



## CRIMINAL PUNISHMENT CODE TASK FORCE Scoresheets Subcommittee

### Minutes

**September 27, 2019 at Noon**

Conference Call

#### **I. Members Present:**

The Honorable Donna McIntosh (Chair)

The Honorable Larry Eger

Mr. Kenneth Steely

Senator Pizzo

Professor Michael Morley

#### **II. Scoresheets Subcommittee**

The Subcommittee discussed reviewing the current ranking of offense levels and grouping. Within the discussion, Professor Morley discussed relevancy of said rankings and questioned if they still reflect public perception. Additionally, the subcommittee will review offense characterization system to ensure that the ranking reflects the policies and objectives set forth in the code.

Public Defender Eger questioned the Code's objective- to punish- and its impact on fiscal responsibility and public safety. HB 227 was cited as recalibrating guidelines as opposed to an offense by offense calibration originally suggested by the subcommittee.

Senator Pizzo questioned the 28 points used in the scoresheet formula and would like to investigate its origin.

Senator Pizzo also raised the issue of an overwhelming amount of cases closing by plea. If the subcommittee looks at offense levels, senator Pizzo suggests they consider proportionally reducing for priors.

Public Defender Eger would like the subcommittee to review a maximum sentence, potentially similar to that of the original 1983 Sentencing Guidelines and consider increasing the amount of points needed for mandatory state sanctions.

Judge McIntosh would like to gather more information on the 1/3 of the prison population who ultimately do not reoffend. Mr. Steely will facilitate the gathering of these recidivism rates.

Professor Morley added that there have been jurisdictions who have attempted the use of an algorithm to make predictions on dangerousness in the past but realize that it doesn't account for disparities found within the system that impact traditionally marginalized people groups.

The subcommittee will review the Offense Severity Ranking Chart in detail at the next subcommittee meeting.

### **III. Objectives**

The subcommittee created objectives, as outlined below:

- Review and make recommendations regarding offense severity rankings
- Review and make recommendations regarding sentencing points under the Criminal Punishment Code, including:
  - o the number of points necessary to trigger state sanctions;
  - o legal status;
  - o sentencing range;
  - o points for primary, additional, and prior offenses;
  - o the enhancement of crimes already enhanced due to the nature of the offense.

### **IV. Public Comment**

None

The meeting was adjourned at approximately 12:57 P.M.