



District of Columbia Sentencing Commission

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DISTRICT OF COLUMBIA SENTENCING COMMISSION MEETING MINUTES

February 15, 2005
DC Superior Court, Room 3300
Washington, DC

Attending:	F. Weisberg	H. Cushenberry	R. Johnson
	P. Riley	B. Weinsheimer	P. Quander
	L. Hankins	A. Flaum	B. Forst
	T. Kane	N. Joyce	D. Cipullo
	N. McKinney	E. Pears	D. Rosenthal
	D. Kafami	G. Lynch	K. Hunt
	C. Chanhatisilpa	R. Gottfried	R. Freedman

Call to order at 5:14 p.m.

I. F. Weisberg introduced R. Gottfried and R. Freedman, the President and Lead Software Developer respectively, from CrossCurrent Corporation. R. Freedman demonstrated the Sentencing Guideline Web (SGW) application. He previewed the application with a flowchart that traces the completion of different modules by the respective agencies (CSOSA and the Court Quality Assurance branch), from the initial entry of a conviction offense, through the scoring of the guidelines, and ending with the entry of actual sentencing information and transfer to the Sentencing Commission for analysis. He stressed that while the SGW application allows direct entry of criminal history scoring, CSOSA contracted for the development of an interface from their SMART system to the SGW, which will allow CSO's to enter information once, into the SMART system, which will then be pushed electronically to the SGW.

The program starts with the Judicial Proceeding Dashboard, which provides convenient access to forms for modification and delivery, and provides updates regarding the progress of each case toward completion of the form. When asked if some fields were required, Mr. Freedman explained that required fields contained an asterisk.

The case is begun by the Court QA branch, with the defendant information and the case information including conviction charges. The case is then transferred to CSOSA Intake, who assigns it to a team leader. The CSOSA team leader assigns it to a CSO, who completes the criminal history module and then transfers to the judge and the Court. The Court QA receives the case jacket from the courtroom with the actual sentence and enters

this information in the SGW and submits the case to the commission, with a copy to CSOSA.

R. Freedman also presented the SG form, both the pre-sentence and post-sentence version. The form shows the scoring of the guidelines and the guideline recommendation as well as other features of the case.

II. Discussion of Sentencing Guideline Web application

When demonstrating the drop-down menu for criminal history convictions, Mr. Freedman was asked if all offenses rather than a sample should be listed. He replied that the screen will get quite crowded, but it can be done.

In the criminal history module, P. Riley asked if the actual crimes were listed rather than the criminal history points. CSOSA is providing a list of crimes that are scored and crimes expunged as part of the PSR, and do not repeat this in the SGW.

P. Riley raised the issue of sentencing start date versus the sentencing date. R. Freedman explained that the sentencing date is when the defendant is sentenced and sentencing start date is the date on which the defendant starts serving his sentence. P. Riley was concerned with cases where the defendant has time served in jail and the sentencing start date proceeds the sentencing date. D. Cipullo does not think this is a concern because the Commission is only concerned with compliance with the guidelines. R. Gottfried added that this is not a technical issue but a procedural one and that CrossCurrent should be advised on how to address the matter. [Action item: For sentences to time served, the actual sentence must contain a number of months, for calculation of guideline compliance.]

G. Lynch asked the Court staff about the notification to CSOSA from the J&C. P. Quander emphasized the need for the Court to push this information. D. Cipullo explained that the IJIS task force is reviewing user needs and just-in-time delivery of various data. CSOSA is participating in this process. F. Weisberg noted that CSOSA agreed to fund the development of the interface on the understanding that they would be receiving this sort of electronic notification as soon as possible.

F. Weisberg expressed concern that there appeared not to be a mechanism that warned judges before sentencing of departures that violated the guidelines rules. R. Freedman noted that the problem with this is that the form is not used in the courtroom. K. Hunt explained that sometimes departures can take on complicated forms, such as when a departure can be above and below at the same time. The Commission will look into providing a notification of departure on the Plea Module being developed for the court.

B. Forst asked if there was a summary module within the Guidelines Web application. R. Freedman said the SGW would provide a weekly submission of data to the Commission. F. Weisberg then asked if the application allowed for one to search through a list of

offenses. R. Freedman responded that there was a list of offenses that a person can bring up by using filters to narrow the search, and can search by crime name, statute, etc.

D. Cipullo stated that the charge codes will be changed by mid-March and that there needs to be coordination across agencies. SGW will need to be updated with new charge codes.

P. Riley next asked who would be authorized to change the criminal history score and sent it back to CSOSA and the Commission. The response was that Quality Assurance could do this. P. Riley prefers that changes to the SGW, and the sentence and departure information be added in the Courtroom in front of the judge. D. Cipullo stated that this will not be possible, at least until the IJIS system is up and running. F. Weisberg added that this is a big issue. The point was that a business process that relies on the transfer of paper from the Court to staff provides opportunities for error. The test period will likely run 8-9 weeks.

D. Kafami asked if a log of transactions was available from the SGW. R. Freedman stated that it was, and it shows who completed or updated which module.

CrossCurrent suggested that the Guidelines Web application be used in a pilot study initially. A combination of dummy cases and actual cases will be entered. It was agreed that the Guidelines Web application should be worked out through a pilot study while CrossCurrent is still available to us [Action Item: Verify Acceptance Period of contract].

F. Weisberg asked if a technology subcommittee should be created. P. Quander responded that it would be more efficient to let the staff to the Commission, CSOSA, and the Court address the issue and report back to the Commission.

III. Update: Monitoring Guidelines and Departure Reasons

K. Hunt provided a brief update. He states that the Commission staff is still working to address the issue of missing guidelines forms with Quality Assurance. Also, Commission staff is still awaiting responses from judges regarding the departures on certain forms. This group agreed to meet Wednesday, February 23, 2005 at 1 p.m. to make plans.

Adjourn at 6:40 p.m.

Next Meeting: Tuesday, March 15, 2005 at 5pm.

