OHIO CRIMINAL SENTENCING COMMISSION

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Chief Justice Maureen O'Connor
Chair

David J. Diroll
Executive Director

Meeting
of the
OHIO CRIMINAL SENTENCING COMMISSION
and the
CRIMINAL SENTENCING ADVISORY COMMITTEE
October 17, 2013

MEMBERS PRESENT
Municipal Judge David Gormley, Vice Chair
Chrystal Pound Alexander, Victim Representative
Robert DeLamatre, Juvenile Judge
Paul Dobson, Prosecuting Attorney
Laina Fetherolf, Prosecuting Attorney
Kort Gatterdam, Defense Attorney
Theresa Haire, representing State Public Defender Tim Young
Kathleen Hamm, Public Defender
Thomas Marcelain, Common Pleas Judge
Chad McGinty, Captain, representing State Highway Patrol Superintendent, Col. Paul Pride
Steve McIntosh, Common Pleas Judge
Dorothy Pelanda, State Representative
Bob Proud, County Commissioner
Albert Rodenberg Jr., Sheriff
Kenneth Spanagel, Municipal Judge
Steve VanDine, representing Rehabilitation and Correction Director Gary Mohr
Roland Winburn, State Representative

ADVISORY COMMITTEE
Eugene Gallo, Eastern Ohio Correction Center
David Landefeld, Ohio Justice Alliance for Community Corrections

STAFF PRESENT
David Diroll, Executive Director
Cynthia Ward, Administrative Assistant

GUESTS PRESENT
Sara Andrews, Rehabilitation and Correction
Ryan Dolan, Counsel, Rehabilitation and Correction
Gloria Hampton, Ohio Community Corrections' Association
Scott Lundregan, Speaker Batchelder's Office
Marta Mudri, Ohio Judicial Conference
John Murphy, Director, Ohio Prosecuting Attorneys' Association
Paul Teasley, Hannah News Network

The October 17, 2013 meeting of the Ohio Criminal Sentencing Commission and Advisory Committee was opened by the Vice-Chair, Municipal Judge David Gormley at 9:50 a.m.

State Representative Dorothy Pelanda was welcomed as the newest legislative member of the Ohio Criminal Sentencing Commission.

DIRECTOR'S REPORT

Executive Director David Diroll remarked that he had intended to have Appellate Judge Sean Gallagher join the Commission at today's meeting for a discussion on some appellate court issues that have arisen as a result of H.B. 86. That discussion has been postponed until next month when Appellate Judge Sylvia Sieve Hendon, newly appointed to the Commission, can be present.

He noted that the meeting packets include a letter from Chief Justice Maureen O'Connor in response to the Commission's missive to her regarding task forces and advisory groups proposed by DRC Director Gary Mohr. The Chief Justice offered to help Dir. Mohr with some of the judicial appointments to his proposed advisory group. There was also mention of a group to study the possibility of setting up a RECLAIM concept within the adult judicial system. This group has already met once. The Chief Justice will meet soon with House and Senate leadership about a proposal to revise the Revised Code to create a successor entity to the Sentencing Commission.

The meeting packet also includes a memo from Dir. Diroll on prison crowding concepts, which will be discussed during the day's meeting. He added that the Sentencing Commission probably won't meet in December.

PRISON CROWDING

When S.B. 2 was enacted in 1996, said Dir. Diroll, its approach to the prison population was not a crash diet, but weight management.

Dir. Diroll reviewed prison population patterns since 1974. There now are over six times as many people serving time within DRC as there was in 1974.

To address the increase, Department of Rehabilitation and Correction Research Director Steve VanDine noted that there were also two waves of prison construction in 1984 and from 1994 to 1997.

S.B. 2 took effect in 2006, said Dir. Diroll, resulting in static prison population from 1997 to 2006, the only period of equilibrium in the past 40 years. The population began to increase again after the *Foster* decision in 2006, which neutralized part of S.B. 2.

H.B. 86 took effect in September 2011 in response to a study conducted by the Council on State Governments and others, including input from the Sentencing Commission. Since then, the prison population has decreased slightly, but not to the extent anticipated when H.B. 86 was being debated.

Nonsupport. H.B. 86 has combined with other factors, including new programs in targeted counties, to reduce the number of felony nonsupport cases coming to prison. Failure to provide support for more than two years had been made an F-5 within the past 5 years. A prior felony conviction bumps it up to an F-4. H. B. 86 guides toward placing

the offender in a community sanction with a dual emphasis on getting or maintaining employment and paying support.

Common Pleas Judge Thomas Marcelain declared that domestic court judges should be given some of the credit for the lower number of failure to support cases ending up in prison. He remarked that they have gotten more aggressive in dealing with those convicted of nonsupport, resulting in more going to jail and fewer being referred as felons.

Escape. Escape law, said Dir. Diroll, was also amended by H.B. 86. The penalties for escape have always been tied to the underlying crime. And the escape penalty must run consecutively to the time on the underlying offense. H.B. 86 singled out absconding from "supervised release detention" to carry a less harsh penalty and removed the mandatory consecutive term. The number of prison-bound escapees has decreased from 565 in FY 2007 to 217 in FY 2013.

Resisting Arrest/Failure to Comply. The first H.B. 86 clean-up bill was S.B. 337. It included a provision recommended by the Sentencing Commission to differentiate between felony-level resisting arrest and misdemeanor-level failure to comply with the order of a law enforcement officer, particularly when the latter occurs as a traffic violation. This contributed to a decrease in the number of offenders reaching prison in these categories, from 605 in FY 2008 to 344 in FY 2013.

Marginal and Average Costs. Any effort to ease the budget for the prison system must recognize that, given economies of scale in the system, the marginal costs of providing meals, clothing, and medical care total $15 per day or less, noted Dir. Diroll. However, when the number of new inmates necessitates the construction of a new facility, costs exceed $60 per day per inmate.

DRC Research Chief Steve VanDine clarified that the higher figure does not include the additional costs for new construction and debt service. A Level III security facility costs $150 million to build, Mr. VanDine reported. The average cost of housing an inmate ($60-65 per day) does not include the cost of building a new prison, but does include the costs of staff and operations.

Only so much can be saved, Dir. Diroll noted, by reducing staff since a prison still must be staffed 24 hours each day, seven days each week. You cannot just lay off a shift of employees. To achieve meaningful savings, the population must be reduced to the point of closing a wing or an entire prison.

Pros. Dobson argued that the debate always seems to relate to the issue of the day, which is currently the budget. We're trying to change sentencing based on budget issues rather than on the philosophy of what works best. He declared that H.B. 86 was a soft on crime response to budget issues.

Mr. VanDine argued that even if there were no budget issue, DRC would be making some of the same decisions based on empirical evidence of what programs reduce recidivism.

Public Defender Kathleen Hamm agreed that research seems to be driving more decisions now.

Director of the Eastern Ohio Correctional Center, Gene Gallo, remarked that there is not just a monetary cost for every prisoner. There is also a social cost. He added that it is not just a DRC problem. It's also a community problem because that offender eventually returns. Each offender needs to return as a better person, he contended.

Judge Marcelain wondered if it wasn't too early to expect a full picture of the results of H.B. 86.

Since going into effect, Mr. VanDine declared that H.B. 86 has already saved 2,600 prison beds.

From a marketing standpoint, Juvenile Court Judge Robert DeLamatre believes it is a hard sell to the public for why any effort should be made to reduce the prison population.

Mr. VanDine stressed that the focus is to reduce crime and recidivism. Reducing the prison population becomes a resulting benefit.

Pros. Dobson declared that reducing the number of felonies can present a serious problem. At that point the philosophical discussion comes up short. To say that a repeat domestic violence offender and someone who repeatedly assaults a police officer are not felons presents a problem.

Since those offenses were misdemeanors for decades and were only changed to felonies within the last 20 years, Mr. VanDine asked if there was something intrinsic to justice that required they be felonies instead of misdemeanors.

In 1974 and earlier, the prison system was very different than it is today, Pros. Dobson declared. He insisted there hasn't been enough time to see what H.B. 86 can do. It is too early to assume that some of the offenders should be immediately returned to the community, He argued, declaring that some offenders cannot be rehabilitated and should not be sent back into the community because they will only commit more crimes, which are likely to get more serious.

Having understood that offenders being considered for movement back into the community are those who would be returning to the community in the next year or two anyway, Atty. Hamm also understood that part of the reason was to get some of the state money to follow them to the community sanctions and save funds overall. She doesn't mind the idea of diverting these offenders to the community sanctions so long as prison remains an option for violation of that sanction.

It must be remembered, said Municipal Judge Ken Spanagel, that there are bad people and there are some we're mad at. A key issue is how to best address the people we're mad at, since prison is reserved for the "bad" people. He noted that some proposals that sound really good often don't even get into or past committee hearings.

RECLAIM for the Adult System. DRC Deputy Director of Parole and Community Services, Sara Andrews, explained that "RECLAIM" is an attempt to help provide a better way of distributing funds going to the counties. She pointed out that a RECLAIM-like pilot project would be focused specifically on F-4 and F-5 offenders and offer programs and

resources within the communities that could help judges make better decisions by offering more options to which an offender could be sentenced, other than just prison.

A working group is considering a pilot program in this effort and has already met with the Butler, Auglaize, Tuscarawas, Clermont, and Marion county representatives. Those counties were selected to offer a good geographic representation. They are looking at data and how the program may or may not work. DRC does not know who is *not* entering the prison system, so they have asked the participating counties to help identify those challenges and opportunities in order to gather data and provide a base for comparison.

They are also looking at the mechanics of how a funding model would work and how to evaluate outcomes. That involves determining whether funding should be based on prison population and commitment, the percentage of prison commitment, a crime rate reduction, case disposition, or how many offenders are successfully terminated from community control. She noted that there is no intention of taking away any current funding. The hope is that future money will be new money, not just reallocating current money.

Noting that the juvenile and adult judicial systems are very different, Dir. Diroll pointed out that juvenile court judges have more control over some things related to juvenile offenders than common pleas judges do with adult offenders.

Many judges, said Ms. Andrews, voice a need for resources for heroin offenders, out of concern for how to get them treatment and prevent them from killing themselves. Many counties do not currently have resources available for the needs of that offender. She stressed that the whole focus is a comprehensive package – not just about budget and prison population – mostly focused on reduction in crime and recidivism.

Rep. Winburn asked about the timetable for getting these proposals developed and in place. He remarked that a lot of people don't trust mandates because they seem to change every year. He asked at what point DRC expects to examine the success or failure of the H.B. 86 standards and determine whether it works or should be dumped or changed. He would like to see more data.

Mr. VanDine responded that they hope to process that data in the fall of 2014 since some aspects could affect budget decisions.

Chair of the state's Oversight Committee for RECLAIM Ohio, County Commissioner Bob Proud believes that the program is one of the best things that happened to Ohio's juvenile justice system. He does not propose replicating the juvenile RECLAIM format for the adult system, but at least accepting the concept because it helps to keep both the offender and more money at the local community level. He declared that RECLAIM works so well that DYS has been able to close some state facilities. Five governors have now sung the praises of the RECLAIM format, he added.

When RECLAIM went into effect it did not change any sentencing structure, said Judge DeLamatre, but made use of what was already in

place. By targeting F-4 and F-5 offenders at the adult level, there shouldn't need to be much adjustment.

Anything that allows more offenders to get into treatment programs, particularly for smaller counties, and provides adequate service providers, the better opportunity there will be for follow through, he added. While he likes RECLAIM in the juvenile system, he admitted that it has some flaws. He emphasized the need to focus on the causes of crime and not just the sentences. A coordinated care system is needed throughout the state that is available with the same quality in the small counties as it is in the larger counties.

Noting that DRC hopes to work within the existing funding mechanisms for its RECLAIM efforts, Ms. Andrews mentioned that the work group will soon be discussing which offenses should be excluded. These will likely involve violent F-4 and F-5s.

By shifting more low-level offenders to community sanctions under H.B 86, Mr. VanDine remarked that it has resulted in the number of F-4 and F-5 offenders dropping to less than 50% of the DRC population for the first time.

Given the constant complaints from communities about unfunded mandates, Comm. Proud was quick to point out that one of the beauties of RECLAIM Ohio is that it is a funded *non*-mandate, since no county is forced to implement it.

According to Ms. Andrews, Illinois has a similar adult program called Reemploy Illinois.

Contending that some counties have very few resources available, Atty. Hamm remarked that some misdemeanor offenders could benefit from some of these programs as well, but most are only available to felons.

Rural Risk Reduction Project. Mr. VanDine reported that Ohio received a federal grant last year, under the Rural Risk Reduction Project, to create a plan in ten rural counties. Part of the reason these Ohio counties were chosen was due, in part, to data that showed our urban counties were sending a smaller percentage of offenders to prison and their recidivism rates were dropping while many of the rural counties were showing higher crime and recidivism rates. Programs had been initiated in the large urban counties that contributed to the success rate there. These programs, however, were too expensive to duplicate in the rural counties. The grant should help rural counties develop their own infrastructure for resources. They plan to expand this effort to other counties. Sometimes the problem faced by the smaller counties is simply the ability to transport offenders to programs, housing issues, or providing job service work.

New Crowding Ideas. Dir. Diroll noted that DRC has been slow to institute some of H.B. 86's changes, such as expanding earned credit and the new 80% judicial release, while a few other changes haven't worked as well as hoped.

Revisit Mandatory Sentencing. At the last meeting Common Pleas Judge Tom Marcelain suggested pursuing some of these ideas independent

of DRC's task forces and advisory groups. As a result, Dir. Diroll compiled some ideas that might help ease the prison population.

Some things that show a reduction as a result of H.B. 86, said Judge Marcelain, have a minute effect on the overall prison population. He added that, over the past 12 years, too many misdemeanors have been raised to the felony level as the result of legislation bills. In looking for significant change, however, he suggests eliminating mandatory sentencing and allowing more judicial discretion.

Noting that mandatory sentencing originated in the mid-1970s from drug offenses, Dir. Diroll pointed out that S.B. 2 did not get rid of mandatory sentencing but did try to put them into ranges rather than flat add-ons.

Judge Marcelain reiterated that there just needs to be more discretion allowed.

Prosecuting Attorney Paul Dobson declared that mandatory sentences were created because that was the wave of the time since drug offenses were the key focus at that time. A lot of worse offenses do not have mandatory sentences, so it would only be fair to reexamine the mandates of drug sentencing.

It will be difficult to pass a bill that undoes mandatory sentencing across the board, Dir. Diroll remarked. He noted that most people who end up with mandatory prison sentences would have been prison bound anyway. However, drug offenders tend to get sentenced more harshly than any other offenders at the same felony level, making it a good place to start.

Representative Roland Winburn asked what drives harsher punishments and what convinces a judge or jury to commit an offender to prison. He stressed that these decisions must not be based on the issue of the day.

Some people do not trust judges to send offenders to prison, said Dir. Diroll, so they encourage legislators to mandate that certain criminals go to prison.

Dir. Diroll suggested starting with drug mandatories. Practically every F-1 and F-2 drug offense carries a mandatory prison sentence. Which are negotiable? The sentencing table for drug offenses is different than that which applies to sentences for other offenses at the same felony levels. He wondered if F-1 and F-2 drug offenses could be treated in a similar manner as other F-1s and F-2s, with a presumption in favor of prison rather than a mandatory prison term.

Pros. Dobson feels the topic could be opened for discussion but Pros. Fetherolf wondered why anyone would want to open any of these offenses up to the option of a presumption.

Treating Drug and Non-Drug Offenses Alike. After a change suggested by the Sentencing Commission and made part of H.B. 86, many F-3 drug offenses now carry a presumption in favor of prison, rather than a mandatory term, noted Dir. Diroll. The amount of drugs involved in many F-3 drug offenses indicates involvement in the drug trade, not

merely personal use. However, that is not always the case for particular drugs. Short of reevaluating what amount of drugs belongs in which categories, he wondered if F-3 drug offenses should be treated the same as the garden variety of F-3 offenses, with no particular guidance for or against a prison term.

Some drug offenders will not change without treatment, Pros. Fetherolf argued, and until you can get them off drugs, they won't quit committing crimes. For those offenders, getting the next "fix" is more important than staying out of prison. The more options available to address that, the better. She contended that the majority of crimes in her jurisdiction are drug related theft offenses, or drug possession/trafficking offenses.

The *Foster* Effect. After three decades of a steadily increasing prison population, it finally stabilized under S.B. 2. That changed again, however, with a series of somewhat unrelated U.S. Supreme Court cases, explained Dir. Diroll, that left the Ohio Supreme Court feeling it had little choice but to strike down certain elements of S.B. 2 in the 2006 *Foster* decision. Those aspects had direct impact on the prison population.

Pre-*Foster*, §2929.14 (created by S.B. 2) contained three guidelines that required findings related to the offender's length-of-stay in prison: a preference for the minimum term; discouraging the maximum term; and justifying consecutive terms. As a result of *Foster*, those three provisions were eliminated. The Ohio legislature revived the findings on consecutive sentences in H.B. 86 in light of subsequent court action (the *Ice* and *Hodge* cases).

DRC estimates that the *Foster* decision – increasing sentences by an average of about five months per inmate – accounts for a gain approaching 7,500 inmates since the ruling. Dir Diroll declared that if the *Blakely/Foster* effect were reversed, it could save more prison beds than any other idea currently being considered.

According to Pros. Dobson, many judges increased the sentences by five months so that if they granted judicial release there would still be five months hanging over the offender's head, rather than just three months.

Mr. VanDine countered that there have been no massive shifts in the judicial release patterns during this time.

For guidance toward the minimum sentence, Dir. Diroll suggested an amendment that tells judges to sentence persons to the minimum term if they haven't been to prison before, but gives the court discretion by adding that the shortest term should be consistent with basic sentencing principles. The language would skirt *Blakely/Foster* by avoiding stated findings. He proposed the following language regarding guidance toward the minimum sentence, noting that the Ohio House adopted it as part of S.B. 2 before Sen. Tim Grendell's Criminal Justice Committee removed it:

> §**2929.14 … Except as provided in …, the court imposing a prison sentence upon an offender who has not served, or is not serving, a prison term, shall impose the shortest prison term authorized**

for the offense pursuant to division (A) of this section [*the ranges by felony level*] if the shortest term is consistent with the purposes and principles of sentencing under section 2929.11 of the Revised Code.

The wording tells judges that state policy *favors* the minimum term when an offender first comes to prison. The "shall … if" formulation is not a mandate, since the judge can go beyond the minimum without having to make or state findings subject to S.B. 2-like review.

Pros. Dobson suggested focusing, instead, on more options and rehabilitative programs that judges can sentence to instead of prison.

Judge Marcelain favored pursuing both suggestions.

Domestic Violence. Noting the many offenses that had been raised from the misdemeanor level to the felony level, Dir. Diroll said that for domestic violence offenders part of the intent is to separate that offender from the victim for a longer period of time and hope the heavier penalty will deter other potential offenders. He also contended that the shelter system is a mixed blessing, since it may save lives, but also tends to penalize the victim.

In domestic violence cases, it is not just a matter of getting the offender away from the victim, Pros. Fetherolf contended, but also getting the victim away from the perpetrator so that they have a chance to get help.

Yearly v. Monthly Increments. Dir. Diroll noted that, since 1974, the higher level felony penalties are imposed in increments of years while lower level felonies are in increments of months. He wondered if it would help ease the prison population if higher level felonies were allowed to be in months.

Probably not, said Mr. VanDine. He noted that it is very difficult to study the prison impact based on these types of changes in sentencing ranges. Because judges' habits in sentencing are usually consistent for at least a few years beyond any change in the available ranges, it takes a while before any change in their patterns becomes evident. Often five to six years of data is needed to discern the impact.

In that case, Pros. Dobson does not think it is worth pursuing.

Trace Amount Cases. In trace amount drug cases, marijuana, based on amount, can be either a misdemeanor or felony. Cocaine and other street drugs, on the other hand, are always felonies, noted Dir. Diroll. There is no misdemeanor penalty available for trace amounts. And every dirty urine is a felony, unless treated as a "technical" violation of community control or post-release control. Dir. Diroll asked if there should be some misdemeanor penalties available for trace amounts of cocaine or other street drugs.

Due to speedy trial issues, it would put more pressure on labs and prosecutors to come up with the results, Common Pleas Judge Steve McIntosh argued, if they are required to put a possible misdemeanor case ahead of a felony case. For a felony case, the prosecutor has more time to wait on the results before indicting.

Dir. Diroll admitted that he had not thought of that. He remarked that surveys show strong support for treating low level drug violations as health concerns rather than as crimes.

Many F-5 cases in Franklin County, said Judge McIntosh, get plead down to misdemeanors in order to get them into misdemeanor court programs.

In her county, Pros. Fetherolf said, the municipal court and felony court have different options. This provides more flexibility in how to process these cases.

Mr. VanDine added that availability of the intervention-in-lieu program has been expanded, which can help.

CULPABLE MENTAL STATES (*MENS REA*)

After lunch, discussion turned to the effort to reach a conclusion on the *mens rea* issues raised by the *Colon* and *Johnson* cases. Those cases caused a swing in the application of the default statute and other things.

Dir. Diroll reported that, Sen. Seitz had a bill drafted based on some of the things the Sentencing Commission and some interest groups had suggested in order to address these *mens rea* concerns. The Ohio Prosecuting Attorneys' Association opposes that bill. Both the Sentencing Commission and the OPAA agree, however, that the definition of "reckless" should be revised. A key remaining issue involves the statutes where no *mens rea* is mentioned at all.

Some statues impute *mens rea* to the underlying offense, such as involuntary manslaughter or the "felony murder" aspects of homicide. There are also times where the mental element is included in the crime, at least historically by interpretation, but not the statute itself. There are also statutes that the General Assembly may intend to carry strict criminal liability, but didn't say so. If the General Assembly doesn't plainly indicate strict liability, the Code says it defaults to recklessly. Unfortunately, the legislature almost never *plainly* indicates strict liability.

John Murphy, Director of the Ohio Prosecuting Attorneys' Association, remarked that he and Dir. Diroll have discussed these issues at great length.

One problematic example, said Dir. Diroll, is sexual offender registration and notification (SORN) law. There is no mental element for failure to register or meeting all of the requirements. Some offenders get confused about how, when, and where to register, which is not really a matter of negligence.

Pros. Fetherolf mentioned a case where an offenders came in to register but the person in charge of that was not in, so the offenders was unable to register at that time. By comparison, she noted that even if a driver is confused about speed, he still gets a ticket for speeding.

Atty. Ham declared that it sometimes is a matter of misinformation more so than a misunderstanding. She cited a case where an offender who

moved here from another state had been told by that state that he no longer had to register, but that was wrong.

While the Ohio Supreme Court views SORN registration offenses as strict liability crimes, the General Assembly never said so, noted Dir. Diroll. The misconduct often falls into the realm of negligence and negligent acts are usually misdemeanors. Dir. Diroll wondered if there should be a sliding scale of penalties available for SORN violations. Setting aside the Court's ruling, a plain reading of the statute doesn't clearly indicate strict liability. Thus, it could be argued that the offenses default to recklessly as the mental element. No matter which way the legislature goes, however, the statutes should be clarified, he added.

It should first be checked whether there is a mandatory mental state implied for this offense, said Judge Marcelain.

There are very few who fail to register in her county, said Atty. Hamm, but those who do claim it's an inadvertent oversight or confusion.

Pros. Dobson declared that people are always going to claim it was an oversight.

Defense Attorney Kort Gatterdam asked why a felony should be imposed for an oversight.

Sometimes it is not a case of complete absconding from supervision or matter of community danger, Atty. Hamm argued, because the probation officer usually knows where they are. She noted one man, who upon release met with his probation officer and the sheriff and thought that counted as registering. He didn't realize he needed to go elsewhere to do that. She declared there are a variety of similar situations.

It was suggested by Pros. Fetherolf that someone should streamline the registration process itself.

Judge Gormley suggested that it might be useful to find out how other states handle the mental state issue for these offenders.

Checking how other states handle the practical aspects of registration would be helpful as well, said Pros. Fetherolf.

Representing the State Public Defender's Office, Atty. Theresa Haire contended that it is always hard to prove the mental state.

According to Pros. Dobson, if the offender is told by the judge to register and they don't do it, then it is regarded as reckless. Otherwise it is basically assuming that the offender is too stupid to follow the law. A standard of recklessly eliminates the inadvertent error case.

Pros. Fetherolf remarked that she wishes there was more discretion allowed in determining whether an offender should be required to register as a sex offender for the rest of his life.

Judge DeLamatre wondered how it makes sense to require a registration penalty if the offender is no longer on supervision.

Reviewing the list of subjects to pursue, Dir. Diroll agreed to compile a summary and more information on the *Foster* effect, treating Drug offenses more like non-drug offenses at the same felony level, and information on how other states deal with SORN violations.

FUTURE MEETINGS

Future meetings of the Ohio Criminal Sentencing Commission are tentatively scheduled for November 21 in 2013, and January 16, February 20, March 20, April 17, May 15, June 19, July 17, and August 21 in 2014.

The meeting adjourned at 2:05 p.m.