

JAY INSLEE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov

December 27, 2017

TO THE HONORABLE SENATE
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation:

Gregory Link appointed December 27, 2017 for the term ending August 2, 2018 as a Member of the Sentencing Guidelines Commission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Inslee".

Jay Inslee
Governor

QUESTIONNAIRE FOR GUBERNATORIAL APPOINTMENTS REQUIRING SENATE CONFIRMATION

Office Appointed To: Sentencing Guidelines Commission		
Date of Appointment: December 27, 2017		
For Term Ending: August 2, 2018		
<input checked="" type="checkbox"/> New Appointment	<input type="checkbox"/> Reappointment	<input type="checkbox"/> Appointment for Unexpired Term

The information you provide on this questionnaire will be used by the Washington State Senate in considering action on your confirmation. Please complete each blank, if applicable.

Please type or use black ink only and attach additional sheets if necessary.

PERSONAL INFORMATION – SECTION 1				
Name Gregory Charles Link				
Business Name Washington Appellate Project		Business Address 1511 3 rd Ave, Ste 701,		
City Seattle	State WA	Zip 98101	Phone (206)-5872711	
Residence Address 6264 20 th Ave NE			City Seattle	
County King	State WA	Zip 98115	Phone (206)-2935078	Years at current residence 13
If less than two years at current address, please list previous address			City	
County	State	Zip	Phone ()	Years at previous residence
List all your current residences outside of Washington.				
City	State	Percentage of time spent outside of Washington		
Date of Birth September 28, 1969		Place of Birth Groton, CT		
Have you ever used or been known by any other name (aside from maiden name)? <input type="checkbox"/> Yes If "yes", please explain. <input checked="" type="checkbox"/> No				
Are you a citizen of the United States? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		How long have you been a continuous resident of Washington? 24 years		
Are you registered to vote in Washington State? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Party Affiliation: <i>(Reply only if a statutory precondition of appointment)</i>		County of registration: King	
			When did you last vote: Nov. 2017	

Have you ever been convicted of or found to have committed a crime or offense? (Do not include traffic offenses for which the fine was less than \$200.)

- Yes
 No

Date	Place	Nature	Disposition

EDUCATION – SECTION 2

High School Jesuit High School - Portland, OR	Year Graduated 1987
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List all postsecondary educational institutions attended.

Name/Location	Dates of Attendance	Certificates, Degrees, etc.
Oregon State Univeristy	1987-1992	B.A. - History B.A. - Political Scicence
Gonzaga Unversity School of Law	1992-1995	J.D.

MILITARY HISTORY – SECTION 3

Are you or have you ever been a member of the Armed Forces of the United States?

- Yes
 No

Dates of Service	Branch of Service	Date and Type of Discharge

EMPLOYMENT – SECTION 4

Current Employment:

Name/Location	Nature of Business	Position	From/To
Washington Appellate Project Seattle, WA	nonprofit law firm providing publci defense services	Director Staff Attorney	2016-17 1995-2016

Previous employment:

Name/Location	Nature of Business	Position	From/To
Snohomish County Public Defender Assoc.	nonprofit law firm providing publci defense services	Staff Attorney	1997-98

Have you ever been employed by or held a position or office with any federal, foreign, Washington or other state, or local governmental entity or agency?

- Yes If "yes", please list.
 No

Position	Name of Entity/Agency	From/To

To your knowledge, have you, any member of your immediate family or any business entity in which you have held a substantial interest or of which you were an officer or director, ever had a contract with any Washington state or local government entity or agency for the provision of services or commodities?

If "yes", please explain.

- Yes
 No

I am currently the director of the Washington Appellate Project, a nonprofit law firm. The firm contracts with the Office of Public Defense to provide appellate representation to indigent persons appealing criminal convictions, decisions in termination and dependency cases, and all other cases in which the person is statutorily or constitutionally entitled to appointed counsel.

Have you ever been refused or granted a fidelity, surety, or other bond?

- Yes
 No

If "refused", please explain.

Have you been a registered lobbyist at any time during the past five years?

- Yes
 No

If so, did you receive any compensation?

- Yes
 No

Have you employed a registered lobbyist at any time during the past five years?

- Yes
 No

Group(s) represented:

If currently a registered lobbyist, attach Public Disclosure Commission L-1 reports for the past two years.

ORGANIZATIONS AND CIVIC EXPERIENCE – SECTION 5

List any community, civic, trade, or professional organizations in which you have been active.

Organization/Project	City/State	From/To
Washington Defender Association	Seattle, WA	1995-present
Washington Association of Criminal Defense Lawyers	Seattle, WA	1995-present
Washington Appellate Lawyers Association	Seattle, WA	2016-present
North Seattle Baseball Association	Seattle, WA	2008-present

Have you ever been elected or appointed to any public office, board or commission in Washington State?

- Yes
 No

If "yes", please list.

Title/Position	Office/Board/Commission	Date of Election/Appointment	Length of Term/Service

If your prior appointment was to a board or commission, how often did it have scheduled meetings?

Did you attend all of the regularly scheduled meetings?

- Yes
 No

If "no", please state the approximate percentage of meetings you missed and the reason(s) for your absence(s).

QUALIFICATIONS AND APPOINTMENT DUTIES – SECTION 6

State your experience or interests that qualify you for the office to which you have been appointed.

I am very familiar with the Sentencing Reform Act and other aspects of sentencing in Washington.

I have spent 22 years as an appellate attorney representing persons on appeal of their convictions and sentence. In that time, I have developed an expertise in sentencing law. I have argued countless sentencing cases in the Washington Court of Appeals and more than 15 in the Washington Supreme Court, and have argued a Washington sentencing case in the United States Supreme Court. I have been asked to speak at numerous seminars on the topic of sentencing in Washington.

If you are confirmed, do you know of any reason whatsoever why you will not be able to attend fully to the duties of the office or position to which you have been appointed?

- Yes
 No
- If "yes", please explain

REFERENCES – SECTION 7

Please list three persons (excluding relatives) who have known you well within the past five years.

Name	Relationship	Address	Phone Number
Suzanne Elliott	Colleague	705 Second Avenue #1300 Seattle, WA 98104	(206)-6230291
Nancy Collins	Colleague	1511 Third Avenue, 701 Seattle, WA 98101	(206)-5872711
Lila Silverstien	Colleague	1511 Third Avenue, 701 Seattle, WA 98101	(206)587-2711

I certify under penalty of perjury under the laws of the State of Washington, that the above information is true, complete, and correct to the best of my knowledge.

Signature



Date

12/27/17

PLEASE RETURN A HARD COPY OF THIS FORM, ALONG WITH (IF REQUIRED) ALL CURRENT PUBLIC DISCLOSURE REPORTS FILED PURSUANT TO RCW 42.17.

RETURN TO:

***OFFICE OF THE GOVERNOR
PO BOX 40002, OLYMPIA, WA 98504-0002***

Last Name: Link		First Name: Gregory		Middle Name: Charles	
Board or commission for which you would like to be considered.					
Sentencing Guidelines Commission					
Contact Information - Home			Contact Information - Work		
			Employer:	Washignton Appellate Project	
Street Address:	1511 3rd Avenue, Suite 701		Street Address:	1511 Third Avenue, Suite 701	
City:	Seattle		City:	Seattle	
State:	Washington		State:	Washington	
Zip:	98101		Zip:	98101	
County:			County:		
Home Phone:	(206) 522-1821		Work Phone:	(206) 587-2711	
Cell Phone:			Email:	greg@washapp.org	
Email:	greg@washapp.org				
Are you registered to vote in Washington State?			Legislative district in which you reside:		
Yes			Legislative District-43		
Birth date			Congressional district in which you reside:		
9/28/1969			7 District		
Have you ever been convicted of or found to have committed a crime offense? (Do not include traffic offenses for which the fine was less than \$200.00)					
No					
If yes, please explain:					
Education					
High School:		College:		Post Graduate:	
Jesuit High School - Portland		Oregon State University		Gonzaga University School of Law	
Graduated:		Graduated:		Graduated:	
Yes		Yes		Yes	
Year Graduated:		Year Graduated:		Year Graduated:	
1987		1992		1995	
		Degree:		Degree:	
		BA History/Political Science		JD	
Current Employment					
Job Title:		Director			
Employer:		Washignton Appellate Project			
Employment Date:		11/15/1995			
Contact Person:		Ann Joyce			
Contact Phone:		(206) 587-2711			
Professional Licenses held (if applicable)					
Admitted Washington Bar, Western District of Washington, 9th Circuit, United State Supreme Court					
Professional References					

Name:	Suzanne Elliott	Name:	Jason Saunders
Title:	Attorney	Title:	Attorney
Organization:	Law Office of Suzanne Elliott	Organization:	Gordon and Saunders
Relationship:	Colleague	Relationship:	Colleague
Phone Number:	(206) 623-0291	Phone Number:	(206) 340-6034

Personal References

Name:	Thomas Kummerow	Name:	Nancy Collins
Title:		Title:	
Organization:		Organization:	
Relationship:	Colleague	Relationship:	Colleague
Phone Number:	(206) 587-2711	Phone Number:	(206) 587-2711

Previous employment or experience

~~I was a staff attorney at the Washington Appellate Project for 21 years beginning in 1995. I became the Director of the Washington Appellate Project in December 2016. During that time I represented indigent clients appealing criminal conviction, termination of parental rights, civil commitment. I have appeared in the Washington Court of Appeals hundreds of times, appeared in the Washington Supreme Court approximately 50 times, and have appeared in the United States Supreme Court and 9th Circuit Court of Appeals. Many of those case have pertained to Washington and Federal sentencing laws, and I have numerous publish cases addressing the proper application of those sentencing schemes. I have developed an expertise application of the Sentencing reform Act and have been called on to speak on the topic at numerous conferences.

Memberships in professional, civic organizations or government boards or commissions(please include offices held and dates of terms)

~~I am a member to the Washington Defender Association and Washington Association of Criminal Defense Lawyers. I have served on the Board of Directors of the Washington Defender Association since 2009. Since 2012 I have been the chair of the association's Legislative Committee. I am a member of the Washington Appellate Lawyer's Association. In 2016 I served on the committee to review the qualifications of attorneys seeking to contract with the King County Department of Public Defense.

Community service/volunteer activities

~~I have coached youth baseball since 2008 with the North Seattle Baseball Association, and have served on the organization's Board of Directors since 2009.

Could you or any member of your family be affected financially by decisions made by the board or commission for which you are applying?

No

If yes, please explain:

Have you been a registered lobbyist or have you employed a lobbyist at any time during the past five years?

No

If yes, did you receive any compensation?

No

Board and commission meetings are held during the day. Are you able to come prepared and actively participate in day meetings?

Yes

Why do you want to serve on this board or commission?

~~For more than 20 years I have represented persons sentenced under the Sentencing Guidelines. I understand the often harsh impact sentencing policy has on those individuals and how it can lead to disparate impacts on many groups. I believe my expertise with the application of Washington's sentencing law gained through my practice would allow me to offer valuable input in developing future sentencing policy.

Gender:	Male	US Armed Forces:	No
Race:	White	Branch:	
US Citizen:	Yes	Type of Discharge:	
		Campaigns:	

Do you have a permanent physical, sensory, or mental condition that limits your major life functions, such as working, caring for yourself, walking, doing things with your hands, seeing, hearing, speaking and learning?

No

If yes, please explain:

I hereby authorize that my criminal history and tax records be released to the Governor or the Governor's representative and certify that the information provided in this application is true, correct and complete to the best of my knowledge.

Date: 10/13/2017

GREGORY C. LINK
Washington Appellate Project
1511 Third Avenue, Suite 701
Seattle, Washington 98101
(206) 587-2711 • greg@washapp.org

SELECTED EXPERIENCE

Washington Appellate Project – Director

Seattle, Washington - December 2016 to present

Supervised office of 12 attorneys and 3 staff in nonprofit appellate public defense office focused on high-quality client-centered appellate advocacy. Drafted and implemented budget. Worked with stakeholders to develop guidelines for appellate public defenders. Represented indigent clients on appeal.

Washington Appellate Project – Senior Attorney

Seattle, Washington - November 1995 to October 1997; May 1998 to November 2016

Represent indigent clients on direct appeal of felony convictions including death penalty cases and other complex criminal prosecutions. Represent prisoners in state collateral attack. Represent indigent parents and children in appeal of juvenile dependency proceedings. Argued before United States Supreme Court. Argued on behalf of clients in more than 40 cases before Washington Supreme Court. Appeared in and argued more than 400 cases to Washington Court of Appeals.

Snohomish County Public Defender’s Office – Staff Attorney

Everett, Washington – October 1997 to May 1998

Represented indigent clients charged with misdemeanor offenses. Represented clients in jury and bench trials. Represented clients at sentencing and in probation violation hearings.

EDUCATION

Gonzaga University School of Law - Spokane, Washington

Juris Doctorate, *cum laude* - 1995

Oregon State University - Corvallis, Oregon

Bachelor of Arts, History – 1992; Bachelor of Arts, Political Science – 1992

PROFESSIONAL ASSOCIATIONS

Washington Defender Association

- Board of Directors - June 2009 to Present
- Co-chair Legislative Committee
- Amicus Committee and Amicus Author

Washington State Supreme Court Capital Counsel Panel

Washington Association of Criminal Defense Lawyers

- Amicus Author
- Public Records Act Committee

Washington Appellate Lawyers Association

CJA Panel for the Western District of Washington

ARTICLES

- *Washouts*, Washington Criminal Defense, May 2002
- *Accurate Sentences?*, Washington Criminal Defense, May 2008

PRESENTATIONS

- “Laying Groundwork for Appeal,” Washington State Bar Assoc., Co-Presenter March 2008, Seattle
- “Challenging Prior Convictions,” Seattle University School of Law/Washington Defender Association Three Strikes Forum, Seattle, January 2010
- “Why Some Information Should Remain Private,” Winning Cases of Misconduct: Success with the Public Records Act, Washington Defender Association, Seattle, October 2010
- “Why Some Information Should Remain Private,” Winning Cases of Misconduct: Success with the Public Records Act, Washington Defender Association, Spokane, October 2010
- “SRA Sentencing,” Snohomish County Public Defender Agency, Everett, November 2011.
- “Confidentiality Can It Be Done?: “Is anything private anymore?,” Washington Association of Criminal Defense Lawyers, Seattle, March 2013
- “Sentencing: The Old and the New,” Washington Defender Association, Spokane, October 2013
- “Sixth Amendment Limitations on the Practice of Judicial Fact Finding at Sentencing,” Washington Defender Association, webinar, April 2014
- “What a Wonderful World: Open Courts,” Washington Association of Criminal Defense Lawyers, Seattle, December 2015
- Legislative Update, Washington Defender Association, Winthrop, April 2017

SELECTION OF IMPORTANT PUBLISHED CASES AND PUBLISHED APPELLATE VICTORIES

United States Supreme Court

Washington v. Recuenco, 548 U.S. 212, 126 S.Ct. 2546, 165 L.Ed.2d 466 (2006)

Washington Supreme Court

State v. Ortiz Abrego, 187 Wash.2d 394 (2017)

State v. Sandholm, 184 Wash.2d 726 (2015)

State v. O’Dell, 183 Wash.2d 680 (2015)

State v. S.J.C., 183 Wash.2d 408 (2015)

State v. Allen, 182 Wash.2d 364 (2015)

State v. Gunderson, 181 Wash.2d 916 (2014)

State v. W.R. Jr. 181 Wash.2d 757 (2014)

State v. Coley, 180 Wash.2d 543 (2014)

State v. Duncalf, 177 Wash.2d 289 (2013)

State v. McKague, 172 Wash.2d 802 (2011)

State v. Mullen, 171 Wash.2d 881 (2011)

State v. Simms, 171 Wash.2d 244, 250 P.3d 107 (2011)

Yakima v. Yakima Herald-Republic, 170 Wash.2d 775, 246 P.3d 768, (2011)

Seattle Times Co. v. Serko, 170 Wash.2d 581, 243 P.3d 919 (2010)

State v. Moeurn, 170 Wash.2d 169, 240 P.3d 1158 (2010)

State v. Garcia-Salgado, 170 Wash.2d 176, 240 P.3d 153 (2010)
In re Personal Restraint of Mattson, 166 Wash.2d 730, 214 P.3d 141 (2009)
In re Brooks, 166 Wash.2d 664, 211 P.3d 1023 (2009)
State v. Knippling, 166 Wash.2d 93, 206 P.3d 332 (2009)
State v. Cayenne, 165 Wash.2d 10, 195 P.3d 521 (2008)
State v. Recuenco, 163 Wash.2d 428, 180 P.3d 1276 (2008)
In re Personal Restraint of Dalluge, 162 Wash.2d 814, 177 P.3d 675 (2008)
In re Dependency of A.K., 162 Wash.2d 632, 174 P.3d 11 (2007)
In re Dependency of Schermer, 161 Wash.2d 927, 169 P.3d 452 (2007)
State v. Yates, 161 Wash.2d 714, 168 P.3d 359 (2007)
State v. Young, 160 Wash.2d 799, 161 P.3d 967 (2007)
State v. Surge, 160 Wash.2d 65, 156 P.3d 208 (2007)
State v. Devin, 158 Wash.2d 157, 142 P.3d 599 (2006)
In re Personal Restraint Petition of Tran, 154 Wash.2d 323, 111 P.3d 1168 (2005)
State v. Abd-Rahmaan, 154 Wash.2d 280, 111 P.3d 1157 (2005)
State v. Recuenco, 154 Wash.2d 156, 110 P.3d 188 (2005)
State v. Ross, 152 Wash.2d 220, 95 P.3d 1225 (2004)
State v. Varga, 151 Wash.2d 179, 86 P.3d 139 (2004)
State v. Kilburn, 151 Wash.2d 36, 84 P.3d 1215 (2004)
State v. Baldwin, 150 Wash.2d 448, 78 P.3d 1005 (2003)
State v. Wilson, 149 Wash.2d 1, 65 P.3d 657 (2003)
State v. Brown, 147 Wash.2d 330, 58 P.3d 889 (2002)
State v. Sanchez, 146 Wash.2d 339, 46 P.3d 774 (2002)
State v. Smith, 144 Wash.2d 665, 30 P.3d 1245 (2001)
State v. Williams, 144 Wash.2d 197, 26 P.3d 890 (2001)
State v. Ahluwalia, 143 Wash.2d 527, 22 P.3d 1254 (2001)
State v. Dahl, 139 Wash.2d 678, 990 P.2d 396 (1999)
State v. Ford, 137 Wash.2d 472, 973 P.2d 452 (1999)

Other courts

U.S. v. Bell, 770 F.3d 1253 (9th Cir. 2014)
U.S. v. Bush, 626 F.3d 527 (9th Cir. 2010)

References

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