

**United States Sentencing Commission**  
Minutes of the June 24, 2002 Meeting  
National Sentencing Institute  
Raleigh, North Carolina

**June 24, 2002**

Chair Murphy opened the meeting at 12:10 p.m. by noting that she had not mentioned at the Commission's prior meeting that she spoke at Law Day at the meeting of the Omaha bar association. She asked if any commissioners had additional items to report. Vice Chair Sessions stated that he had attended the Second Circuit Judicial Conference. Ex Officio Commissioner Jaso reported that since the June 4 meeting he had received comments from the Child Exploitation and Obscenity Section of the Criminal Division and that the Department was preparing a memo based on those comments for the Commission's consideration.

Chair Murphy reported that the Commission had received very positive feedback on the May 22 hearing on cocaine sentencing policy before the Senate Judiciary Subcommittee on Crime and Drugs. She then turned to the Staff Director for a legislative update. Tim reported that the Commission has continued to have a good working relationship with the Hill since the cocaine hearing. He stated that Senator Biden had since held a hearing on white collar crime and that, although the Commission did not testify at the hearing, Senate staff relied on the Commission for information and data in preparing for the hearing.

Vice Chair Steer reported that he had attended the white collar crime hearing and that it went very well. He noted that Commission staff provided a great deal of education and assistance in preparation for the hearing and that the Senators and their staff were very complimentary of the Commission staff. He added that Professor Frank Bowman testified at the hearing and was an excellent witness whose remarks also were very complimentary of the Commission.

Chair Murphy noted that the Department of Justice testimony was very interesting and informative, with respect to both the economic crime package and sentencing alternatives. Ex Officio Commissioner Jaso added that the testimony was drafted to make the Department's views clear to Senate staff. Tim finished the legislative update by reporting on a number of pending bills, including recently introduced legislation raising the statutory maxima for cultural heritage offenses and bills addressing corporate crime.

Chair Murphy reported that the notice of proposed priorities had been published in the federal register with a few revisions based on commissioner feedback. Vice Chair Steer noted that he had recommended adding the voluntary disclosure issue that the Criminal Law Committee had raised and that the Commission had said it would address this cycle.

Chair Murphy reported that she had attended the first meeting of the ad hoc advisory group on Native American sentencing issues on June 18. She gave the group its mission statement at the beginning of the meeting. She stated that, unfortunately, not all of the members were able to

attend the meeting, but Judge Piersol is well suited for his position as chair of the group. Charlie noted that the group plans to look at second degree murder and manslaughter, aggravated assault, and possibly sex offenses.

Chair Murphy turned to Tim McGrath to report on the veterans preference policy and other administrative matters. Tim distributed the veterans preference policy and explained that it had been developed to comply with recent law. He also reported that sexual harassment training for Commission staff would take place this summer and that the new one year probationary period for new employees is now in place. After Charlie provided some additional information on the veterans preference policy, Commissioner Kendall moved to adopt the draft policy and Vice Chair Castillo seconded the motion. The motion passed unanimously by voice vote. After brief discussion, Chair Murphy asked Tim to send a copy of the new policy to Ralph Mecham with a cover memo notifying him of the Commission's decision to adopt the policy.

Chair Murphy adjourned the meeting at 1:00 p.m.