

Minutes of the August 22, 1989 United States Sentencing Commission  
Business Meeting

The meeting was called to order at 1:39 P.M. by Chairman William W. Wilkins, Jr.

The meeting was held in the library at the United States Sentencing Commission. The following Commissioners, staff members and guests participated:

William W. Wilkins, Jr., Chairman  
Michael K. Block, Commissioner  
Helen G. Corrothers, Commissioner  
George E. MacKinnon, Commissioner  
Ilene H. Nagel, Commissioner  
Benjamin F. Baer, Ex Officio Member  
Stephen Saltzburg, Ex Officio Member  
Winston S. Moore, Staff Director  
John R. Steer, General Counsel  
Charles Betsey, Associate Research Director  
Nolan Clark, Deputy Chief Counsel  
Peter Hoffman, Principal Technical Advisor  
Phyllis Newton, Associate Research Director  
Alain Sheer, Senior Research Associate  
Jeffrey Standen, Deputy General Counsel  
Vicky Portney, Criminal Division, DOJ  
Victoria Toensing, Attorney Corporate Sanction Working Group

Chairman Wilkins expressed, on behalf of the Commission, his appreciation for the efforts and contributions of Sid Moore to the Commission, as Mr. Moore prepares to become the Associate Dean at George Mason Law School.

Commissioner Corrothers reported on the American Correctional Association's 119th annual Congress of Corrections, which was held in Baltimore, MD. She also reported that the first Alternative Sentencing Advisory Committee meeting is scheduled for September 27, 1989.

Commissioner Nagel updated the Commission on the status of the Plea Negotiations study.

Phyllis Newton reported on the recent activities of the guidelines training group. Commissioner Corrothers added that the staff presentation at the National Conference for Chief and Deputy Chief Probation and Pre-Trial Services Officers received high marks of commendation. Phyllis Newton also reported that the evaluation staff was preparing for the Technical Advisory Committee meeting scheduled for September 12, 1989. With regard to the status of sentence monitoring, she advised that the Monitoring Unit had slightly more than 18,000 cases in-house as of August 1, 1989.

Peter Hoffman reported that the staff was prepared to send the Guidelines Manual to the printer on September 15, 1989.

Jeff Standen presented an overview on the methodology of the Penalties Review Project. Standen circulated the compilations of statutory penalties prepared by the working group. Commissioner Saltzburg requested to duplicate, at DOJ expense, this catalog for all U.S. Attorney offices. John Steer and Jeff Standen will coordinate this effort. Chairman Wilkins commended the working group for their efforts.

**Guideline Amendment**

-- Motion made by Commissioner Corrothers to approve §5F1.6 -- the Denial of Federal Benefits to Drug Traffickers and Possessors and its Commentary -- as an emergency amendment, effective November 1, 1989; seconded by Commissioner Nagel. Passed unanimously.

Charles Betsey and Alain Sheer gave a preliminary analysis of organizational defendants sentenced in 1988. A discussion ensued.

Nolan Clark and Peter Hoffman discussed the latest Organizational Sanctions Guidelines draft. A discussion ensued, and the staff was directed to incorporate various changes. Option B of the corporate sanction working draft was deleted by general consensus.

Chairman Wilkins tentatively scheduled meetings for August 29, September 12 and 26, 1989.

Commissioner Block announced his resignation from the U.S. Sentencing Commission, effective August 31, 1989. Chairman Wilkins and the other Commissioners commended Commissioner Block for his significant influence and contributions to the development of sentencing guidelines and other work of the Commission. All wished him well in his return to academic life.

Chairman Wilkins adjourned the meeting at 4:40 P.M.