

Maryland State Commission on Criminal Sentencing Policy
Judiciary Training Center
Training Room 3
Annapolis, Maryland
January 12, 2004

Commission Members in Attendance:

Judge Raymond Thieme, Chair
Honorable Curtis S. Anderson
James V. Anthenelli, Esquire
Russell P. Butler, Esquire
Honorable Timothy J. Doory
Richard A. Finci, Esquire
Honorable John A. Giannetti
Robert Gibson
Janis Judson, Ph.D
Senator Delores Kelley
Patrick Kent, Esquire for Stephen E. Harris, Esquire
Chief Gary W. McLhinney
Honorable Robert Riddle
Director Barry L. Stanton
Honorable John C. Themelis
Honorable Joseph Vallario
Charles Wellford, PhD

Staff Members in Attendance:

Gary Locust
Haisha Thompson

Visitors in Attendance:

Claire Roone, House Judiciary Committee

1. Call to order

Judge Thieme called the meeting to order. He then introduced the remaining Commission staff, Haisha Thompson and Gary Locust.

2. Roll call and declaration of quorum

The meeting began at 4:05 when quorum was reached and roll was taken.

3. Approval of minutes, April 21th meeting

The minutes were approved as submitted.

4. Discussion of Public Information Policy Draft

Judge Thieme stated concerns about the "Request Procedures" portions of the draft. He mentioned the

possibility of getting sued if he or the Commission failed to comply by refusing a request.

Senator Kelley quickly stated that it was impossible for the Commission to comply to any requests at this time because of the lack of sufficient staff. She suggested that the Commission not adopt the policy until the process for fulfilling requests is discussed in further detail. She also recommended the deferment of the issue until the next meeting, which would hopefully provide a fuller attendance. Senator Kelley suggested that the Commission look at policies from other states, specifically Pennsylvania.

Judge Thieme stated that the mandates discussed in the policy were possibly too numerous to comply with and he would speak with the Governor about the 10 day allowance allotted for each request.

Dr. Wellford thought that the Commission should look at standard reports and why they were picked.

Director Barry Stanton asked what information would be released and what the outcome would be. There were concerns of whether the Commission wanted to release the data to the public and whether they were obligated to do so. A general concern of the Commission was how much time the custom reports would require.

Senator Gianetti questioned whether the deferment of this issue would affect the legislature negatively. He was quickly reassured that it would not. He volunteered to search the policy to find what information the Commission was required by law to provide.

5. Guidelines Error - Trademark Counterfeiting

Richard Finci stated that there was an error in the guidelines and that it should be corrected. The source for "trademark counterfeiting" incorrectly details the misdemeanor offense as the felony offense. The matter was referred to the subcommittee for further discussion. Dr. Wellford will report the findings at the next Commission meeting.

6. Discussion of "Rap Sheets" Inquiry

Judge Thieme motioned for the deferment of this issue until it was clear what information the Commission was required to give the public. The Commission agreed and voted unanimously.

7. Discussion of Doris Day Animal League Inquiry

Dr. Wellford suggested inviting Sara Amundson, the writer of the letter, to the next subcommittee meeting to be reviewed. However, the guidelines will remain as it is written.

8. Sentencing Guidelines Subcommittee

The next subcommittee meeting is scheduled at the University of Maryland at College Park.

The top priority is to find an Executive Director for the Commission, however, the appointment is the responsibility of Judge Thieme. Dr. Wellford has talked to a previous employee, Claire Souryal-Shriver, about temporarily stepping in until an Executive Director is found.

9. New Business and Announcement

Various projects that the Commission is working on will be presented at the next meeting. The Annual

report is currently being worked on and should be ready in two weeks. The Commission will get copies and refer questions and suggestions to Judge Thieme. He will then decide whether they need to meet to discuss the annual report.

The next meeting was set for Monday March 1st at 4:00 in Annapolis at the Judiciary Training Center.