

COMMISSION MEETING

SEPTEMBER 23, 1987

The following persons attended the U.S. Sentencing Commission Meeting on Wednesday, September 23, 1987.

Commissioners

William W. Wilkins, Chairman
Michael K. Block
Helen G. Corrothers
Ronald L. Gainer
George E. MacKinnon
Ilene H. Nagel
Paul H. Robinson

Staff

Suzanne Conlon, Executive Director
Alan Chaset
Paul Martin
John Steer
Sharon Turner

Commission Meeting Minutes - September 23, 1987

Chairman Wilkins called the meeting to order at 1:45 p.m.

Republication of the Guidelines

Chairman Wilkins started the meeting by discussing republication of the Guidelines with reorganization and revision of the commentary. He stated that the Commission is required to make a decision on two issues. The first issue is whether to submit the Guidelines for publication with revised and reformatted commentary. The second issue is whether reorganizing and revising the commentary makes any substantive changes in the Guidelines. Chairman Wilkins stated that the Commission's intent was not to make any substantive changes in the Guidelines. However, if a court finds the Commission's action to the contrary, the commentary contained in the April 1987 publication would be controlling.

Judge MacKinnon suggested speaking with members of Congress to determine if Congress was likely to delay the effective date of the Guidelines. Commissioner Block suggested writing a transmittal letter, speaking with members of Congress, contacting the Department of Justice for their response, and asking the Commission legal staff to review the changes in the commentary before submitting the document to the printers.

Chairman Wilkins distributed a draft of a proposed letter of transmittal for the Commission's review.

Commissioner Block moved to adopt a letter of transmittal and to confer with Congress and DOJ. He recommended that if Congress does not move quickly for a delay, the Guidelines should be submitted for printing. Commissioner Nagel seconded. The motion passed by a vote of 6-0. Judge Breyer was not present.

Training

Chairman Wilkins called upon Suzanne Conlon to give a brief presentation on training. She stated that the next training session will be held in Washington, D.C., from October 13-16. Participating in this training session will be attendees from the Administrative Office of the Courts, the Federal Judicial Conference and probation officers. This four-day session will cover guidelines application and a workshop with individuals working through cases.

Future Business

Chairman Wilkins stated that the next Commission meeting will be Tuesday, September 29, 1987, at 11:00 a.m., at which time a personnel matter will be discussed.

The meeting was adjourned.