



District of Columbia

Advisory Commission on Sentencing

800 K Street, N.W., Suite 450 South, Washington, DC 20001
Fax (202) 353-7831

MINUTES

Wednesday, February 23, 2000

D.C. Superior Court, 500 Indiana Avenue, N.W., Room 1500

Attending:

F. Weisberg	H. Cushenberry	R. Wilkins
R. Johnson	S. Gervasoni	L. Hankins
T. Kane	N. Joyce	E. Silbert
J. Garrett	M.G. Terrell	B. Erhardt
P. Hyde	M. Ragghanti	Reva Harris
K. Hunt	M. Sedgewick	C. Chanhatalipila

I. Call to order at approx. 5:17 p.m.

II. Intermediate sanctions

R. Wilkins felt that, at a minimum, the ACS' report should contain a description of existing options (e.g., a description of drug court, the number of drug court participants, charges pending against participants, etc.). B. Erhardt said that CSOSA should be able to provide broad numbers, and that new programs have been implemented (e.g., HIDTA) since 1997.

N. Joyce thought that a judge should sentence an offender to probation, and CSOSA should provide an assessment of the offender, set conditions of probation, and impose sanctions. The supervising agency would be the proper entity to perform these functions for two reasons: it would have more current information about the offender than the sentencing judge, and the agency could control the allocation of its own resources.

F. Weisberg thought the Council wanted to know what a sentencing judge could impose short of incarceration. This was a separate issue from the availability of programs. He saw the "gap" as the lack of structured, secure holding places for offenders, such as day reporting centers.

R. Wilkins said that the Council may create a series of intermediate sanctions, perhaps through the Department of Corrections. Perhaps a judge could impose a "community sentence" to be served under the direction of DOC. On the other hand, this proposal may be mere semantics, and actually means probation with conditions. The ACS' role in this area should be an examination of what intermediate sanctions are or should be available, and suggesting types of offenders to channel into or exclude from these alternatives.

R. Johnson viewed the intermediate sanctions issue more narrowly: the arguments are that alternatives to incarceration are less expensive and more beneficial to offenders, and that

III. Time served

After a brief discussion of time served data and quality control efforts, Mr. Wilkins noted that time served data must be finalized and time served analysis complete prior to March 8. The decision was made to tell Urban Institute to treat the dataset as final and prepare to present on March 8 analysis of time served including estimates, an assessment of data quality, and data limits given data quality.

IV. Other business

- a. The ACS' one-day retreat takes place on Wednesday, March 8, 2000 at the Kellogg Conference Center at Gallaudet University. Staff will distribute further information (including directions and parking arrangements) next week.
- b. Regarding the ACS' next public hearing, all ACS members present stressed the importance of: (1) deciding the date, time and location of the hearing, (2) widely publicizing the hearing, and (3) avoiding unnecessary public criticism (late notice, inconvenient location, etc.).
- c. Regarding the ACS' public meeting (for the purpose of taking a vote on a submission to the Council), staff will contact Council staff to arrange a date and time between March 30 and April 4, 2000.

II. Adjourn at approx. 6:50 p.m.