

IN THE SUPREME COURT FOR THE STATE OF WASHINGTON

THE STATE OF WASHINGTON,)
Respondent,)
vs.)
JEFFREY BROOKS,)
Petitioner.)

RESPONDENT'S SECOND STATEMENT OF ADDITIONAL AUTHORITIES

To: Clerk of the Court

Pursuant to RAP 10.8, the State respectfully submits the following additional authority:

FILED COURT OF APPEALS DIV. #1 SUPREME COURT STATE OF WASHINGTON 2009 MAY 15 AM 10:58 2009 MAY 19 AM 7:50 CLERK R. CARPENTER

1. State v. Armendariz, 160 Wn.2d 106, 111, 156 P.3d 201 (2007): The court may look to authoritative agency interpretations of disputed language to discern legislative intent.

2. Washington Sentencing Guidelines Commission, Adult Sentencing Manual I-44 (2007): "Offenders may not be discharged from community custody before the end of the period of earned release. The Department of Corrections, however, may discharge an offender at any time during the period between the end of the earned release and the end of the range specified by the court."

3. Washington Sentencing Guidelines Commission, Adult Sentencing Manual I-45 (2008): Community custody statutes for violent offenders "require community custody for 18-36 months (...) or up to the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer."

DATED this 13th day of May, 2009.

Respectfully submitted,



HILARY A. THOMAS, WSBA #22007
Appellate Deputy Prosecutor
Attorney for Respondent

CERTIFICATE

I certify that on this date I placed in the mail a properly stamped and addressed envelope, or caused to be delivered, a copy of the document to which this Certificate is attached to this Court and Petitioner's counsel, DAVID DONNAN and GREGORY LINK, addressed as follows:

WASHINGTON APPELLATE PROJECT
1511 Third Avenue, Suite 701
Seattle, WA 98101

Sydney A. Koss
LEGAL ASSISTANT

5/13/2009
DATE

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