Members Present:  
Dave Boerner  
Dan Satterberg  
Bernie Warner  
Lynne DeLano  
Bonnie Glenn (proxy for John Clayton)  
Hon. Janice Ellis  
Sheriff Paul Pastor  
Russ Hauge  
Hon. Catherine Shaffer  
Kathleen Kyle  
Hon. Janice Ellis  

Members Absent:  
Rep. Sherry Appleton  
Senator Pam Roach  
Bonnie Bush  
Senator Adam Kline  
Hon. Maryann Moreno  
Rep. Brad Klippert  
Lenell Nussbaum  
Hon. Monica Benton  
John Lane  

Staff:  
Keri-Anne Jetzer

Guests:  
Seth Fine, Snohomish County Prosecuting Attorney’s Office  
Hon. Mary Yu, Minority and Justice Commission  
Myra Downing, Minority and Justice Commission  
Sarah Veele, Washington State Center for Court Research  
Kim Ambrose, Professor, UW School of Law

I. CALL TO ORDER
Dave Boerner, Chair, called the meeting to order.
II. APPROVAL OF MINUTES

MOTION #13-11: MOTION TO APPROVE JANUARY AND FEBRUARY 2013 MEETING MINUTES

MOVED: Judge Shaffer
SECONDED: Judge Ellis
PASSED: Unanimously

III. MULTIPLE OFFENSE POLICY REVISION
Chair Boerner provided an update on the Commission’s proposed legislative bill HB 1862. He explained that the chair of the House committee sees this as part of a broader issue to be reviewed during the interim and probably will not be moving this bill during this session. Chair Boerner said there might possibly be work sessions to which he offered the services of the Commission.

IV. LEGISLATIVE BILLS
Chair Boerner updated the members on some of the bills that the Commission previously voted on.

Chair Boerner mentioned that both juvenile LWOP bills, the one the Commission supported and the one the Commission opposed, are moving. Russ Hauge proffered that currently it is unclear how the two bills will be reconciled.

Regarding the juvenile gun bills, Dan Satterberg said that there are still two versions alive. He said the difference between the two is that in the House bill the juvenile receives a JRA sentence on the third occurrence while in the Senate bill it is on the second occurrence.

Dan also added that no action had been taken on the three-strikes bills.

Chair Boerner informed Commission members that he testified on HB 1060 according to their wishes but the bill passed out of committee.

The members were then asked if anyone felt that the Commission should take a position on any of the bills listed in the agenda. Judge Shaffer expressed interest in HB 1482 and HB 1842. Bernie Warner noted that HB 1842 did not make it out of committee. Judge Shaffer explained that HB 1482 is an omnibus bill that deals with DUls and makes some significant changes in the law. Judge Ellis said after she reviewed it the only thing she though noteworthy was that it increased sanctions. Chair Boerner suggested it be placed on the April agenda for further discussion.
V. DISPROPORTIONALITY PRESENTATION – Minority and Justice Commission

Chair Boerner introduced Judge Mary Yu, the co-chair of the Minority and Justice Commission. Judge Yu provided an overview and history of how juvenile disproportionate minority contact came to the Supreme Court.

Sarah Veele, a researcher at the Washington State Center for Court Research, presented Washington state data on disproportionate minority contact.

Myra Downing, staff to the Minority and Justice Commission, talked about the Commission’s efforts to improve data collection with the cooperation of the courts.

Professor Kim Ambrose of the University of Washington School of Law spoke about the issues with identifying points of contact.

During general discussion, Russ Hauge suggested, as a way to get to the language being used and to identify a task that to accomplish, that the Minority and Justice Commission and Sentencing Guidelines Commission work together to create a racial impact note. Judge Shaffer added that much like a fiscal impact statement a racial impact statement would be based on data and could be a persuasive tool. Judge Yu expressed interest in partnering with the Sentencing Guidelines Commission on a racial impact statement.

Bonnie Glenn apprised the Commission that JRA will now be known as the Juvenile Justice and Rehabilitation Administration (JJRA) as they have been given the Special Commitment Center and the Division of Vocational Rehabilitation.

VI. ADJOURNMENT

Next full Commission meeting will be on April 12, 2013, via teleconference.

APPROVED AND ADOPTED BY THE SENTENCING GUIDELINES COMMISSION

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Dave Boerner, Chair                          Date