFT 1 (POST 7/21/01)	4
2566 IDENTITY THEFT 2 (POST 7/21/01)	5
2702 UNLAWFUL ISSUE OF CHECKS/DRAFT	2
2710 THEFT OF MOTOR VEHICLE	3
2728 TMVWOP 2	2
2730 POSSESSION OF STOLEN VEHICLE	5
2804 POSS STOLEN PROPERTY 1	6
2812 POSS STOLEN PROPERTY 2	4
2924 ROBBERY 2	1
2947 THEFT OF A FIREARM (POST 7/22/95)	11
3002 FORGERY	5
3253 SECURITY ACT VIOLATN-Post 7/89	3
4734 INTIMIDATING A WITNESS	1
5002 RENDERING CRIMINAL ASSTANCE 1	1
5160 BAIL JUMP W/ B or C-POST 7/89	7
5424 TRAFFICKING IN STOLEN PROP 1	7
5426 TRAFFICKING IN STOLEN PROP 2	1
7122 UNLAWFUL STORAGE OF ANHYDROUS AMMONIA	1
7305 INV MINR IN DRUG DEAL-Post7/89- 1ST	1
7306 OVER 18- DEL OTH TO MINOR	2
7315 MFG DEL P W/I HER COC (POST 6/30/02) (L7)	2
7323 MFG DEL P W/I MARIJ-SCH ZONE	3
7344 MFG DEL P W/I MARIJ - 1ST OFF	2
7346 POSS CNTL SUBS SCH I/II OR FLUNIT	11
7348 POSS CNTL SUBS-OTHER EXC.PCP/FLUNIT	18
7357 DEL MAT IN LIEU OF CS-POST7/89 -1ST	1
7374 FORGED PRESCRIP VUCSA - 1ST	8
7420 DEL OR P W/I METH - 1ST OFF (POST 6/30/98)	1
7440 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	3
7442 M/ D/P W/I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	1
7448 POS EPHED/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	1
7488 MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	1
7618 ATT. ELUDE POLICE VEHICLE	40
7621 HIT AND RUN - DEATH (POST 7/21/01)	3
7622 HIT AND RUN - INJURY (POST 6/7/00)	11
7645 DRIVING UNDER THE INFLUENCE (FEL)(POST 07/01/2007)	11

**PROPOSAL V2**  
**MANDATORY FTOW**  
**325 – Sentencing Guidelines Commission**  
**August 4, 2009**

**SUMMARY**

This proposal modifies the First Time Offender Waiver (FTOW)

- FTOW becomes mandatory for all found eligible
- It assumes that language would be added to the FTOW statute stating that FTOW is mandatory unless the judge limits the sentence to credit for time served.
- It removes the community custody component
- It makes FTOW sentences ineligible for good time

**Under the current policy, an FTOW sentence may include up to 90 days of confinement and up to one year of community custody, unless treatment is ordered in which case the community custody term can include the period of treatment but not exceed two years. It is estimated that jail offenders spend approximately 72% of their sentence in confinement.**

**EXPENDITURES**

**Assumptions.**

The adult jail and prison bed and community custody caseload impacts for this exercise were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated May 09) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Current length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties. Under this proposal, FTOW sentences are no longer eligible for good time.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Although the length of total confinement is not affected by the proposed modifications to community custody, jail and prison lengths of stay were included in the analysis to insure proper timing of the community custody impacts.
- Excluded from the data were DOSA, SSOSA, Determinate-Plus and Exceptional sentences.
- **Any sentences where credit for time served was equal to or greater than the sentence total were excluded.**

- Sentences that had a community custody term greater than 12 months were excluded as they were more likely ineligible based on a secondary offense.
- Impacts are calculated without a phase-in factor, assuming the proposal would be implemented immediately
- Offenders with a current jail sentence were given a proposed sentence of 1.17 months (the average sentence length for FTOW sentences in FY08) while offenders with a current prison sentence were given a proposed sentence of 3 months.
- Community Custody Caseload Impact Method: Sentences that were FTOW-eligible, less the exclusive sentences mentioned above, were captured. The proposed sentence length was calculated using 0 months community custody. Caseload impact was then calculated.
- Bed Impact Method: Sentences that were FTOW-eligible were captured. The proposed sentences were calculated based on current disposition, i.e. jail sentences received 1.17 months and prison sentences received 3 months. Bed impact was then calculated.

**Impact on prison and jail beds.**

In FY08 a total of 8,669 sentences were eligible for FTOW. Of those, 1,364 (15.7%) actually received a FTOW sentence.

Of the remaining 7,305 sentences, 5,575 were FTOW-eligible sentences under this proposal, 5,285 jail sentences and 290 prison sentences.

For the jail sentences, the average current sentence length was 2.3 months and the average current length of stay was 1.6 mos. Under the proposal, there would be 5,575 jail sentences with a proposed average sentence length of 1.3 mos and a proposed length of stay of 1.3 mos.

For the prison sentences, the average current sentence length was 23.5 mos and the average current length of stay was 12.3 mos. Under the proposal, all of the prison sentences would become jail sentences.

**Average Monthly Population Jail and Prison Impacts  
Proposal Mandatory FTOW V2  
Sentencing Guidelines Commission  
August 4, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-53	-98	-98	-98	-98	-98	-98	-98	-98	-98
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-103	-194	-220	-225	-226	-226	-226	-226	-226	-226
<b>Prison AMP (Total)</b>	-103	-194	-220	-225	-226	-226	-226	-226	-226	-226

	Fiscal Year									
	FY21	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29
<b>Jail AMP</b>	-98	-98	-98	-98	-98	-98	-98	-98	-98	-98
<b>Prison AMP (DOSA)</b>	0	0	0	0	0	0	0	0	0	0
<b>Prison AMP (Non-DOSA)</b>	-226	-226	-226	-226	-226	-226	-226	-226	-226	-226
<b>Prison AMP (Total)</b>	-226	-226	-226	-226	-226	-226	-226	-226	-226	-226

**Impact on community custody caseload.**

In FY08 a total of 8,669 sentences were eligible for FTOW. Of those, 1,364 (15.7%) actually received a FTOW sentence.

Of the remaining 7,305 sentences, 5,575 were FTOW-eligible sentences under this proposal, 5,285 jail sentences and 290 prison sentences.

Only 2,399 (45%) of the jail sentences had a community custody term issued. Only 94 (32%) of the prison sentences had a community custody term issued. Sentences with a community custody term longer than 12 mos were removed from the sample as they were more likely ineligible based on a secondary offense.

**Average Monthly Community Custody Caseload Impacts  
Proposal Mandatory FTOW ComCust V2  
Sentencing Guidelines Commission  
August 4, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
Comm Cust from Jail AMP	-762	-1,739	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766
Comm Cust from Prison AMP (DOSA)	0	0	0	0	0	0	0	0	0	0
Comm Cust from Prison AMP (Non-DOSA)	-59	-186	-233	-243	-244	-244	-244	-244	-244	-244
Comm Custody Caseload AMP (Total)	-821	-1,925	-1,999	-2,009	-2,010	-2,010	-2,010	-2,010	-2,010	-2,010

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
Comm Cust from Jail AMP	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766	-1,766
Comm Cust from Prison AMP (DOSA)	0	0	0	0	0	0	0	0	0	0
Comm Cust from Prison AMP (Non-DOSA)	-244	-244	-244	-244	-244	-244	-244	-244	-244	-244
Comm Custody Caseload AMP (Total)	-2,010	-2,010	-2,010	-2,010	-2,010	-2,010	-2,010	-2,010	-2,010	-2,010

TAB 8

---

**PROPOSAL**  
**STANDARD GRID 30 DAY REDUCTION**  
**325 – Sentencing Guidelines Commission**  
**September 3, 2009**

**SUMMARY**

This proposal

- 1) reduces both the low and high ends of the presumptive ranges on the standard sentencing grid by 30 days
- 2) does not change any cells where the current high end of the range is less than 12 months
- 3) reduces only the high end of the range for any cell where the high end of the range equal 12 months
- 4) changes DOC jurisdiction from 12.03 mo to 11.03 mo sentences

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Crimes Against Persons for jail sentences, Other Property offenses for DOSA sentences and an average of all sentences for non-DOSA prison sentences.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences greater than 11 months will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, SSOSA, exceptional sentences, life and death sentences, residential DOSA sentences and any sentences sentenced on the drug grid.
- **Assumes 50% ERT will sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

## Impact on prison and jail beds

In FY08 there were 7,164 sentences that were affected by the modification to the sentencing grid

### For the jail sentences:

- current average sentence length was 8.6 mos
- current average length of stay was 6.2 mos
- estimated number of current offenders was 779
- proposed average sentence length was 8.0 mos
- proposed average length of stay was 5.8 mos
- estimated number of proposed offenders was 766

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 25.3 mos
- current average length of stay was 14.9 mos
- proposed average sentence length was 24.4 mos
- proposed average length of stay was 14.3 mos
- estimated number of offenders was 102
- there was no change in the number of sentences between current and proposed policies

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 38.2 mos
- current average length of stay was 23.1 mos
- estimated number of current offenders was 4,389
- proposed average sentence length was 37.1 mos
- proposed average length of stay was 22.5 mos
- estimated number of proposed offenders was 4,400
- 18 current jail sentences became prison sentences under the proposal

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.4 mos
- current average length of stay was 11.2 mos
- proposed average sentence length was 19.5 mos
- proposed average length of stay was 10.7 mos
- estimated number of offenders was 25
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would therefore need to have 17% of their sentence added back to their total confinement which would bring their ERT from 50% to 33% as of the sunset date of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.4 mos
- current average length of stay was 10.9 mos
- proposed average sentence length was 21.9 mos
- proposed average length of stay was 10.7 mos
- estimated number of offenders was 623
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Standard Grid 30 Day Reduction  
Sentencing Guidelines Commission  
September 3, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-6	-26	-32	-33	-34	-34	-34	-34	-34	-34
<b>Prison AMP (DOSA)</b>	-3	-13	-12	-11	-10	-10	-10	-10	-10	-10
<b>Prison AMP (Non-DOSA)</b>	-5	-64	-120	-153	-169	-178	-184	-192	-200	-208
<b>Prison AMP (Total)</b>	-8	-77	-132	-163	-179	-188	-194	-202	-210	-218

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-34	-34	-34	-34	-34	-34	-34	-34	-34	-34
<b>Prison AMP (DOSA)</b>	-10	-10	-10	-10	-10	-10	-10	-10	-10	-10
<b>Prison AMP (Non-DOSA)</b>	-214	-220	-223	-225	-226	-227	-228	-229	-230	-230
<b>Prison AMP (Total)</b>	-224	-230	-233	-235	-236	-237	-238	-239	-240	-240

**PROPOSAL**  
**STANDARD GRID 30 DAY REDUCTION, 50% ERT REINSTATED**  
**325 – Sentencing Guidelines Commission**  
**September 9, 2009**

**SUMMARY**

This proposal

- 1) reduces both the low and high ends of the presumptive ranges on the standard sentencing grid by 30 days
- 2) does not change any cells where the current high end of the range is less than 12 months
- 3) reduces only the high end of the range for any cell where the high end of the range equal 12 months
- 4) changes DOC jurisdiction from 12.03 mo to 11.03 mo sentences

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Crimes Against Persons for jail sentences, Other Property offenses for DOSA sentences and an average of all sentences for non-DOSA prison sentences.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences of 11.03 months or greater will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, SSOSA, exceptional sentences, life and death sentences, residential DOSA sentences and any sentences sentenced on the drug grid.
- **Assumes 50% ERT will be reinstated on July 1, 2010, without any modification**

## Impact on prison and jail beds

In FY08 there were 7,164 sentences that were affected by the modification to the sentencing grid

### For the jail sentences:

- current average sentence length was 8.6 mos
- current average length of stay was 6.2 mos
- estimated number of current offenders was 779
- proposed average sentence length was 8.0 mos
- proposed average length of stay was 5.8 mos
- estimated number of proposed offenders was 766

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 25.3 mos
- current average length of stay was 14.9 mos
- proposed average sentence length was 24.4 mos
- proposed average length of stay was 12.4 mos
- estimated number of offenders was 102
- there was no change in the number of sentences between current and proposed policies

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 38.2 mos
- current average length of stay was 23.1 mos
- estimated number of current offenders was 4,389
- proposed average sentence length was 37.1 mos
- proposed average length of stay was 22.5 mos
- estimated number of proposed offenders was 4,400
- 18 current jail sentences became prison sentences under the proposal

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.4 mos
- current average length of stay was 11.2 mos
- proposed average sentence length was 19.5 mos
- proposed average length of stay was 9.3 mos
- estimated number of offenders was 25
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would therefore need to have 17% of their sentence added back to their total confinement which would bring their ERT from 50% to 33% as of the sunset date of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.4 mos
- current average length of stay was 10.9 mos
- proposed average sentence length was 21.9 mos
- proposed average length of stay was 10.7 mos
- estimated number of offenders was 623
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Standard Grid 30 Day Reduction, 50% ERT Reinstated  
Sentencing Guidelines Commission  
September 9, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-6	-26	-32	-33	-34	-34	-34	-34	-34	-34
<b>Prison AMP (DOSA)</b>	-3	-14	-14	-13	-13	-13	-13	-13	-13	-13
<b>Prison AMP (Non-DOSA)</b>	-5	-70	-131	-167	-185	-194	-200	-208	-217	-225
<b>Prison AMP (Total)</b>	-9	-84	-145	-180	-198	-207	-213	-221	-230	-238

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-34	-34	-34	-34	-34	-34	-34	-34	-34	-34
<b>Prison AMP (DOSA)</b>	-13	-13	-13	-13	-13	-13	-13	-13	-13	-13
<b>Prison AMP (Non-DOSA)</b>	-231	-237	-240	-242	-243	-244	-245	-246	-247	-247
<b>Prison AMP (Total)</b>	-244	-250	-253	-255	-256	-257	-258	-259	-260	-260

**PROPOSAL**  
**STANDARD GRID 60 DAY REDUCTION**  
**325 – Sentencing Guidelines Commission**  
**September 3, 2009**

**SUMMARY**

This proposal

- 1) reduces both the low and high ends of the presumptive ranges on the standard sentencing grid by 60 days
- 2) does not change any cells where the current high end of the range is less than 12 months
- 3) reduces only the high end of the range for any cell where the high end of the range equal 12 months
- 4) changes DOC jurisdiction from 12.03 mo to 10.03 mo sentences

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Crimes Against Persons for jail sentences, Other Property offenses for DOSA sentences and an average of all sentences for non-DOSA prison sentences.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences of 10.03 months or greater will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, SSOSA, exceptional sentences, life and death sentences, residential DOSA sentences and any sentences sentenced on the drug grid.
- **Assumes 50% ERT will sunset as of July 1, 2010**
- **DOC has provided estimates on the percentage of offenders by hierarchy who have remained at a low risk designation and received 50% ERT. In order to bring these offenders to 33% ERT, 17% of their sentence (less enhancements and credit for time served) was added back to their total confinement (17% is the difference between 50% and 33% ERT). The rest of the sentences were assumed to have received 33% ERT already.**

## Impact on prison and jail beds

In FY08 there were 7,173 sentences that were affected by the modification to the sentencing grid.

### For the jail sentences:

- current average sentence length was 8.6 mos
- current average length of stay was 6.2 mos
- estimated number of current offenders was 782
- proposed average sentence length was 7.5 mos
- proposed average length of stay was 5.4 mos
- estimated number of proposed offenders was 769

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 25.3 mos
- current average length of stay was 14.9 mos
- proposed average sentence length was 23.3 mos
- proposed average length of stay was 13.8 mos
- estimated number of offenders was 102
- there was no change in the number of sentences between current and proposed policies

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 38.2 mos
- current average length of stay was 23.1 mos
- estimated number of current offenders was 4,389
- proposed average sentence length was 36.1 mos
- proposed average length of stay was 21.9 mos
- estimated number of proposed offenders was 4,401
- 18 current jail sentences became prison sentences under the proposal

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.4 mos
- current average length of stay was 11.2 mos
- proposed average sentence length was 19.0 mos
- proposed average length of stay was 10.5 mos
- estimated number of offenders was 25
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would therefore need to have 17% of their sentence added back to their total confinement which would bring their ERT from 50% to 33% as of the sunset date of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.4 mos
- current average length of stay was 10.9 mos
- proposed average sentence length was 21.3 mos
- proposed average length of stay was 10.5 mos
- estimated number of offenders was 625
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Standard Grid 60 Day Reduction, 50% ERT Remains  
Sentencing Guidelines Commission  
August 6, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-7	-40	-53	-55	-56	-57	-58	-58	-58	-58
<b>Prison AMP (DOSA)</b>	-4	-18	-22	-23	-23	-23	-23	-23	-23	-23
<b>Prison AMP (Non-DOSA)</b>	-12	-134	-245	-311	-343	-360	-370	-381	-392	-402
<b>Prison AMP (Total)</b>	-15	-151	-267	-334	-366	-383	-393	-404	-415	-425

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-59	-59	-59	-59	-59	-59	-59	-59	-59	-59
<b>Prison AMP (DOSA)</b>	-23	-23	-23	-23	-23	-23	-23	-23	-23	-23
<b>Prison AMP (Non-DOSA)</b>	-411	-418	-422	-425	-427	-429	-430	-432	-434	-435
<b>Prison AMP (Total)</b>	-434	-441	-445	-448	-450	-452	-453	-455	-456	-457

**PROPOSAL**  
**STANDARD GRID 60 DAY REDUCTION, 50% ERT REINSTATED**  
**325 – Sentencing Guidelines Commission**  
**September 9, 2009**

**SUMMARY**

This proposal

- 1) reduces both the low and high ends of the presumptive ranges on the standard sentencing grid by 60 days
- 2) does not change any cells where the current high end of the range is less than 12 months
- 3) reduces only the high end of the range for any cell where the high end of the range equal 12 months
- 4) changes DOC jurisdiction from 12.03 mo to 10.03 mo sentences

**EXPENDITURES**

**Assumptions**

The adult jail and prison bed impacts for this bill were calculated under the following assumptions:

- Sentences are based on Sentencing Guidelines Commission Fiscal Year 2008 (updated as of May 2009) adult felony sentencing data, and assume no changes in crime rates, filings, plea agreement practices or sentencing volumes, *etc.* (*i.e.*, there will be an identical number of sentences each year).
- Sentences are distributed evenly by month.
- Sentences are discounted by the ratio of sentences to jail or prison admissions.
- Length of stay in jail is calculated using a figure for average earned release, based on a survey of local jails by the Sentencing Guidelines Commission, the Office of Community Development and the Washington State Association of Counties.
- Bed impacts are calculated with a phase-in factor for Crimes Against Persons for jail sentences, Other Property offenses for DOSA sentences and an average of all sentences for non-DOSA prison sentences.
- The prospective length of stay in prison factors in the amount of time served in jail prior to transferring to the Department of Corrections based on the average time served for specific offenses as reported by DOC.
- **Sentences greater than 10 months will be served at DOC**
- **Any DOSA sentences will be served at DOC regardless of sentence length**
- Excluded from the data were FTOW, SSOSA, exceptional sentences, life and death sentences, residential DOSA sentences and any sentences sentenced on the drug grid.
- **Assumes 50% ERT will be reinstated as of July 1, 2010, without modification**

## Impact on prison and jail beds

In FY08 there were 7,173 sentences that were affected by the modification to the sentencing grid

### For the jail sentences:

- current average sentence length was 8.6 mos
- current average length of stay was 6.2 mos
- estimated number of current offenders was 782
- proposed average sentence length was 7.5 mos
- proposed average length of stay was 5.4 mos
- estimated number of proposed offenders was 769

### For the non-DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 25.3 mos
- current average length of stay was 14.9 mos
- proposed average sentence length was 23.3 mos
- proposed average length of stay was 11.9 mos
- estimated number of offenders was 102
- there was no change in the number of sentences between current and proposed policies

### For the non-DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 38.2 mos
- current average length of stay was 23.1 mos
- estimated number of current offenders was 4,389
- proposed average sentence length was 36.1 mos
- proposed average length of stay was 21.9 mos
- estimated number of proposed offenders was 4,401
- 18 current jail sentences became prison sentences under the proposal

### For the DOSA prison sentences Low Risk Estimates<sup>1</sup>:

- current average sentence length was 20.4 mos
- current average length of stay was 11.2 mos
- proposed average sentence length was 19.0 mos
- proposed average length of stay was 9.1 mos
- estimated number of offenders was 25
- there was no change in the number of sentences between current and proposed policies

---

<sup>1</sup> Low Risk Estimates refers to the sentences that are estimated by DOC to have remained low risk and would therefore need to have 17% of their sentence added back to their total confinement which would bring their ERT from 50% to 33% as of the sunset date of 7/1/10

<sup>2</sup> Non-Low Risk Estimates refers to the sentences that are estimated by DOC to have been assessed at a higher risk level than is eligible for the 50% ERT and therefore are already receiving 33% ERT and would not be affected by the sunset

For the DOSA prison sentences Non-Low Risk Estimates<sup>2</sup>:

- current average sentence length was 22.4 mos
- current average length of stay was 10.9 mos
- proposed average sentence length was 21.3 mos
- proposed average length of stay was 10.5 mos
- estimated number of offenders was 625
- there was no change in the number of sentences between current and proposed policies

The grid below shows the overall total of all the bed costs and savings under this proposal.

**Average Monthly Population Jail and Prison Impacts  
Proposal Standard Grid 60 Day Reduction, 50% ERT Reinstated  
Sentencing Guidelines Commission  
September 9, 2009**

	Fiscal Year									
	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
<b>Jail AMP</b>	-10	-46	-55	-57	-59	-59	-59	-59	-59	-59
<b>Prison AMP (DOSA)</b>	-4	-22	-26	-26	-26	-26	-26	-26	-26	-26
<b>Prison AMP (Non-DOSA)</b>	-13	-141	-259	-328	-362	-379	-390	-401	-412	-422
<b>Prison AMP (Total)</b>	-17	-163	-285	-354	-388	-405	-416	-427	-438	-448

	Fiscal Year									
	FY21	FY22	FY23	FY24	FY25	FY26	FY27	FY28	FY29	FY30
<b>Jail AMP</b>	-59	-59	-59	-59	-59	-59	-59	-59	-59	-59
<b>Prison AMP (DOSA)</b>	-26	-26	-26	-26	-26	-26	-26	-26	-26	-26
<b>Prison AMP (Non-DOSA)</b>	-431	-438	-442	-445	-447	-449	-450	-452	-454	-455
<b>Prison AMP (Total)</b>	-457	-464	-468	-471	-473	-475	-476	-478	-480	-481

TAB 9

---

RealScore	# of cases	%
9	435	23%
10	318	17%
11	252	13%
12	163	9%
13	123	7%
14	122	6%
15	84	4%
16	52	3%
17	63	3%
18	48	3%
19	45	2%
20	36	2%
21	24	1%
22	16	1%
23	14	1%
24	12	1%
25	15	1%
26	8	0%
27	6	0%
28	9	0%
29	3	0%
30	7	0%
31	4	0%
32	1	0%
33	3	0%
34	6	0%
35	3	0%
36	1	0%
37	2	0%
38	1	0%
39	2	0%
40	1	0%
41	1	0%
44	1	0%
46	2	0%
51	1	0%
65	1	0%
100	1	0%
109	2	0%
<b>Grand Total</b>	<b>1,888</b>	<b>100%</b>

**In Fiscal Year 2008 (07/01/2007-06/30/2008)**

Number of Adult Felony Sentences	<b>28,184</b>	
Among those, number of sentences with score of 9 or above is	2,094	7.43%

Total cases  
excluded  
from analysis

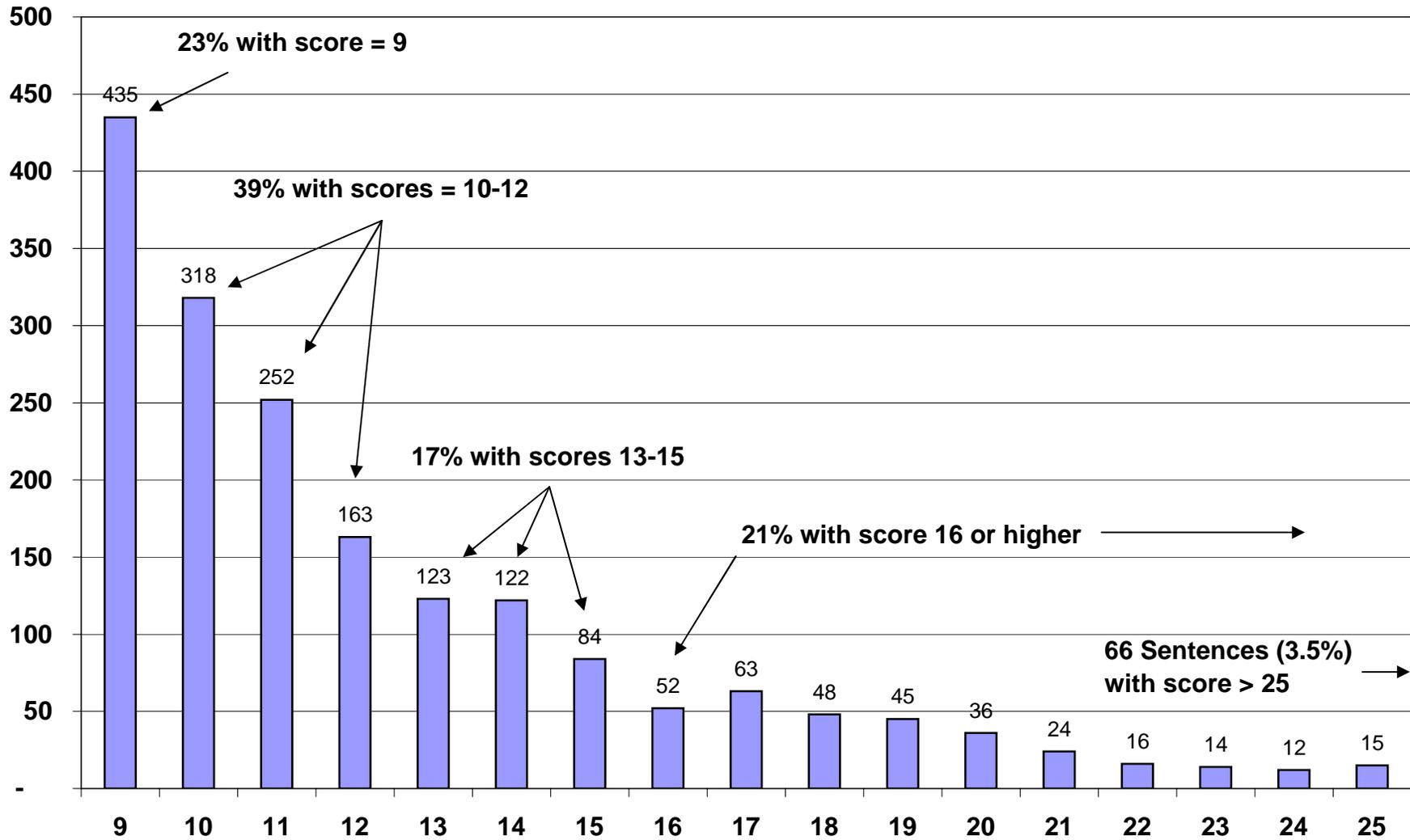
% of cases  
excluded  
from analysis

**With following fiscal notes assumption, some sentences excluded from this analysis**

drug grid sentences		
unranked offenses		
sentences with no confinement time		
life or death sentences		
sentences with First Time Offender waiver	206	9.84%
SSOSA sentences		
exceptional sentences (below or above standard range)		
persistent offender sentences		
alternative sentences (not jail, not prison), e.g. Residential DOSA		

<b>After exclusions, number of sentences with score of 9 or above is</b>	<b>1,888</b>	<b>6.70%</b>
sentences with score of exactly 9	435	23.04%
sentences with score of 10 or above	1,453	76.96%

## Distribution of Sentences with Offender Score 9 or Above



## **Review of FY 2008 Judgment and Sentences with an Actual Offender Score of 20 or More**

### Data Assumptions:

- 2008 Fiscal Year Data – July 1, 2007, through June 30, 2008 (revised as of 06/04/2009)
- Records with offender score of 20 or higher
- Excludes drug offenses sentenced on the drug grid, exceptional sentences, unranked sentences, Residential DOSA, SSOSA and FTOW sentencing alternatives, and any sentence that appears to be outside the standard range for the current conviction.

### Definition Assumptions:

**Case Numbers** – a unique number used as part of SGC tracking system and assigned to an individual sentencing form under a county cause numbers (Judgment & Sentence).

**Actual Offender Score** – total offender score based on contributing “prior” and “current” offenses as provided on the offender’s Judgment and Sentence (scores of 9+).

**Multiple Current Offenses** – are cases with more than one current offense on the same Judgment and Sentence contributing to actual score.

**Multiple “Other Current” Offenses** –are other new offenses sentenced on separate J&S form and contributed to actual offender score

**Multiple Prior Offenses** – Prior offenses pertain to offenses for which the offender was convicted prior to the current conviction and contributed to actual score.

**Multiple Scoring Applied** – when qualifying offenses are scored as more than 1 point per offense as provided in RCW 9.94A.525.

**Current Offenses** - the offense of conviction currently sentenced under the SGC case number. If multiple offenses have been scored, the offense generating the highest offender score is used.

**Current or prior offense categories** – sorts offenses into seven types of offenses: Theft and Fraud (Identity Thefts); Property Crimes & Burglary offenses; Motor Vehicle offenses (theft or possessing); Sex offenses; Prior drug offenses; Violent or Serious Violent offenses and other prior offenses not covered under the other categories.

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details								
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses	
<b>Total cases</b>	<b>185</b>		<b>108</b>	<b>42</b>	<b>172</b>	<b>65</b>			<b>136</b>	<b>134</b>	<b>35</b>	<b>13</b>	<b>68</b>	<b>19</b>	
2008050230	Multiple currents	111*	X	X	X		I.D. Theft	X	X				X		Possession of Firearm
2008050176	Multiple currents	111*	X	X	X		Theft 2	X	X				X		
<i>*These two sentences are exceptional sentences for multiple current identity/fraud offenses. Each offender received 3 additional months over the standard range (Class C = 60mos). These are included for scoring information</i>															
2008050229	Multiple Currents Multiple Priors	111	X	X	X		Theft of Motor Vehicle		X	X			X		
2008050174	Multiple Currents	109	X	X	X		I.D. Theft 2	X					X		
2008010158	Multiple Currents	65	X			X	Burglary 2		X						
2007080024	Multiple Priors	51	X		X		Unlawful Issuance checks	X						X	
2007080024	Multiple Priors	51	X		X		Unlawful Issuance checks	X						X	
2008030681	Multiple Priors	46	X		X	X	Depictions of Minors (Sexual)					X			
2008021501	Multiple Priors	46	X		X	X	Possession of Stolen Vehicle	X	X	X			X		
2008021501	Multiple Priors	46	X		X	X	Possession of Stolen Vehicle		X				X		
2007070858	Multiple Currents	44	X	X	X	X	Residential Burglary		X						
2007111322	Multiple Currents Other currents	41	X	X	X	X	Burglary 2	X	X						
2007111325	Multiple Currents Other currents	40	X	X	X	X	Burglary 2	X	X						
2008061292	Multiple Priors	39			X	X	Burglary 2	X	X						
2007080161	Multiple Priors	39			X		Possession of Stolen Property		X	X					
2008010351	Multiple Priors	38		X	X	X	Possession of Stolen Vehicle	X	X	X			X		
2008020228	Multiple Currents Other currents	37	X	X	X	X	Burglary 2	X	X						
2008020160	Multiple Currents Multiple Priors	37	X		X	X	Burglary 2	X	X						
2007111655	Multiple Priors	36			X	X	Possession of Stolen Vehicle	X		X					
2007110606	Multiple Currents Multiple Priors	35	X		X		Theft 1	X							
2008011028	Multiple Priors	35	X		X	X	Burglary 2		X						
2008048569	Multiple Priors	35			X		Leading Organized Crime	X	X				X		
2008038554	Multiple Currents Multiple Priors	34	X		X		Theft 1	X	X						
2007070145	Multiple Priors	34			X	X	Residential Burglary		X						
2008038543	Multiple Priors	34	X	X	X		Theft 1	X	X				X		
2007120981	Multiple Priors	34	X		X	X	Theft of Motor Vehicle			X					
2008068165	Multiple Priors	34			X	X	Theft of Motor Vehicle	X	X	X					
2008021798	Multiple Priors Other Currents	34	X	X	X	X	Burglary 2		X						
2007110361	Multiple Currents	33	X			X	Rape Child					X			

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details							
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses
2008010756	Multiple Currents Multiple Priors	33	X		X		Possession of Stolen Property	X	X					
2007071469	Multiple Currents Multiple Priors	33	X		X		Forgery	X	X					
2007128195	Multiple Priors	32	X		X	X	Residential Burglary		X			X		
2007110177	Multiple Currents Other currents	31	X	X			I.D. Theft 1	X						
2007098274	Multiple Currents Multiple Priors	31		X	X		Forgery	X	X			X		
2007098310	Multiple Priors Other Currents	31	X		X		Forgery	X						
2007098318	Multiple Priors Other Currents	31	X		X		Use of Proceeds of Criminal Profiteering	X	X					
2007110175	Multiple Currents Other currents	30	X	X			I.D. Theft 2	X	X					
2008020596	Multiple Currents	30	X				Forgery	X						
2007101782	Multiple Currents Multiple Priors	30	X		X		I.D. Theft 2	X	X					
2008020164	Multiple Priors	30			X	X	Failure to Register SO				X	X		Failure to register-Sex
2007100258	Multiple Priors	30			X		Theft 2	X						Possession of Firearm
2008020688	Multiple Priors	30			X		Theft 2	X	X					
2008051345	Multiple Priors	30			X	X	Robbery1						X	
2008061502	Multiple Currents Multiple Priors Other Currents	29			X	X	Assault 2	X	X			X	X	
2007120970	Multiple Priors	29			X	X	Theft of Motor Vehicle	X	X	X		X		
2008038370	Multiple Priors	29	X		X	X	Possession of Stolen Vehicle		X	X		X		
2007088119	Multiple Currents Other currents	28	X	X			I.D. Theft 1	X						Identity Thefts
2008051132	Multiple Currents Multiple Prior	28	X		X		Unlawful Possession Firearm	X				X		Possession of Firearm
2008040907	Multiple Currents Multiple Priors	28	X		X		Theft 2	X	X					Escape
2008051107	Multiple Currents Multiple Priors	28	X		X		I.D. Theft 2	X	X					
2007108196	Multiple Currents Multiple Priors	28	X	X	X		Leading Organized Crime	X	X			X	X	

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details							
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses
2007078165	Multiple Priors	28			X	X	Failure to Register SO	X	X		X			Failure to register-Sex
2007070714	Multiple Priors	28	X		X		I.D. Theft 2	X				X		
2007120545	Multiple Priors	28	X		X		Forgery	X						
2007088284	Multiple Priors	28			X		Attempting to Elude	X				X		
2008060961	Multiple Currents Multiple Priors Other Currents	27	X		X		I.D. Theft 1	X	X					
2007110420	Multiple Priors	27	X		X	X	Residential Burglary	X	X			X		
2008031500	Multiple Priors	27	X		X		Theft 2	X				X		
2007071294	Multiple Priors	27			X		I.D. Theft 2	X	X					
2008060963	Multiple Priors	27			X		Theft of Rental Property	X	X	X				
2008060956	Multiple Priors	27	X		X		Theft 1	X	X					
2007088144	Multiple Currents Other currents	26	X	X			I.D. Theft 2	X						
2008061569	Multiple Currents Other currents	26	X	X	X		I.D. Theft 2	X	X				X	
2007111513	Multiple Priors	26			X	X	Residential Burglary		X					
2008031122	Multiple Priors	26			X		Theft 2		X			X		
2007100808	Multiple Priors	26	X	X	X		I.D. Theft 1	X						
2007071208	Multiple Priors	26	X		X		I.D. Theft 2	X				X		
2007100805	Multiple Priors Other Currents	26		X	X		Theft 2	X						
2007100806	Multiple Priors Other Currents	26		X	X		Theft 2	X	X					
2007116009	Multiple Currents Multiple Priors	25	X		X		Trafficking in Stolen Property	X	X					
2007110093	Multiple Priors	25			X		Unlawful Possession Firearm	X	X					Possession of Firearm
2008051070	Multiple Priors	25	X		X	X	Residential Burglary	X	X					Possession of Firearm
2008010452	Multiple Priors	25			X	X	Burglary 2		X	X				
2008011230	Multiple Priors	25		X	X		Theft 1	X	X			X		
2008011231	Multiple Priors	25		X	X		Theft 1	X	X			X		
2008031462	Multiple Priors	25	X		X		I.D. Theft 2	X		X				
2008060179	Multiple Priors	25					Organized Retail Theft	X	X			X	X	
2008021715	Multiple Priors	25	X		X	X	Theft of Motor Vehicle	X	X			X		
2007101608	Multiple Priors	25	X		X		Forgery	X						

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details							
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses
2008061361	Multiple Priors	25			X		Bail Jump for Class B/C Offense					X		Violation of DV No-Contact
2008020351	Multiple Priors	25	X		X		Attempting to Elude	X	X			X		
2008018382	Multiple Priors Other Currents	25	X	X	X	X	Burglary 2		X					Possession of Firearm
2008011234	Multiple Priors Other Currents	25		X	X		Forgery	X	X			X		
2008011235	Multiple Priors Other Currents	25		X	X		Forgery	X	X			X		
2007078306	Multiple Currents	24	X				Forgery	X				X		
2007090816	Multiple Currents Multiple Priors	24	X				I.D. Theft 2	X	X			X		
2007090817	Multiple Currents Multiple Priors Other Currents	24	X	X	X		I.D. Theft 2	X	X	X		X		
2008028241	Multiple Priors	24			X	X	Burglary 2		X					
2008048330	Multiple Priors	24	X		X		I.D. Theft 2	X				X		
2008060881	Multiple Priors	24			X		Taking MV w/o Permission	X	X					
2008061165	Multiple Priors	24			X		Taking MV w/o Permission		X			X	X	
2008021760	Multiple Priors	24			X	X	Possession of Stolen Vehicle		X	X				Attempt to Elude PO
2007118139	Multiple Priors	24			X		Forgery							Possession of Firearm
2008031246	Multiple Priors	24	X		X		Forgery	X	X					
2007126169	Multiple Priors	24			X		Escape	X						
2007070764	Multiple Priors	24	X		X		Attempting to Elude	X						
2008021155	Multiple Currents Other currents	23	X	X		X	Residential Burglary		X					
2007090257	Multiple Currents Multiple Priors	23	X		X		I.D. Theft 1	X	X					
2007126069	Multiple Currents Multiple Priors	23	X		X		I.D. Theft 1	X	X			X		
2007111505	Multiple Currents Multiple Priors	23	X		X		Trafficking in Stolen Property	X	X			X		
2008018530	Multiple Currents Multiple Priors Other Currents	23	X	X	X		Trafficking in Stolen Property	X	X			X		
2007120147	Multiple Priors	23			X	X	Possession of Stolen Vehicle	X	X	X		X		
2008058182	Multiple Priors	23			X	X	Possession of Stolen Vehicle		X	X				

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details							
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses
2008058185	Multiple Priors	23			X	X	Possession of Stolen Vehicle		X	X				
2007128203	Multiple Priors	23			X	X	Assault 2		X				X	
2007118295	Multiple Priors	23	X		X	X	Residential Burglary	X	X			X	X	
2008018564	Multiple Priors Other Currents	23	X	X	X		Unlawful Possession Firearm	X	X			X		Escape
2007090259	Multiple Priors Other Currents	23		X	X		Forgery	X	X					
2008018535	Multiple Priors Other Currents	23		X	X		Attempting to Elude	X	X			X		
2008030078	Multiple Currents	22	X				Possession of Stolen Property		X					
2008028491	Multiple Currents Multiple Priors	22	X		X		Unlawful Possession Firearm	X	X			X	X	Possession of Firearm
2008028194	Multiple Currents Multiple Priors	22	X		X	X	Residential Burglary	X	X			X		
2008051072	Multiple Currents Multiple Priors	22	X		X		I.D. Theft 2	X	X					Possession of Firearm
2008020306	Multiple Priors	22	X		X	X	Residential Burglary	X	X					Traffic in Stolen Property
2007070198	Multiple Priors	22	X		X	X	Burglary 2		X					
2007091289	Multiple Priors	22	X		X	X	Burglary 2		X				X	
2008050150	Multiple Priors	22	X		X	X	Burglary 2	X	X	X				
2008018795	Multiple Priors	22			X		I.D. Theft 2	X	X	X		X		
2007111239	Multiple Priors	22	X		X	X	Possession of Stolen Vehicle			X				
2008051843	Multiple Priors	22	X		X	X	Possession of Stolen Vehicle	X	X	X				
2008061112	Multiple Priors	22			X	X	Possession of Stolen Vehicle		X			X		
2007110008	Multiple Priors	22			X		Forgery	X					X	
2007088424	Multiple Priors	22			X		Escape	X	X					
2007120778	Multiple Priors Other Currents	22	x	X	X		Burglary 2		X	7+		X		
2007121079	Multiple Priors Other Currents	22	X		X		Possession of Stolen Property		X	7+		X		
2007071054	Multiple Priors	21	X		X	X	Residential Burglary	X	X	X			X	
2007091483	Multiple Priors	21			X	X	Burglary 2		X				X	
2007100034	Multiple Priors	21			X		Theft 1	X	X			X	X	
2008010667	Multiple Priors	21	X		X	X	Robbery 2	X	X			X		Attempt to Elude PO
2008030076	Multiple Priors	21			X		Attempting to Elude	X	X		X		X	

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details							
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses
2008019034	Multiple Priors Other Currents	21	X	X	X		Theft 2	X				X		
2008038719	Multiple Currents	21	X				Trafficking in Stolen Property	X						
2007110418	Multiple Currents	21	X		X	X	Residential Burglary		X			X		
2008018907	Multiple Currents Multiple Priors	21	X		X		I.D. Theft 2	X	X					
2008019033	Multiple Currents Multiple Priors	21	X	X	X		Forgery	X	X			X		
2008028323	Multiple Currents Multiple Priors	21	X		X		Forgery	X	X	X		X		
2008048438	Multiple Priors	21			X		Unlawful Possession Firearm	X	X			X		Possession of Firearm
2008048659	Multiple Priors	21			X		Theft 1	X	X			X	X	
2008028315	Multiple Priors	21			X		Theft 2	X	X	X		X		
2008018630	Multiple Priors	21			X		Organized Retail Theft	X						
2008051031	Multiple Priors	21	X		X	X	Theft of Motor Vehicle		X	X	X			
2008031498	Multiple Priors	21			X		Possession Stolen Vehicle			X				Possession of Firearm
2007120919	Multiple Priors	21	X		X		Possession of Stolen Property	X	X	X		X		
2008020931	Multiple Priors	21			X		Poss Payment Instruments	X	X					
2008068141	Multiple Priors	21			X		Tampering w/ Witness	X	X					
2008010815	Multiple Priors	21			X		Escape	X	X					All juvenile prior offenses
2008018237	Multiple Priors	21			X		Bail Jump for Class B/C Offense	X						
2008061439	Multiple Priors	21	X		X		Bail Jump for Class B/C Offense	X	X	X				
2008020918	Multiple Priors	21	X		X		Residential Burglary	X	X					
2008061449	Multiple Priors Other Currents	21		X	X	X	Theft of Motor Vehicle	X	X	X				Escape
2008040972	Multiple Priors	20	X		X		Murder	X	X					
2008018661	Multiple Priors	20			X	X	Failure to Register SO				X			Failure to register-Sex
2008051032	Multiple Priors	20			X		Failure to Register SO	X			X			Failure to register-Sex
2008061285	Multiple Priors	20			X	X	Residential Burglary	X	X					

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details							
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses
2007126174	Multiple Priors	20		X	X	X	Burglary 2		X		X			
2007108240	Multiple Priors	20	X		X		Theft 2	X	X			X		
2007108102	Multiple Priors	20	X	X	X		I.D. Theft 2	X						Welfare Fraud
2008018524	Multiple Priors	20	X		X		I.D. Theft 2	X	X					
2007111618	Multiple Priors	20			X	X	Possession Stolen Vehicle		X	X	X			
2008021451	Multiple Priors	20	X	X	X	X	Possession Stolen Vehicle			X		X		
2008030573	Multiple Priors	20			X	X	Possession Stolen Vehicle			X				
2008031457	Multiple Priors	20		X	X	X	Possession Stolen Vehicle			X	X			
2007118038	Multiple Priors	20			X		Possession of Stolen Property	X	X					
2008061687	Multiple Priors	20			X	X	Robbery 1		X	X				
2008031165	Multiple Priors	20			X		Forgery	X						
2008028080	Multiple Priors	20			X		Escape	X	X			X		
2007111235	Multiple Priors	20			X		Escape	X	X			X		
2007120112	Multiple Priors	20			X		Trafficking in Stolen Property		X					Possession of Firearm
2008041178	Multiple Priors	20			X		Attempting to Elude	X	X			X		
2008010035	Multiple Priors	20	X		X	X	Hit & Run-Injury		X					
2007081375	Multiple Currents	20	X				I.D. Theft 1	X						
2008020499	Multiple Currents Multiple Priors	20	X		X		Domestic Violence NCO violation	X		X			X	Violation of DV No-Contact
2007100744	Multiple Currents Multiple Priors	20	X		X		I.D. Theft 2	X	X					
2007111496	Multiple Currents Multiple Priors	20	X		X		Trafficking in Stolen Property	X				X		
2007101960	Multiple Currents Multiple Priors	20	X		X	X	Robbery1 w/FA		X					
2007100443	Multiple Priors	20			X	X	Failure to Register SO	X			X			
2007081014	Multiple Priors	20	X	X	X		Malicious Mischief	X	X			X		Issue Bad Checks
2007071458	Multiple Priors	20			X		I.D. Theft 2	X	X					
2007108097	Multiple Priors	20	X		X		I.D. Theft 2	X	X					Welfare Fraud
2007108098	Multiple Priors	20	X		X		I.D. Theft 2	X	X					Welfare Fraud
2007071122	Multiple Priors	20	X		X		Possession of Stolen Property	X	X					
2007100043	Multiple Priors	20	X		X		Possession of Stolen Property		X			X		
2007090256	Multiple Priors	20			X	X	Robbery 2	X	X		X			

Review of FY 2008 Judgment and Sentences  
with an Actual Offender Score of 20 or More

SGC Case Number	Aspect Driving High Offender Score	Actual Offender Score	Sentence Details				Current and/or Prior Offense Details								
			Multiple Current Offenses	Multiple Other Current Offenses	Multiple Prior Offenses	Multiple Scoring Applied	Current Offense	Current or Prior Theft & Frauds Offenses	Current or Prior Prop/Burg Offenses	Current or Prior Motor Vehicle Theft Offenses	Current or Prior Sex Offenses	Prior Drug Offenses	Violent or Serious Violent Offenses	Other Prior Offenses	
2007081372	Multiple Priors Other Currents	20	X	X	X		Possess FA	X				X			Possession of Firearm
2007108099	Multiple Priors Other Currents	20		X	X		I.D. Theft 2	X							Welfare Fraud
2007080243	Multiple Priors Other Currents	20			X		Forgery	X	X				X		