



District of Columbia Advisory Commission on Sentencing

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FULL COMMISSION MINUTES

Wednesday, March 17, 2004
500 Indiana Ave., N.W.
Washington, DC

Attending:	F. Weisberg	A. Flaum	B. Weinsheimer
	R. McPhatter	N. Joyce	T. Kane
	R. Johnson	K. Foor	K. Hunt
	B. Baldwin-White	J. Cronin	R. Buske

- I. Call to order at 5:00 p.m.
- II. Minutes of the February 18 full Commission meeting were approved.
- III. Sentencing Guideline Software Web update

F. Weisberg introduced Ken Foor, Information and Technology Division, Superior Court. He asked Mr. Foor to sit in during K. Hunt’s update on the Software Web.

Under guidelines, CSOSA report writers and judges will be expected to fill out worksheets in a timely and accurate fashion for all cases. The longer it takes forms to be filled out and entered into a database, the longer the turnaround for sentencing decisions and compliance reporting. The commission recommended using a Web browser based user interface to speed up this process and cut down on potential errors.

K. Hunt reported on his meeting with DC’s Chief Technology Officer Suzanne Peck. OCTO approved DCACS’s plan to contract for a Structured Sentencing Software web that will be accessible only through the JUSTIS homepage. Overall, the proposed project meets the security requirements of OCTO. The expected cost of this project will be \$275,000. DC policy requires an open bid for this project since there may be other vendors who can construct such a system. F. Weisberg expressed concern over the length of time an open bid process would take since the web browser is needed for the pilot project. K. Hunt stated the process shouldn’t take too long but the staff will prepare worksheets for CSOSA and the Court to fill out in case the browser isn’t ready in time for the pilot project.

Regarding the link through JUSTIS, K. Foor noted that CSOSA does not presently participate in exchanges over JUSTIS, and this will be an issue to resolve. N. Joyce provided some background, noting that MPD and JUSTIS find more disadvantages than advantages to JUSTIS participation at present. She noted that the Sentencing Guideline Software Web may offer an advantage that counters perceived disadvantages.

K. Hunt stated that the commission is still looking for additional sources of funding for this project. He has identified a few types of grant funding that may be applicable to the project and has been following up with the appropriate contacts. T. Kane and K. Hunt will talk about the possibility of the BOP supplying funding. B. Baldwin-White will also look into any possible connection to DOC. F. Weisberg stated that further conversations concerning funding with CSOSA would be helpful.

A. Flaum asked if the Federal government has a web-based system. K. Hunt stated that he believes they fill out sheets by hand but he would look into it. [**Action needed**]

J. Weisberg suggested adding pictures of the offenders to the web browser. A. Flaum expressed concern that unflattering pictures may disadvantage defendants.

IV. Recap of Judge Weisberg's testimony to the Judiciary Committee

Councilpersons Patterson and Ambrose were in attendance for F. Weisberg's testimony. Before F. Weisberg spoke, a few others testified about the proposed guidelines in a favorable fashion. Richard Gilbert of the National Association of Criminal Defense Lawyers was in favor of the proposed pilot but thought more work needed to be done on the consecutive and concurrent rules. R. Gilbert submitted a letter to the City Council which R. McPhatter will pass along to the commission members.

R. McPhatter stated that the city is running behind in the budget process and the April 2nd hearing concerning the DCACS 2005 budget will likely get pushed back to April 21st. Following the budget hearing the City Council will meet on drafting legislation for the pilot project.

V. Sentencing Guideline Manual/Implementation Subcommittee update

B. Weinsheimer stated that the sub-committee has agreed upon a format and are currently working on 'the nuts and bolts' for the practice manual. The sub-committee hopes to have something between a 1st draft and a final draft by the next full commission meeting. B. Weinsheimer stated that there are a number of implementation issues the sub-committee is working on resolving. Perhaps the most important of these is verification of criminal history records by Pretrial Services and Probation.

F. Weisberg stated that an effective date for starting the guideline system should be established, with an administrative order issued by the Chief Judge. B. Weinsheimer stated that subcommittee proposes a start date of June 14th.

VI. Hiring update

The deadline for applying for the DCACS staff lawyer position was March 12th. Currently there are 9 applicants who have applied to the Corporation Council. The commission hopes to fill the position within the next few weeks.

Adjourn at 6:45 p.m.

NEXT FULL COMMISSION MEETING:

PROPOSED: *Tuesday, April 27, 2004 at 5:00 p.m. at 500 Indiana Avenue, N.W.*

(The Commission's budget hearing is tentatively set for this date. The above date is proposed.)