

Massachusetts Sentencing Commission
Wednesday 01/18/2017
Minutes

Commission Members Present:

Honorable Jack T. Lu, Chairman
Honorable Kenneth Fiandaca
Honorable Mary Elizabeth Heffernan (by proxy)
Peter Ettenberg
Mary Alice Doyle
Pamela Friedman
Shira Diner
Dean Mazzone
David Solet (EOPSS Designee)
John H. Cunha
Brian Glenny
Michael Callahan
Yolanda Smith (Sheriffs Designee)

Staff Members Present:

Addie Walker
Lee Kavanagh

Other Guests Present:

Charles Anderson (Department of Correction)
Alexandra Capachietti (Boston Municipal Court)
Lee Gartenberg (Middlesex Sheriff's Office)
Michael Hussey (MACDL)
Gloriann Moroney (Parole Board)
Jennifer Queally (EOPSS)
Marty Rosenthal (MACDL)
Randy Gioia (CPCS)

Pre-Vote Discussion of Items on Ballot Sheet:

It was requested that Judge Mary Elizabeth Heffernan be able to vote via proxy. The members were asked if any opposed this. No members opposed this voting style. It was proposed that 5a be removed from the voting ballot. No one opposed, it was removed from the vote. It was decided that members would vote down the list on the ballot sheet via roll call. Votes are summarized in the below matrix.

	Judges			Prosecutors			Defense		
	Fiandaca	Heffernan	Lu	Doyle	Glenny	Mazzone	Cunha	Diner	Ettenberg
Proposal 1: Abolition of all mandatory minimums except for Murder	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
Proposal 2: Abolition of mandatory minimum terms for drug offenses, the mandatory offense of carrying and possession of a firearm, first offense, and certain career offender provisions.	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
Proposal 3: Abolition of drug mandatory minimums	Yes	Yes	Yes	No	No	Yes*	Yes	Yes	Yes
Proposal 4: Passage of a safety valve for all offenses except murder	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
Proposal 5: Passage of a safety valve for drug offenses, the mandatory offense of carrying and possession of a firearm, first offense, and certain career offender provisions.	Present	Present	Present	No	No	No	Present	Present	Present
Proposal 6: Passage of a safety valve for drug offenses.	Present	Present	Present	No	No	Yes	Present	Present	Present

*The Attorney General voted to approve the abolition of certain drug mandatory minimums.