Minutes of the
CRIMINAL SENTENCING COMMISSION
And the
CRIMINAL SENTENCING ADVISORY COMMITTEE
February 21, 2008

SENTENCING COMMISSION MEMBERS PRESENT
Common Pleas Court Judge Reginald Routson, Vice-Chair
Paula Brown, OSBA Delegate
Common Pleas Court Judge W. Jhan Corzine
Staff Lt. Shawn Davis, representing State Highway Patrol Superintendent Paul McClellan
Bob Lane, representing State Public Defender David Bodiker
Mayor Michael O'Brien, City of Warren
Jason Pappas, Fraternal Order of Police
Municipal Court Judge Kenneth Spanagel
Steve VanDine, representing Rehabilitation and Corrections Director Terry Collins
Public Defender Yeura Venters

ADVISORY COMMITTEE MEMBERS PRESENT
Eugene Gallo, Executive Director, Eastern Ohio Correctional Center
Lynn Grimshaw, OCCO
Jim Lawrence, Ohio Halfway House Association
John Madigan, Senior Attorney, City of Toledo
Gary Yates, Ohio Chief Probation Officers' Association

STAFF PRESENT
David Diroll, Executive Director
Rebecca Meister, Extern
Cynthia Ward, Administrative Assistant
Shawn Welch, Extern

GUESTS PRESENT
Andy Bowsher, legislative aide to Senator Steve Austria
Lauren Clark, legislative aide to Senator Lance Mason
Monda DeWeese, SEPTA Correctional Facility
Kaitie Eberhard, legislative aide to Speaker Jon Husted
Jim Gorman, Department of Alcohol and drug Addiction Services
Roman Jerger, legislative aide to Senator Timothy Grendell
Phil Nunes, Ohio Justice Alliance for Community Corrections
Erin Rosen, Ohio Attorney General's Office
Patsy Thomas, Ohio Attorney General's Office

Common Pleas Court Judge Reggie Routson, Vice-Chair, called the February 21, 2008 meeting of the Ohio Criminal Sentencing Commission to order at 9:47 a.m.

DIRECTOR'S REPORT - SORN

Executive Director David Diroll welcomed Law Enforcement Officer Jason Pappas, representing the Fraternal Order of Police, as the newest member of the Commission.

Dir. Diroll announced that the Ohio Supreme Court handed down a ruling dealing with the retroactive application of the proscription against residing within 1,000 feet of a school for sex offenders. The Court found that the restriction was not made retroactive, so it cannot be applied retroactively, thus allowing a sex offender to remain in a home purchased before his conviction. It is not clear how this ruling would apply to recent SORN Law changes, he said, which were made retroactive by the General Assembly.

Bob Lane, representing the State Public Defender's Office, remarked that several lawsuits have popped up in response to SORN law's residential and registration requirements.

Representing the Ohio Attorney General's Office, Erin Rosen reported that a class action suit has been filed in Hamilton County regarding SORN law and another in Licking County by the same attorneys. Each is specific to the sex offenders in those counties. The judicial filing period was stayed for the sex offenders and the decisions are stayed.

Dir. Diroll asked whether the stays focused on retroactivity or separation of powers issues.

The federal class action lawsuit, she responded, is limited to federal due process claims. The Hamilton and Licking County class action suits raise constitutional challenges: *ex post facto*, separation of powers, double jeopardy, *etc*. She reported that there are currently over 1,000 law suits filed against the AG's Office by sex offenders regarding the registration requirements. She noted that, since there is no definition of "county of residence" in the Revised Code, it has been determined that offenders must file at the facility where they are incarcerated, not where they were arrested.

Domestic violence case law might offer a definition for residence, said Common Pleas Court Judge Jhan Corzine, because it recognizes an offender's residence as being where the offender lived before being convicted the offense.

According to Public Defender Yeura Venters, a lot of people still question whether the stricter registration requirements will actually result in more public safety or simply drive more sexual offenders underground to avoid registering.

SIMPLIFICATION

Applying *Foster.* Calling code simplification a complicated process, Dir. Diroll explained that the current draft highlights some of the recommendations from the December Commission meeting and the January

Work Group gathering as well as concerns raised by the neutral application of *Foster* to the sentencing statutes.

In simplifying the felony sentencing statutes, it makes sense to discuss what the *State v. Foster* case means or should mean. Two years ago, that case held that certain guidance given by the sentencing statutes was unconstitutional, theoretically because it impinged on the defendant's right to have certain facts adjudicated by a jury. Dir. Diroll opined that the case actually was about separation of powers and made clear that courts are free to sentence within the felony sentencing ranges without having to make findings in specific cases regarding consecutive sentences, imposition of the maximum term, or sentences that exceeded the minimum term on a first commitment to prison.

The ruling is not so easy to apply, Dir. Diroll added. He suggested dealing with some unrelated mechanical issues first and then returning to *Foster* later in the day.

OVI "Interruptions." Many of the sentencing statutes became more difficult to read, said Dir. Diroll, because of the overlay of felony impaired driving sanctions. The Simplification Work Group attempted to gather the old felony OVI law in one place in Chapter 2929, rather than have it interrupt several sections. Thus, the OVI language in various sections was condensed and moved to new §2929.143 in the new draft. No substantive changes were proposed as part of this.

> **The Commission agreed with the concept of isolating the felony OVI sentencing provisions in Chapter 2929.**

Judge Routson said the draft should clarify in §2929.143(B)(2) that local incarceration, as opposed to a prison term, on only available for an F-4 OVI. Dir. Diroll agreed to do so.

Representing the Ohio Chief Probation Officers' Association, Gary Yates suggested changing the language to "residential sanction" instead of "local incarceration".

Judge Corzine declared that a halfway house does not fit the definition of "local incarceration" when it comes to jail-time credit.

Dir. Diroll agreed to look into it further.

Sentencing Law Definitions Generally. Definitions are first enacted in alphabetical order, said Dir. Diroll. But amendments invariably disrupt the order. Rather than placing definitions as divisions, he suggests listing terms in bullet points, making it easier to define new terms in appropriate alphabetical order, without renumbering.

"Basic Probation." Turning to specific terms, Dir. Diroll noted the definition of "basic probation supervision" includes a reference to "basic parole supervision". Though logical, this might cause some confusion, so Dir. Diroll asked if they need to be split out.

Atty. Lane said that the Parole Board orders community sanctions.

The Adult Parole Authority uses basic supervision and other sanctions for offenders on post-release-control (PRC), said Mr. Yates. He and Atty. Yeura Venters agreed that it might be wise to keep the two listed separately in the definition section.

"Drug Treatment Program." Representing the Department of Alcohol and Drug Addiction Services, Jim Gorman said that the revision to §2929.01(L) may have changed its meaning. By using "outpatient" before "assessment", it presumes a level of care, he said, whereas the purpose of "assessment" is to determine the level of care needed.

Judge Corzine recommended also moving "outpatient" from "outpatient basis" to "outpatient treatment". By acclamation,

The Commission agreed to clarity the "drug treatment program" definition by using "outpatient" to modify "treatment".

"Electronic Monitoring." Turning to §2929.01(VV) regarding electronic monitoring devices, Dir. Diroll remarked that vendors are often behind the changes in the Revised Code to encourage the use of certain products. He recommended more generic language so that as new products become available, it won't be necessary to change statute to allow their use.

Judge Spanagel pointed out that some devices restrict the offender's movement while others work to provide information on the offender's location without restricting his movement. He recommended retaining the language that is specific to location and time and references the restriction of the offender's movement.

Mr. Yates echoed the need to focus on devices that restrict offender's movement. Current devices offer notification when an offender is not in range of the monitoring device, but do not provide the offender's current location. He proposed language that requires a device "…that can determine the location of a person at any designated time".

Judge Spanagel made a similar suggestion to cover devices that register when an offender has moved within a restricted distance of the victim. By acclamation:

The Commission agreed to adjust the language to reflect both the restrictive and locational aspects of the monitoring devices.

"Mandatory Prison Term" & "Mandatory Jail Term." There is no need to list the offenses that carry mandatory prison terms here, said Dir. Diroll, because they are already in the relevant statutes and are listed under 2929.13(F).

This list of statutes referenced in the definition of "mandatory jail term" is not complete, said Dir. Diroll. The draft merely specifies that it is a term that must be imposed but cannot be reduced. As for the individual offenses carrying mandatory jail terms, Dir. Diroll recommends doing something in misdemeanor sentencing law (§2929.24) that parallels the mandatory prison terms list in §2929.13(F). Concerned about when legislators enact another mandate but forget to add it to the list with definitions, he worries about getting too many

cross-references in the definitions. He noted that DRC and others find it useful to have a list *somewhere*.

As legislators impose more mandatories, Judge Corzine agreed that it is going to be difficult to keep up the list. He considers it easier to look to the section defining the offense.

Including the list in the definition section makes it useful to people who are not criminal justice practitioners, Atty. Venters added.

Dir. Diroll said the options are to have no list, provide a list in both the definition and offense sections, or list the penalty only in the section setting out the offense. He suggests limiting the definition section to explaining that a mandatory sentence is a sentence that the court is required to impose and cannot be reduced by judicial release, earned credit, or other non-gubernatorial options.

Atty. Venters favored having a list, but making clear that it may not be all inclusive. The list, he feels, makes it easier for policy makers to see the impact of certain legislative measures and results, rather than trying to look at all of the statutes individually.

Originally, the list of mandatories in §2929.13(F) was guidance for common pleas judges, said Judge Spanagel. He suggested adding language to the first proposed sentence of §2929.13(F) to read "The court shall impose a mandatory prison term or terms under relevant sentencing statutes for any of the following offenses*, or any other relevant sentencing statute*:" He feels that this language would cover any additional offenses requiring a mandatory sentence that the legislature might add in the future.

If we provide a list of the mandatory prison offenses, then we might need to include them in §2929.14, which is a more logical place, said Judge Routson, since it deals with prison terms.

With Judge Corzine casting the sole dissenting vote:

> **The Commission agreed that the sentencing statutes should contain a list of the mandatory prison term offenses in §2929.13 or §2929.14 as opposed to the definition section (§2929.01).**

Judge Corzine prefers to keep the requirements listed in substantive sections of the law. Dir. Diroll said that will be the case as well.

By including lists of mandatory jail or prison terms, it will allow the deletion of some of that language from other certain sections, said Dir. Diroll, further simplifying the Revised Code.

Judge Spanagel pointed out that the mandatory jail offenses mostly consist of DUIs and certain DUSs. Dir. Diroll added certain vehicular homicides and assaults.

"Mandatory Term of Local Incarceration." Judge Spanagel turned attention to §2929.01(JJ). He remarked that the reference to §2929.13(G)(1) regarding an F-4 OVI should be deleted because an offender is not *convicted* under that statute. The offender might be

sentenced under that statute, but not convicted there. Dir. Diroll agreed to make the correction.

Others. The rest of the changes in the definitional section of the draft, said Dir. Diroll, just involve streamlining.

Sentencing Factors. §2929.12 lists of seriousness and recidivism factors. Dir. Diroll said they have held up well and seldom cause confusion. He noted that the *Foster* decision did not affect these factors, since they are "merely" considerations.

"Convicted Of Or Pleaded Guilty To." §2929.12(E) states "The offender had not previously been convicted of or pleaded guilty to a criminal offense". The phrase "convicted of or pled guilty to" appears hundreds of times throughout the Code. Dir. Diroll said that John Murphy's proposed definition of "conviction" allows removal of the "or" clause. Dir. Diroll recommended doing so here and elsewhere.

Judge Corzine claimed that, based on case law, a conviction consists of a finding or admission of guilt and a sentence.

Depending on whether the goal is simplification or litigation, Atty. Venters remarked that Judge Corzine's definition could be problematic.

Once you get to sentencing, said Dir. Diroll, you have, for all practical purposes, a conviction. A judge cannot impose a sentence unless the offender is guilty of the offense. Whether the person is "found" or "admitted", you have guilt.

Atty. Venters argued that an adjudication of guilt is not necessarily the same as a conviction.

For acceptance into "intervention in lieu" and for diversion programs, a plea of "guilty" is usually required, said Atty. Lynn Grimshaw.

Even if a plea of guilt is accepted, it is not a definite conviction, said Judge Corzine, if no one has imposed a sentence.

In regards to consideration about potential recidivism, Judge Corzine said that it should be irrelevant as to whether or not a sentence was imposed for a previous offense. He recommended the language "pled guilty or found guilty of an offense" rather than tinkering what "conviction" should or should not mean in regards to an offender's potential for recidivism.

Dir. Diroll offered to take the issue back to subcommittee and try to come up with a solution.

***FOSTER* ISSUES**

Substantive or Not? Turning more directly to issues about how the *Foster* case has affected sentencing statutes, Dir. Diroll said that it is difficult to apply the case in a purely mechanical way. In addition, some judges and practitioners would like to have the guidance struck by *Foster* resuscitated in some form, particularly in the context of prison crowding issues. The key areas of concern involve what is happening with minimum, maximum, and consecutive terms.

According to DRC Research Director Steve VanDine, the additional time added to sentences after *Foster* cumulatively involves 1,400 or 1,500 beds for both males and females. Female sentences have increased more than males' since *Foster*.

The impact of consecutive sentences increases sentences more significantly, said Dir. Diroll. Some have asked the Sentencing Commission to suggest a constitutional way to keep the sentencing guidance in place.

Atty. Venters fears that it would take a long time to develop satisfactory substantive changes as a result of *Foster*. He suggested splitting the "simplification" effort from a more substantive solution and moving ahead with simplification.

A key concern, said Dir. Diroll, is that *Foster* severed the authority of courts to impose consecutive sentences. He's not sure the Supreme Court Justices intended to do that. This is particularly unfortunate given that S.B. 2 provided relative consistency in sentencing throughout the state. That now is in jeopardy.

Judge Corzine prefers to sort through individual statutes and see what *Foster* eliminated. He feels the Commission should continue to focus on simplification before attempting to tackle substance.

Judge Routson noted that a decision regarding proportionality is expected from the Ohio Supreme Court within the next year.

Some suggestions toward regaining a sense of consistency, said Dir. Diroll, might be to narrow the sentencing ranges or even change some of the ranges to months rather than years.

Since *Foster* has removed the necessity to make certain findings in assigning the RVO classification, said Dir. Diroll, and has opened the potential for doubling a prison term for F-1 offenders, the possibilities for inconsistency have become much greater.

This also raises concern about the number of offenders who will serve ridiculously short prison terms, noted Mr. VanDine. He said there were nine people who served only one day in prison last year.

Eugene Gallo, Executive Director of the Eastern Ohio Correctional Center, believes that current practices are harming the community, both financially and socially. He contended that sending low level offenders to prison for short terms only makes them worse. He believes that more local sanctions provided by local people are the solution to the prison crowding problem. He believes that the Sentencing Commission can make a difference. The longer we delay, he declared, the worse the problem is going to become.

With both public safety and prison crowding in mind, S.B. 2 pushed to level out the prison population and get funds for the expansion of CBCFs and community sanctions, said Dir. Diroll. But the tight budget might make another similar shift difficult.

Although the Commission's current work toward simplifying the Revised Code needs to be completed before taking on a new task, Atty. Venters feels it is part of the Commission's mandate to continue to monitor and address the issues related to effective sentencing, rehabilitation, prison crowding, and public safety. Several other members concurred that the Commission needs to address some of these policy matters.

Jim Lawrence, representing the Ohio Halfway House Association, urged the Commission to give the General Assembly more options on what the policies are and what they cost. Claiming that legislators have put through bills that don't make correctional sense, he concurred with others that the Commission needs to advocate better policy.

Mayor O'Brien reminded the Commission that, since the Commission should evaluate effectiveness, that includes effectiveness to the community.

Dir. Diroll acknowledged that legislators are not actively serving on the Commission. Their endorsement is needed if the Commission is to move into more comprehensive planning.

Too many bills get sped through piecemeal, remarked Atty. Venters, which is making a mess of things.

Asst. City Atty. John Madigan suggested having the enabling statute amended so that criminal justice bills run past or filtered through the Sentencing Commission before being enacted.

Be careful what you wish for, Dir. Diroll warned, because we would not want to be mandated to respond to every bill. It would make more enemies than friends. He reminded the Commission that every General Assembly is reactive by nature.

[This discussion continues under **FUTURE ISSUES**, below.]

Guidance on Prison v. Community Control. *Foster* unambiguously strikes certain language, noted Dir. Diroll. It obviously applies to §2929.14. Some have asked whether it also applies to the findings under §2929.13.

After lunch, Dir. Diroll elaborated that *Foster* did not strike the findings under §2929.13. The case specifically retained division (B)'s guidance against prison for low-level felons and did not subject division (D)'s presumption in favor of prison for high level felons to *Blakely* analysis. However, a companion case, *State v. Mathis*, said that courts only need to make S.B. 2 findings for a downward departure from the presumption in favor of prison for F-1s and F-2s and for a related judicial release. This, he said, has led some to question the determinations regarding F-4s and F-5s in division (B), which says that these low-level felons should be sentenced to local sanctions unless certain findings are made to justify prison.

> **The Commission agreed that *Foster* does not require amendment to §2929.13.**

That said, Judge Corzine believes that *Foster* has made the §2929.13 findings irrelevant.

Prison Terms. *Foster* was most clearly directed at §2929.14, said Dir. Diroll. In particular, the guidance favoring the shortest term on first prison commitment, the guidance on reserving the longest term for the worst offenders, and the findings related to consecutive sentences are struck by *Foster*.

RVOs. Dir. Diroll noted that it's trickier regarding the repeat violent offender (RVO) surpenalty. Because H.B. 95, approved after *Foster*, reenacted some of the discretionary RVO language struck by the case, there is a question about whether discretionary RVO findings remain, proffered Dir. Diroll.

Judge Corzine argued that legislators were looking at a different RVO statute. He believes that the revisions that we are contemplating should reflect the spirit of *Foster*, rather than its actual language, since the Court clearly intended to strike these findings.

For simplification purposes, the Commission agreed to reflect the spirit of *Foster* regarding repeal violent offenders.

Consecutive & Concurrent Terms. *Foster* found §2929.14(E)(4) unconstitutional because it requires a finding before imposing consecutive sentences. *Foster* then says the whole division is severed. However, since that would remove a judge's authority to impose *discretionary* consecutive or concurrent sentences, Dir. Diroll believes the Court cannot literally mean what it said.

The State Public Defender's Office has been raising this issue with the courts, said Atty. Lane, and the court has made clear that it is still okay to impose consecutive sentences.

But where is the authority, Dir. Diroll inquired.

Similarly, a literal reading of *Foster* doesn't work regarding §2929.41, which also discusses concurrent and consecutive sentences. *Foster* calls for severing the entire section. That, said Dir. Diroll, removes *discretion* to imposed consecutive or concurrent terms, hardly the remedy that the Court intended.

Atty. Lane declared that §2929.41 is severed by *Foster.*

Besides, Judge Corzine asserted, there are no findings to be made in §2929.41 to begin with.

Atty. Lane offered to search for case law that confirms the authority to impose concurrent sentences.

According to Judge Spanagel, the old statute says it is concurrent except it will be consecutive "if. . .". He contended that the policy has not changed. The new (A) says the sentences shall be consecutive "if" the trial court says so for certain offenses. He recommended the following language for (A): "a jail term for a misdemeanor shall be served concurrently, except that a misdemeanor shall be served consecutive to any other prison when the trial specifies or for certain offenses." That way, he said, the authority is still there but without all of the fancy language.

For simplification purposes, the Commission agreed to reflect the spirit of Foster by eliminating the *findings*, but saving the *authority* to impose consecutive and concurrent sentences.

Dir. Diroll agreed to draft generic language in §2929.41 that states the court's authority to impose concurrent and consecutive sentences.

Appellate Review of Sentencing

Appealing Maximum Terms. *Foster* clearly struck the guidance against imposing the maximum prison sentence, but it did not indicate whether the related appellate right in §2953.08 should be severed. Since this section grants an appeal of right to a defendant when a maximum term is imposed, it now makes the appeal difficult since there will no longer be any findings, but it does not remove the appeal. It is unclear how an appellate court would review the case. The standard is clear and convincing but there are no findings to base it on. Dir. Diroll asked the Commission what should be done with the anomaly.

By acclamation, the Commission agreed to leave the statute alone and let the problem sort out on its own.

Appellate Court's Options. *Foster* says that §2953.08(G), which refers to review of statutory findings for consecutive sentences, "no longer applies." However, Dir. Diroll noted, (G) also covers findings on the presumption for prison for F-1s and F-2s and the guidance against prison for F-4s and F-5s, which are still valid in §2929.13. Division (G) also contains general law on the appellate court's ability to remand or modify sentences. Dir. Diroll doubts that the Court literally intended to strike those options. He prefers to look to another paragraph in *Foster* regarding (G): "insofar as it refers to the severed sections, no longer applies". By acclamation:

For simplification purposes, the Commission agreed to reflect the spirit of Foster by removing only the findings on RVOs/MDOs and consecutive terms that were specifically struck by Foster and allowing the rest of §2953.08(G) to remain.

Appeal Cost Oversight Committee. Dir. Diroll recommended striking this division, since the Committee no longer exists and that the Chief Justice and Commission returned the funding that accompanied it.

Sentencing Hearing. Dir. Diroll noted that the newest draft reflects that the findings on minimum, maximum and consecutive terms were clearly struck by *Foster* from the sentencing hearing (§2929.19). In any other areas, he promised to clearly apply *Foster* or its spirit.

New Felony Committed on PRC. When S.B. 2 set up post release control, LSC erroneously assumed the same policies and penalties were intended for parole violators, said Dir. Diroll. This section has never been corrected.

Mr. VanDine said 15 to 20 parole violators per year are getting additional time under this.
Dir. Diroll recommended changing it back to just post release control.

According to Mr. Yates, DRC's "Omnibus Bill" (H.B. 130) addresses the issue by limiting the section to PRC violators.

FUTURE ISSUES

Phil Nunes of the Ohio Justice Alliance feels there are some other serious issues such as the "3-strikes bill" (S.B. 208) that the Sentencing Commission should be addressing. This bill, he declared, clearly targets nonviolent offenders. He feels the Commission should be weighing in on this issue, noting that the bill has the potential to be moved through legislature quickly.

A similar notion was considered when the Commission worked on S.B. 2, said Dir. Diroll, which is why the Commission developed the RVO—a two strikes—category.

Judge Corzine does not feel the Legislature is willing to listen. He remarked that the 3-strikes bill is addressing a nonexistent problem but some legislators are voting for it because they fear that any other option might be worse.

Mr. Nunes asserted that the Commission needs to speak up on these issues. He feels it should have more impact.

Dir. Diroll acknowledged the problem with the pending 3-strikes bill is that the "strike zone" may be too wide, meaning eventual geriatric wards of offenders who aren't necessarily menacing.

The Commission is most effective, said Dir. Diroll, when working on a comprehensive bill that allows some trade-offs rather than targeting individual bills.

Because prison population has a huge impact, Monda DeWeese contended that the Commission should be addressing that issue.

DRC looks at a lot of bills that might affect prison population, said Mr. VanDine, and often asks legislators to send certain bills to the Sentencing Commission for input. Some legislators are unwilling to send bills or issues to the Commission claiming that we have spoken up on too many individual bills.

Judge Spanagel argued that the Sentencing Commission could help to narrow the strike zone.

Dir. Diroll claimed that giving non-technical input on numerous bills makes more enemies than friends, reminding the Commission that it has been very successful over the years in getting more comprehensive reforms adopted.

All recent criminal justice bills increase sentences and prison population without consideration of its full impact on whether it will work, Atty. Lane remarked. He feels the Commission needs to take a lead and tell the legislators when they're making some bad decisions or else the Commission will lose credibility.

Sometimes our Commission can't agree on its stance regarding certain bills, said Mr. VanDine, noting that the Prosecuting Attorneys' Association often approaches the General Assembly on its own.

Atty. Lane stressed that Commission members are experts in this field, whereas the legislators are not.

The Commission is not called upon to be a filter, Judge Corzine argued. It is called upon to make recommendations.

The Commission needs to distill where it is as a group, said Dir. Diroll. He cautioned that any response to the glut of bills needs to be done selectively. He conceded that it is the call of the Commission as to whether the Commission should tackle case by case legislation.

OSBA Representative Paula Brown urged the Commission to at least try.

Atty. Venters admires the methodic pace that the Commission takes but feels that it responds to some bills late in the game. He feels that the Commission needs to take on some of these bills and should get into the game quicker.

Because of the diversity of the Commission's makeup, it won't often reach a clear consensus on individual bills, claimed Dir. Diroll. But he concurred that the Commission needs to make decisions on how to approach this.

Here was the consensus by meeting's end:

> **The Commission should consider developing a comprehensive new felony sentencing policy with an eye toward consistency, public safety, fairness, and effective use of prison and community resources.**

FUTURE MEETINGS

Future meetings of the Sentencing Commission are tentatively scheduled for March 20, April 24, May 22, June 19, and July 17, 2008.

The meeting adjourned at 3:00 p.m.