

FILED
JUL - 2 2018
WASHINGTON STATE
SUPREME COURT

No. 94971-9

SUPREME COURT OF THE STATE OF WASHINGTON

In re the Personal Restraint Petition of:

DEREK E. GRONQUIST,

Petitioner.

PETITIONER'S SUPPLEMENTAL BRIEF

Derek E. Gronquist
#943857 C-616-2
Monroe Corr. Complex
Twin Rivers Unit
P.O. Box 888
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A. INTRODUCTION.

Petitioner Derek Gronquist was sentenced to three consecutive 114-month terms of confinement in the Department of Corrections (DOC). Those terms of confinement have been served and expired on June 2, 2003; February 3, 2010; and November 17, 2016. In 2012, DOC implemented a computer programming change which enlarged those confinement expiration dates to April 5, 2016; April 10, 2019; and May 31, 2022.

This petition alleges that Mr. Gronquist's confinement past the expiration of his third term of confinement on November 17, 2016 is unlawful, and that DOC's 2012 enlargement of his confinement expiration dates violates the constitutional prohibition against double jeopardy. Mr. Gronquist seeks release from confinement.

B. CLAIM FOR RELIEF.

The DOC's enlargement of Mr. Gronquist's confinement expiration dates imposes an unlawful restraint.

C. QUESTIONS PRESENTED.

1. Whether the Double Jeopardy Clause of the Fifth Amendment to the United States Constitution prohibits the DOC from enlarging a confinement expiration date after a prisoner has served the

term of confinement? Answer: Yes.

2. Does collateral estoppel bar the DOC from arguing that its 2012 enlargement of Gronquist's confinement expiration dates does not violate double jeopardy, when it has previously litigated and lost a case involving that issue? Answer: Yes.

D. STATEMENT OF THE CASE.

Mr. Gronquist was sentenced to three consecutive 114-month terms of confinement in the DOC.¹ Ex 1 at 1 & 3.² The DOC took custody of Mr. Gronquist on February 28, 1995, credited him with 453 days spent in pre-judgment detention and, following this Court's decision in Personal Restraint of Smith & Gronquist,³ 139 Wn.2d 199, 986 P.2d 131 (1999), set the confinement maximum expiration date (Max Ex Date) for Mr. Gronquist's first terms of confinement at June 2, 2003. Ex 7.

¹The sentences were imposed by the King County Superior Court on February 17, 1995 pursuant to a felony judgment finding Gronquist guilty of three counts of attempted kidnapping in the first degree, committed on December 6 and 7, 1993. Ex 1 at 1 & 3.

²"Ex" refers to exhibits attached to the Declaration of Derek Gronquist, subjoined to Petitioner's Opening Brief at Attachment A.

³Smith required DOC to calculate Gronquist's sentences pursuant to eligibility for a 33% reduction to his terms of confinement for good time, rather than the 15% reduction DOC originally calculated his sentences pursuant to.

On August 5, 2000 DOC released Mr. Gronquist from his first sentence to begin serving his second term of confinement. Id. DOC set the Max Ex Date for that sentence at February 3, 2010. Id. On May 5, 2007 the DOC released Mr. Gronquist from the second sentence to begin serving his third term of confinement. Id. DOC set the Max Ex Date for that term of confinement at November 17, 2016. Id. A release date calculation prepared by the DOC in 2008 verifies how these sentences were served:

COUNT I

Start Date.....02/28/1995
Credit for Time Served.....453 days
Earned Release Date.....08/05/2000
Maximum Expiration Date.....06/02/2003

COUNT II

Start Date.....08/05/2000
Earned Release Date.....05/20/2007
Maximum Expiration Date.....02/03/2010

COUNT III

Start Date.....05/20/2007
Early Release Date.....09/18/2013
Maximum Expiration Date.....11/17/2016

Ex 7.⁴

⁴ These calculations are in accord with long-standing Washington State law on how consecutive sentences are served and their Max Ex Dates calculated. Compare Ex 7 with St. Peter v. Rhay, 56 Wn.2d 297 (1960) and Personal Restraint of Paschke, 61 Wn.App. 591 (1991).

On March 2, 2012 - without notice or an opportunity to be heard⁵ - the DOC's Statewide Correctional Records Manager, Ms. Wendy Stigall, implemented a programming change to the OMNI computer database which enlarged Mr. Gronquist's Max Ex Dates to April 5, 2016;⁶ April 10, 2019;⁷ and May 31, 2022.⁸ First Supplemental Declaration of Derek Gronquist in Support of Personal Restraint Petition (First Supplemental Declaration), Ex 1.

When Mr. Gronquist discovered and reported the enlargement of his Max Ex Dates, Records Technicians at the Coyote Ridge Corrections Center admitted that they "can't prove the [altered] time in OMNI is correct." Ex 13 at 6. When Mr. Gronquist asked "what law authorized" the enlargement of his Max Ex Dates, the Records Management Supervisor of the Washington State Penitentiary responded that

⁵ The failure to provide notice or an opportunity to be heard prior to the alteration of a Max Ex Date violates due process. Haygood v. Younger, 769 F.2d 1350 (9th Cir. 1985)(en banc), cert. denied, 478 U.S. 1020 (1986); Alexander v. Perrill, 916 F.2d 1392 (9th Cir. 1990); Sample v. Diecks, 885 F.2d 1099 (3rd Cir. 1989).

⁶ This equals 267 months, 28 days between the Start and Max Ex Date.

⁷ This equals 224 months between the Start and Max Ex Date.

⁸ This equals 183 months, 27 days between the Start and Max Ex Date.

she "did not know," that "everything was done pursuant to the direction of Ms. Stigall," and she "was powerless to even question her actions." First Supplemental Declaration at 2.

Each of Mr. Gronquist's complaints were routed to Ms. Stigall or her supervisor, who claimed: the first and second sentences "stopped" when Gronquist was released to subsequent sentences; State v. Acrey, 97 Wn.App. 784 (1999) authorized DOC to "toll or stop" consecutive terms of confinement;⁹ Max Ex Dates are calculated by aggregating terms of confinement and "add[ing] this time to [the] start date that you were admitted to prison"; and the time added to each cause is "remaining confinement" from previous sentences. Exs 13, 14, 16, 18 & 20.

Mr. Gronquist filed a personal restraint petition challenging the enlargement of his Max Ex Dates on March 18, 2016. DOC responded to the petition by abandoning Stigall's "stoppage time" position, but claimed the Max Ex Date of May 31, 2022 "is correct" because it "equates" three consecutive 114-month sentences to a single 342

⁹ Ms. Stigall later admitted that "Acrey does not apply." Ex 16. DOC's attorney now asserts that Acrey authorizes DOC's enlargement of Gronquist's terms of confinement. Answer to Motion for Discretionary Review at 12-15.

month term of confinement; or Max Ex Dates are calculated from the Max Ex Date of the previous sentence. Response of Department of Corrections (Response) at 2-7.

Court of Appeals Commissioner Mary Neel then directed the DOC to

file a supplemental response addressing Gronquist's claim that the calculation of the maximum expiration date for his consecutive sentences is inconsistent with decisions addressing maximum term expiration dates for successive felony convictions. See In re St. Peter v. Rhay, 56 Wn.2d 297, 352 P.2d 806 (1960); In re Pers. Restraint Petition of Paschke, 61 Wn.App. 591, 811 P.2d 694 (1991).

Letter Order of October 10, 2016.

DOC's supplemental response admitted that St. Peter and Paschke apply to Mr. Gronquist's sentences "because the relevant statutory language governing consecutive sentences is essentially the same" and that Max Ex Dates for consecutive terms of confinement are calculated from the earned release date of each previous sentence.

Supplemental Response of the Department of Corrections at 2-3. Despite those admissions, DOC's attorney claimed that the Max Ex Date of May 31, 2022 is "correctly calculated" because Mr. Gronquist was sentenced to "community custody" under RCW 9.94A.701 which "tolls" "the Max Ex

Clock." ¹⁰ Id., at 1 & 4-9.

On August 18, 2017 the Acting Chief Judge of the Court of Appeals dismissed the petition under RAP 16.11(b). Mr. Gronquist filed a timely motion for discretionary review. On November 17, 2017 this Court's Commissioner directed DOC to provide "a clear and precise calculation of the sentence start dates and 'release' dates for each of the three sentences" that is consistent with its "concession that the maximum expiration date calculation begins on the date the offender has completed the first sentence (or in this case, first two sentences)." Ruling entered 11/17/2017 at 2-3.

DOC's answer asserted that Mr. Gronquist's Max Ex Dates are June 2, 2003; November 30, 2012; and May 31, 2022; and that Max Ex Dates are calculated from the Max Ex Date of each previous sentence. Answer to Motion for Discretionary Review at 3-4. DOC's attorney also contended that RCW 9.94A.707; RCW 9.94A.171(3); RCW 9.94A.589(5); State v. Acrey, 97 Wn.App. 784 (1999); State v. Cameron, 71 Wn.App. 653 (1993); and State v. Jones, 172 Wn.2d 236

¹⁰ RCW 9.94A.707 was created in 2008 and only applies to persons sentenced after July 1, 2009. Laws of 2009, ch. 231 §§ 6, 12 & 28. Mr. Gronquist was sentenced in 1995. Ex 1.

(2011) "supports" the retroactive enlargement of Mr. Gronquist's Max Ex Dates. Id., at 12-17.

While researching his reply, Mr. Gronquist discovered the case of Personal Restraint of Jensen, 2012 Wash.App. LEXIS 2033, which held that the Double Jeopardy Clause (as well as DOC's own policies) prohibits DOC from altering release dates after an inmate has been released to a consecutive term of confinement. Motion for Leave to File Supplemental Brief at 5. Mr. Gronquist requested the Court to take judicial notice of Jensen, and permit supplemental briefing on the issues of double jeopardy and collateral estoppel. Id., at 5-8; Reply in Support of Motion for Discretionary Review at 2 & 14-18. On June 5, 2018 the Court accepted review and authorized the filing of this brief.

E. ARGUMENT.

A personal restraint petition challenging actions of the DOC need only satisfy the requirements of RAP 16.4. Personal Restraint of Grantham, 168 Wn.2d 204, 214 (2010). RAP 16.4(a) states that relief "will" be granted if the petitioner is under restraint, RAP 16.4(b), other remedies are not available, RAP 16.4(d), and the restraint is "unlawful" where:

The conditions or manner of the restraint of petitioner are in violation of the Constitution of the United States or the Constitution or laws of the State of Washington.

RAP 16.4(c)(6).

I. THE DEPARTMENT OF CORRECTIONS ENLARGEMENT OF MAX EX DATES OF TERMS OF CONFINEMENT THAT HAVE BEEN SERVED VIOLATES THE CONSTITUTIONAL PROHIBITION AGAINST DOUBLE JEOPARDY

The Double Jeopardy Clause of the Fifth Amendment to the United States Constitution prohibits "multiple punishments for the same offense." State v. Hardesty, 129 Wn.2d 303, 313-314 (1996). The multiple punishment prohibition is violated by sentence adjustments that upset an offender's legitimate expectation of finality in his sentence. Id. Whether a defendant has an expectation of finality is influenced by "factors such as completion of the sentence, passage of time, pendency of an appeal, . . . or a defendant's misconduct in obtaining the sentence." Hardesty, 129 Wn.2d at 311.

Mr. Gronquist gained a legitimate expectation of finality in the sentences imposed on Counts I and II when his incarceration on those sentences ended on August 5, 2000 and May 20, 2007. Ex 7; United States v. Arrelano Rios, 799 F.2d 520, 525

(9th Cir. 1986)(expectation of finality arises upon completion of sentence); St. Peter v. Rhay, 56 Wn.2d 297, 299-300 (1960)(sentence complete upon release to consecutive sentence); Hardesty, 129 Wn.2d at 312 (recognizing that a "defendant acquires a legitimate expectation of finality in a sentence substantially or fully served. . .").

That expectation is not diminished by Mr. Gronquist's incarceration on another sentence. Personal Restraint of Jensen, 2012 Wash.App. LEXIS 2033, ¶¶ 25-27 & 30 (expectation of finality in consecutive sentence after inmate is released to a subsequent term of confinement);¹¹ United States v. Silvers, 90 F.3d 95, 101-102 (4th Cir. 1996) (expectation of finality in concurrent sentence despite being incarcerated on longer sentence).

The passage of time only strengthens Mr. Gronquist's expectation of finality. His terms of confinement on Counts I and II were served as of August 5, 2000 and May 20, 2007. Ex 7. Those

¹¹Mr. Gronquist is requesting the Court to take judicial notice of Jensen. Cf. Election Contest filed by Coday, 156 Wn.2d 458, 500 n.3 (2006) (stating the Court "will" take judicial notice of the opinion and evidence entered in a prior case under these circumstances). Gronquist also contends that DOC is estopped by Jensen. See Section E(II) *infra*.

sentences expired on June 2, 2003 and February 3, 2010. Id.; St. Peter, 56 Wn.2d at 300. DOC's enlargement of those sentences in 2012 - twelve and five years after they had been served, and nine and two years after they had expired - is far too late. State v. Jennings, 45 Wn.App. 858, 860 (1986)(court lacked jurisdiction to alter terms of confinement after Max Ex Date); St. Peter, 56 Wn.2d at 300 (parole board could not return an inmate to a term of confinement that had expired).

Mr. Gronquist did not invite DOC to alter his Max Ex Dates through an appeal or fraud. Rather, the enlargement was due to a "programming change" made to the DOC's computer database. Exs 13-14.

More importantly, Mr. Gronquist's Max Ex Dates were correctly calculated as of 2008. Ex 7. Max Ex Dates are calculated from the date the prisoner began serving each consecutive term of confinement. St. Peter, 56 Wn.2d at 299-300; Personal Restraint of Paschke, 61 Wn.App. 591, 594-95 (1991). To illustrate, in St. Peter a defendant was sentenced to consecutive 15 and 10 year terms of confinement. He began serving the 15-year term on October 1, 1943. Before that sentence expired, the prisoner was released to begin serving his 10-year sentence

on January 31, 1948. The Court held that the Max Ex Date of the first term of confinement was October 8, 1958 (15-years after St. Peter began serving that sentence),¹² and the Max Ex Date of the second term of confinement was January 31, 1958 (10-years after he began serving that sentence). St. Peter, 56 Wn.2d at 299-300.

In Paschke, a defendant was sentenced to consecutive 10, 20, and 10 year terms of confinement. Following St. Peter, the Court of Appeals recognized that "the term of a subsequent felony sentence begins when the inmate's actual imprisonment for the earlier offense ends." 61 Wn.App. at 594-95 (emphasis added). In other words:

Mr. Paschke began serving his [first] 10-year sentence ... on March 13, 1972. His maximum release date on that conviction was March 12, 1982.... On June 20, 1974 he was paroled to, and began serving, his 20 year maximum sentence.... His maximum release date for that sentence is June 19, 1994.... Paschke began serving his [final] 10 year sentence ... on October 15, 1983. His maximum release date on that charge is not later than October 14, 1993....

Paschke, 61 Wn.App. at 594-95.

Mr. Gronquist began serving his first 114-month (9½-year) term of confinement on February 28,

¹²The additional 8-days is the time St. Peter was at large during an escape. St. Peter, 56 Wn.2d at 300.

1995, and was credited with 453 days spent in pre-judgment detention. Ex 7 (Cause AB). That sentence has a Max Ex Date of June 2, 2003.¹³ Id. On August 5, 2000 the DOC released Mr. Gronquist from the first sentence to begin serving his second 114-month term of confinement. Ex 7 (Causes AB-AC). The Max Ex Date for that second sentence is February 2, 2010. Ex 7 (Cause AC). On May 20, 2007 the DOC released Mr. Gronquist from his second sentence to begin serving his third 114-month term of confinement. Ex 7 (Causes AC-AD). The Max Ex Date for that third and final term of confinement is **November 17, 2016**. Ex 7 (Cause AD); St. Peter & Paschke, supra.

Because it is undisputed that Mr. Gronquist began serving his consecutive terms of confinement on February 28, 1995 (and was credited with 453 days spent in pre-judgment detention); August 5, 2000; and May 20, 2007, St. Peter and Paschke require his Max Ex Dates to be set at June 2, 2003; February 2, 2010; and November 17, 2016 independent

¹³ Both parties agree that the Max Ex Date of Count I is June 2, 2003. Ex 7 (Cause AB); Response at 3; Answer to Motion for Discretionary Review (Answer) at 3. DOC's computer records, however, continue to list the Max Ex Date for Count I as April 5, 2016. Answer, Appendix D.

of the double jeopardy violation. As those dates were correctly calculated as of 2008 (after the terms of confinement on Counts I and II expired), Ex 7, the Double Jeopardy Clause prohibits DOC from increasing those dates in 2012. Jensen, 2012 Wash.App. LEXIS 2033, ¶¶ 25-27 & 30 (double jeopardy prohibits DOC from enlarging sentence expiration dates after an inmate has been released to a subsequent term of confinement); Hardesty, 129 Wn.2d at 310 (recognizing that double jeopardy "absolutely prohibits enlargement of a correct sentence after it has been served.").

Because Mr. Gronquist is confined past the Max Ex Dates of each of his consecutive terms of confinement, he is being subject to an unlawful restraint. St. Peter, Paschke, and Jensen supra.

II. COLLATERAL ESTOPPEL BARS THE DOC FROM RELITIGATING THE ISSUE OF WHETHER DOUBLE JEOPARDY PROHIBITS IT FROM ENLARGING MAX EX DATES AFTER AN INMATE HAS BEEN RELEASED FROM A SENTENCE TO BEGIN SERVING A SUBSEQUENT TERM OF CONFINEMENT

Collateral estoppel bars relitigation of issues. Dot Foods, Inc. v. Department of Revenue, 185 Wn.2d 239, 254 (2016). It applies when

(1) the issue in the earlier proceeding is identical to the issue in the later proceeding; (2) the earlier proceeding ended in a final judgment on the merits; (3) the party against whom collateral estoppel is

asserted was a party, or in privity, to the earlier proceeding; and (4) applying collateral estoppel would not be an injustice.

Cristensen v. Grant County Hospital, 152 Wn.2d 299, 306 (2004).

Issues are "identical" when they involve "substantially the same bundle of legal principles that contributed to the rendering of the first judgment." Standlee v. Smith, 83 Wn.2d 405, 408 (1974). In Jensen, the DOC enlarged an inmate's sentence expiration dates after he had been released to his final consecutive sentence. The Court of Appeals held that DOC's enlargement of release dates after the inmate had been released to a subsequent term of confinement violated the Double Jeopardy Clause. 2012 Wash.App. LEXIS 2033, ¶¶ 25-27 & 30. That is the same issue Mr. Gronquist presents above.

Jensen ended in a final judgment on the merits. State v. Vasquez, 148 Wn.2d 303, 308 (2002) (final judgment where there has been "a final determination regarding the claim or issue").

DOC was the respondent in Jensen, and therefore a party or in privity. Loveridge v. Fred Meyer, 125 Wn.2d 795, 764 (1995)(privity when entity "was in actual control of the litigation, or

substantially participates in it"); Smith, 139 Wn.2d at 203 n.3 (DOC "was not justified" in refusing to abide by a ruling made in a PRP case in which it was the respondent).

DOC had a full and fair hearing: it filed a brief, presented evidence, was represented by counsel, and the Court issued a reasoned decision. Jensen, 2012 Wash.App. LEXIS 2033. There is no injustice in applying collateral estoppel under these circumstances.¹⁴ Thompson v. Department of Licensing, 138 Wn.2d 783, 795-96 (1999)(no injustice where the party "received a full and fair hearing on the issue in question.").

III. NONE OF THE DOC'S POST HOC ASSERTIONS AUTHORIZE ITS CONDUCT

The justifications offered for DOC's conduct boil down to two contentions: (1) Mr. Gronquist's three consecutive 114-month sentences can be aggregated into a single 342 month term of confinement; or (2) terms of confinement "stop" or toll when an inmate is released from one

¹⁴In addition to collateral estoppel, the Court has observed that DOC's refusal to abide by judicial decisions like those entered in St. Peter, Paschke, and Jensen violates substantive due process. Smith, 139 Wn.2d at 203 n.3 ("it offends the rule of law when agencies of the state willfully ignore the decisions of our courts.").

consecutive sentence to the next. Exs 13 at 9 & 11, 14, 16, 18 & 20; First Supplemental Declaration, Ex 2; Second Supplemental Declaration, Ex 1. Both contentions are meritless.

Jensen clearly held that "Washington statutes and case law do not provide that multiple consecutive sentences are treated as a single, aggregate term of imprisonment" and emphasized that DOC had "no policy treating consecutive sentences in the aggregate." 2012 Wash.App. LEXIS 2033, ¶ 30. Each of DOC's calculations treat Mr. Gronquist consecutive sentences as individual terms of confinement. Ex 7; First Supplemental Declaration, Ex 1; Second Supplemental Declaration, Ex 2. DOC's contention that it calculated Mr. Gronquist consecutive sentences as a single 342 month term of confinement has no basis in either law or fact. Cf. Dress v. DOC, 168 Wn.App. 319, 322, 325-329 (DOC lacks authority to convert concurrent sentences into consecutive terms of confinement).

Similarly unsupported is DOC's contention that it tolled or "stopped" terms of confinement that had expired years before its 2012 programming change. See Ex 7 (stating that Causes AB & AC had "EXPIRED" as of 2008). Both the Court of Appeals

and this Court have held that a consecutive "sentence continues to run notwithstanding" release to a subsequent term of confinement. Paschke, 61 Wn.App. at 594-95 (citing Jennings, 45 Wn.App. at 860); St. Peter, 56 Wn.2d at 299-300.

Despite the holdings in St. Peter and Paschke (which DOC concedes apply to Gronquist's sentences, page 6 supra), DOC contends that RCW 9.94A.707; RCW 9.94A.171(3); RCW 9.94A.589(5); State v. Acrey, 97 Wn.App. 784 (1999); State v. Cameron, 71 Wn.App. 653 (1993); and State v. Jones, 172 Wn.2d 236 (2011) "supports" its retroactive enlargement of Mr. Gronquist's terms of confinement. Answer at 12-17. Those authorities, however, concern community-based supervision - not terms of confinement.¹⁵

¹⁵RCW 9.94A.171(3) & .707 govern community custody for sentences imposed after July 1, 2009. Laws of 2008, ch. 231, §§ 6, 12 & 28. Gronquist was sentenced in 1995 for crimes committed in 1993. Ex. 1; Cf. State v. Donaghe, 172 Wn.2d 253, 258 n.5 (2011)(community placement governed by law in effect on date of crime). RCW 9.94A.589(5) states that terms of confinement must be served before "any other requirement or condition of any of the sentences." Gronquist has served his terms of confinement. Ex 7. Acrey held that a term of community placement on one concurrent sentence did not extend confinement on another. Cameron held that community supervision tolls while confined on a longer sentence. Jones held that excess confinement cannot offset a community custody obligation, under 2008 statutes not applicable here.

The statute governing tolling of terms of confinement does not authorize DOC's conduct:

A term of confinement ordered in a sentence pursuant to this chapter shall be tolled by any period of time during which the offender has absented himself or herself from confinement without prior approval of the entity in whose custody the offender has been placed.

RCW 9.94A.171(1).

Mr. Gronquist did not "absent himself" from confinement when DOC released him from one sentence to another. Ex 7; Personal Restraint of Roach, 150 Wn.2d 29, 36 (2003)(prisoner did not "absent himself" from custody when DOC erroneously released him); State v. Flores Serpas, 89 Wn.App. 521, 523-24 (offender did not "absent himself" through INS detention and deportation).

If the legislature had intended terms of confinement to toll when an inmate is released from one consecutive sentence to another it would have said so, in clear and unambiguous terms. Flores Serpas, 89 Wn.App. at 524 (court cannot infer a tolling provision or apply a tolling statute out of context). The fact that the legislature only authorized terms of confinement to toll when an inmate "voluntarily absents" himself from confinement negates DOC's assertion that it can

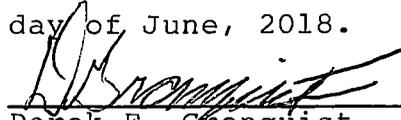
somehow retroactively toll expired terms of confinement.

Even if DOC was correct, the Double Jeopardy Clause would prohibit it from enlarging Mr. Gronquist's Max Ex Dates after the terms of confinement imposed on Counts I and II had expired. Hardesty, 129 Wn.2d at 315 ("what matters for purposes of double jeopardy is not the legality or illegality of the sentence . . . but the defendant's expectation of finality.").

F. CONCLUSION.

Mr. Gronquist requests the Court to grant this petition; hold that his terms of confinement expired on June 2, 2003, February 3, 2010, and November 17, 2016; and order his immediate release from unlawful imprisonment.

Submitted this 23rd day of June, 2018.



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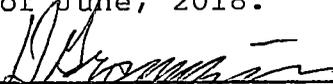
DECLARATION OF SERVICE

Derek Gronquist declares under penalty of perjury under the laws of the state of Washington that on this day I deposited a properly addressed envelope in the internal legal mail system of the Monroe Correctional Complex, and made arrangements for postage, containing: Petitioner's Supplemental Brief. Said envelope(s) was addressed to:

Mandy Lynn Rose
Assistant Attorney General
P.O. Box 40116
Olympia, WA 98504-0116; and

Susan L. Carlson
Supreme Court Clerk
Washington State Supreme Court
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Dated this 27th day of June, 2018.


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