

Minutes of the February 13, 1990 United States Sentencing Commission Business Meeting

The meeting was called to order at 9:10 A.M. by Chairman William W. Wilkins, Jr.

The meeting was held in the library of the U.S. Sentencing Commission. The following Commissioners, staff, and guests participated.

William W. Wilkins, Jr., Chairman
Helen G. Corrothers, Commissioner
George E. MacKinnon, Commissioner
Ilene H. Nagel, Commissioner
Steven Saltzburg, Ex Officio Member
Phyllis Newton, Staff Director
John R. Steer, General Counsel
Nolan Clark, Deputy Chief Counsel
Peter Hoffman, Principal Technical Advisor
Alain Sheer, Senior Research Associate
Paul Borman, Representative, Federal Public Defenders

The Commission agreed with Paul Borman's suggestion to allow public defenders to work on temporary detail at the Commission.

Nolan Clark briefed the Commission in preparation for the Public Hearing on Organizational Sanctions. He discussed the issues to be presented and gave a synopsis of the direction of the testimony and public comment that had been received by the Commission to date. Commissioner Corrothers complimented the staff on the public hearing preparation materials and suggested that such a procedure become standard in the future.

Motion made by Commissioner Corrothers to approve the minutes of the January 23, 1990, and January 30, 1990, Commission meetings; seconded by Commissioner MacKinnon. Passed unanimously.

General Counsel Steer announced that the 1989 comprehensive year end case law summaries, as prepared by Pam Barron, Dean Stowers, Mary McDowell and Eva Hatch, were almost ready for circulation with the "Most Frequently Asked Questions" update. This document will be circulated to judges, probation officers, and others in the field. Steer updated the Commission on court rulings related to guidelines cases. He stated that overall the appellate courts are releasing decisions favorable to the guidelines.

David Rauma briefed the Commission on the Research Advisory Group's meeting with the evaluation staff. He stated that Dr. Berk and other members of the group would prepare a written summary of the meeting. Commissioner Nagel and Phyllis Newton observed that the process is working and that the committee is doing a superb job. Commissioner Corrothers requested that the record reflect that the Research Advisory Group is advisory in nature and that the Commission will make decisions on revisions to the evaluation plan

after reviewing recommendations of the Advisory Group.

Chairman Wilkins announced that the next Commission meetings will be held on February 27, March 13, 14, and 27. He asked that Commissioners hold their calendars open for the following dates: April 2, 3, 4, 5, 9, 10, 11, 12, 16, 17, 18, 19, 1990. There will be a public hearing on proposed guideline amendments on March 15, 1990.

Chairman Wilkins adjourned the meeting into Executive Session at 10:49 A.M.