

SENTENCING COMMISSION NEWS

May 1998: ISSUE 7

THE 1998 NATIONAL ASSOCIATION OF SENTENCING COMMISSIONS ANNUAL CONFERENCE

CROWNE PLAZA NORTHSTAR HOTEL
MINNEAPOLIS, MINNESOTA

JULY 19-21, 1998

The 1998 NASC Annual Conference will be held July 19-21, 1998, in downtown Minneapolis, Minnesota at the Crowne Plaza Northstar Hotel. The conference provides a unique opportunity to share ideas, concerns, and experiences with people from around the country who have similar interests in sentencing policy.

The fifth annual NASC Conference will be held in Minneapolis, birthplace of sentencing guidelines. The conference is an excellent and unique opportunity to share ideas, concerns, and experiences with people from around the country who have similar interests in sentencing policy.

This year's conference also provides the opportunity to visit Minnesota, "Land of a Thousand Lakes," during the most beautiful season of the year. Minneapolis is also the home of the Mall of America, the Minnesota Twins, and the unique Aquatennial celebration.

Conference room rate: \$85.00 (single/double)
Conference registration and NASC membership: \$160.00

IMPORTANT REMINDER! ACT QUICKLY!

June 27th is the **deadline** for registration** for this year's NASC conference! Please make your hotel reservations and forward your conference registration forms to the Minnesota Sentencing Guidelines Commission as soon as possible. Even if you cannot send in the registration fee by June 27th it is important to send in the registration form and **make your reservations at the Crown Plaza Hotel** in order to guarantee the \$85.00 per night room rate. It may prove difficult to reserve a room at the conference hotel after **June 20th** because the hotel will release half of the remaining block of rooms to the general public.

Conference registration forms should be sent to: Minnesota Sentencing Guidelines Commission, 200 University Ave., West, Suite 205, St. Paul, MN 55103 or by FAX to (612) 297-5757.

Crown Plaza Hotel reservations can be made by calling (612) 338-2288 or (800) 556-7827.

If you need a conference brochure, registration form, or have any questions, please contact: Jodi Ehlenz at (612) 296-0144 or by Email at jodi.ehlenz@state.mn.us.

**** Late registrations will be accepted, but the hotel will not guarantee the conference rate after June 27.**

NASC Adds Special Conference Panel On "Research on Sentencing: Past and Future"

Please note that a session has been added to the NASC conference at the end of the day on Monday (4:30-5:30), immediately after the last plenary session. The session is titled "Research on Sentencing: Past and Future" and will be moderated by Jordan Leiter, National Institute of Justice. The panel will include Peter Greenwood (Rand Corporation), Jim Austin (National Council on Crime and Delinquency), Brian Ostrom (National Center for State Courts), and Ken Schoen (Institute on Criminal Justice). The panelists will discuss the last twenty years of sentencing research; current research efforts pertaining specifically to sentencing guidelines, truth in sentencing legislation, and "two and three strikes" laws; and the development of state partnerships to analyze and implement state sentencing reforms.

In addition, the National Center for State Courts and the Institute on Criminal Justice will be sponsoring an hour long reception immediately following this research session which will allow conference attendees to learn more about research opportunities and establishing state partnerships. Also, please note that there will be an Executive Board Election at the NASC conference.

Call for NASC Executive Board Nominations

NASC will likely have **four** vacancies on the executive board. There are currently **three** nominations: **Rick Kern, John P. O'Connell, and John Kramer** (are all current incumbents seeking reelection). **PLEASE consider joining the Executive Board and becoming an active member of NASC. If you are interested or would like to nominate someone, contact Deb Dailey (current NASC chair) at (612) 296-0727 or by email: deb.dailey@state.mn.us - as soon as possible. We would like to get more names on the ballot and bring in some new people on the Board. THANKS!**

NASC ON THE INTERNET

The NASC has an active Internet site. The NASC's Web site is included under the home page of the United States Sentencing Commission. The internet address is:

<http://www.ussc.gov>

The NASC information is found under the "State Sentencing Commissions" folder. Included are copies of the NASC newsletters (including previous editions), copies of the NASC bylaws, and other items of interest.

NASC continues to solicit information from the states to add to the site. For more details and submission instructions, please contact the United States Sentencing Commission webmaster at 202-273-4604.

This edition of the NASC Newsletter was edited by John C. Steiger, Ph.D., Washington Caseload Forecast Council, (360) 902-0085, E-Mail: john.steiger@cfc.wa.gov . NASC welcomes comments, letters, job announcements, articles and suggestions.

prison sentences, revocation sentences and new section on sentencing trends and prison population forecasts for the state.

The Sentencing Commission continues to provide prison population forecasts for both adult and juvenile correctional facilities. Currently the Commission is working with the National Council on Crime and Delinquency (NCCD) in expanding the current projection model to project, not only the state's prison population, but the prison population by institutional custody classification levels. The Department of Corrections and the state legislature will use these projections to make fiscal decisions relating to prison expansion.

Last, but not least, the Commission finally has its home page up and running on the internet. The address is <http://www.ink.org./public/ksc>. Although it was a long time in the development, the web site contains copies of all Commission reports and the Guidelines Desk Reference Manual. Hopefully this will provide more timely access to information relating to the Kansas Sentencing Guidelines or the Kansas Sentencing Commission.

Barbara S. Tombs, Executive Director
700 SW Jackson St., Suite 501
Topeka, KS 66603
Phone: (785) 296-0923
Fax: (785) 296-0927
E-mail: btombs@ink.org
Web Site: <http://www.ink.org./public/ksc>

MARYLAND

Maryland Commission on Criminal Sentencing Policy

The Maryland Commission appointed Kim S. Hunt, Ph.D. as Executive Director effective January 1998. Dr. Hunt had served as Associate Director for the Va. Criminal Sentencing Commission, and was adjunct professor of public policy at Virginia Commonwealth University.

The Commission was created by the Maryland General Assembly to evaluate the State's sentencing and correctional laws and policies, and will make its final recommendations December 1998.

Major achievements to date include:

Promulgation of the Commission's mission statement reflecting the testimony of leading scholars and legal experts on sentencing and correctional policy.

Conducting and publishing a public opinion survey of Maryland

NEWS FROM THE STATES

ALASKA

For information, contact:

Teri Carns, Alaska Judicial Council, 1029 W. 3rd Ave., Ste. 201, Anchorage, AK 99501; phone (907)279-2526, or e-mail, teri@ajc.state.ak.us

FLORIDA

For information, contact:

John N. Hogenmuller, Office of the State Courts Administrator, Florida Supreme Court Building.

KANSAS

Kansas Sentencing Commission

The Kansas Sentencing Commission released its Report to the Kansas Legislature in February of 1998. The report is required by statute, when prison population exceeds 90% of current capacity. The report contained possible modifications to current sentencing policies and practices that have the potential to redirect a portion of offenders from state correctional facilities. The Commission identified conditional probation violators as the target group, since their revocation and subsequent incarceration, results from violations of the conditions of their probation and not a conviction for a new offense. In addition, the offense of conviction is usually non-person and non-violent in nature, posing the least threat to public safety. Eight proposed modifications were presented, along with the projected bed space savings associated with each modification.

At the end of the 1998 legislative session, approximately \$3.8 million in federal and state funds was designated for alternative punishment programs for conditional probation and parole violators. The legislature identified community intermediate sanction centers and transitional centers for inmates nearing release from prison as priorities. In addition, funds were also allocated for substance abuse and mental health services expansion.

In March, the Commission released its FY 1997 Annual Report, which presented various of statistical profiles of the type of felony offenders and sentences under Sentencing Guidelines. The report provides an overview of both felony probation and

residents' perceptions of crime, victimization, criminal sentencing, and the use of alternatives to incarceration.

Examination of current sentencing patterns under Maryland's voluntary sentencing guidelines system which revealed some evidence of racial and geographic disparity.

Assessment of time actually served on prison sentences among a sample of inmates sentenced to the Department of Public Safety and Correctional Services.

Encouragement of public participation and comment on the work of the Commission by means of public hearings.

In the next several months, the Commission will complete its research and make recommendations. Among the topics to be addressed are:

Survey existing county-level and state-level correctional options programs and survey correctional options programs currently in place in other states together with any studies on success rates and cost/benefit analyses.

Develop recommendations concerning a state/county partnership on the creation and implementation of possible alternatives to incarceration for low level crimes and non-dangerous offenders, including; creation of reliable risk assessment criteria, coordination with drug/alcohol assessment and effective treatment, and viable restorative and retributive justice to be implemented within alternative programs.

Recommend changes in criminal sentencing and release policies by sentencing guidelines or legislation where required to insure that dangerous and/or incorrigible offenders will be retained in custody for an appropriate length of time consistent with the need for public safety.

Recommend any changes needed to promote increased public interest of and confidence in the Criminal Justice System, including implementation of truth-in-sentencing concepts where required.

Complete computer simulation model to assess the impact of policy recommendations on prison bed space needs and associated costs.

Kim S. Hunt, Ph.D., Executive Director
Md. Comm. on Crim. Sentencing Policy
2220 LeFrak Hall, U. of Md.
College Park MD 20742-8235
301-405-2926 Fax:301-405-4626

MASSACHUSETTS

Massachusetts Sentencing Commission.

Legislation. At this writing, legislation required to formally enact proposed sentencing guidelines is pending in the Joint Committee on Criminal Justice. The legislation was filed in the House and Senate on December 4, 1996. Following legislative hearings in June 1997, the sentencing guidelines were referred for further study. A final vote on guidelines legislation was expected during the 1998 session, but the legislation has not yet been reported out of committee.

Sentencing Guidelines and Intermediate Sanctions. The Massachusetts Sentencing Commission is working closely with the newly established Office of Community Corrections and the Office of the Commissioner of Probation on pilot projects in two courts - the Hampden County Superior Court and the Worcester Central District Court. The goal of the pilot projects is to test the use of sentencing guidelines as a framework for judges and other court practitioners to use when sentencing an offender to an intermediate sanction. In both counties, the Office of Community Corrections in cooperation with the local sheriffs have established a range of intermediate sanctions for use by judges. The intermediate sanctions include day reporting centers, electronic monitoring, house arrest, curfews, enhanced substance abuse testing, and other programs.

Massachusetts Sentencing Commission
Francis J. Carney, Jr., Executive Director
Saltonstall Office Building, Room 902
100 Cambridge Street
Boston, MA 02202
Phone Number: 617-742-6867
Fax Number: 617-973-4562
E-Mail: HOLTLC@AOL.COM

MICHIGAN

Michigan Sentencing Commission

In late November 1997, the Commission voted 14-4 on Guideline recommendations and submitted the package to the Michigan Legislature. The Senate passed the Guidelines unanimously before the holiday break, but debate in the House has been vigorous. A substitute bill passed House Committee in early May, but prospects for passage before the summer recess are guarded. Major issues include sentence length on serious felonies (the Commission's recommendations included

significant increases), prison impact and county jail overcrowding.

For information, contact:

*Judge Paul L. Maloney, Chair
Michigan Sentencing Commission
P O Box 3006, Lansing, MI 48909-7536.
Phone: (517) 373-7676
Fax: (517) 373-7668*

MINNESOTA

Minnesota Sentencing Guidelines Commission

The Minnesota Sentencing Guidelines Commission is looking forward to hosting the 1998 NASC Conference in July and we hope to see you all there. In addition to preparing for the conference, the Commission has continued to focus its attention on the issue of plea agreements that involve departures from the presumptive sentence under the guidelines and particularly, the problem of using "plea agreement" alone as the reason for departure. The Commission met with practitioners from around the state and determined that it would not be unreasonable to require that judges provide the reasons that underlie the plea agreement or explain the reasons the plea agreement was accepted by the court. The Commission proposed language changes to the Guidelines that would express this policy and the Legislature agreed that the proposed language should take effect this year.

The Commission has also been working on addressing the appropriate severity level rankings for new and amended crimes passed by the 1998 Legislature. For several years, certain Minnesota legislators have attempted to pass a "three strikes" law and came very close to doing so this session. (Actually, Minnesota has had a version of a "three strikes" law in statute since 1995 that mandates that the judge sentence an offender to prison if the current conviction is for a third or subsequent violent offense for at least the presumptive duration.) This latest version of "three strikes" called for a life sentence for the third or subsequent violent offender and passed the full House and was incorporated into their Omnibus Crime Bill. However, the provision did not get through the conference committee when the Senate members would not accept the House version of this provision and the House members would not accept the Senate version of the provision nicknamed "three strikes light." The Senate version called for lifetime probation upon release from prison for someone convicted of a third or subsequent violent offense.

Deb Dailey, Executive Director

Minnesota Sentencing Guidelines Commission
200 University Ave West, Suite 205
St. Paul, MN 55103
Ph: 612-294-0144
Fax: 612-297-5757

MISSOURI

Missouri Sentencing Advisory Commission
Tracy Knutson, Administrator
220 South Jefferson
St. Louis, MO 63103
(314) 877-1142
(314) 877-1041

NEVADA

Governor's Advisory Commission on Sentencing
Kathilee Koche, (702) 687-6374.

NORTH CAROLINA

North Carolina Sentencing and Policy Advisory
Commission

In September of 1997, the Governor of North Carolina established the Governor's Commission on Juvenile Crime and Justice to conduct a comprehensive review of all facets of the juvenile justice system. That Commission developed a report which included 61 recommendations to revise the system. In January of 1998, the Governor asked the North Carolina Sentencing and Policy Advisory Commission to help in estimating the impact of the proposed changes on the disposition of juvenile delinquents.

The Sentencing Commission spent four months collecting and analyzing court information. Since there was no centralized, computerized data base for the juvenile justice system in North Carolina, the staff had to create one. Court counselors across the state manually completed surveys on juveniles adjudicated delinquent during a specified period. Sentencing Commission staff coded and entered this information. Using a modified version of the adult population simulation model, staff was able to project the impact of the proposed policy changes on resource needs. The Governor will present his recommendations to the General Assembly during the current legislative session and the Sentencing Commission staff will be available to respond to subsequent legislative requests.

The General Assembly began its legislative session on May 11,

1998. The Sentencing Commission is statutorily required to review all proposed legislation which creates a new criminal offense, changes the classification of an offense, or changes the range of punishment for a particular classification, and to provide impact projections for all proposed bills which would increase the prison population.

On May 26, 1998, the Sentencing Commission, in conjunction with the Governor, the Speaker of the House, the President Pro Tempore, and the Chief Justice of the Supreme Court, hosted a briefing and reception to recognize all those involved with the development and implementation of Structured Sentencing in North Carolina. This briefing was one of the activities planned as a result of the Structured Sentencing program receiving the 1997 Innovations in American Government Award from the Ford Foundation.

Contact:

Susan Katzenelson, Executive Director
North Carolina Sentencing and Policy Advisory Commission
P.O. Box 2472
Raleigh, NC 27602
Phone: 919-733-9543
Fax: 919-733-2991
E-mail: Not available yet.
Website: www.nclaw.com/sentencing

OHIO

Ohio Sentencing Commission

*David Diroll, Executive Director
Ohio Criminal Sentencing Commission
513 East Rich Street, Suite 100
Columbus, Ohio 43215
Phone: 614-466-1833
Fax: 614-728-4703
E-Mail: DIROLLD@SCONET.OHIO.GOV*

OKLAHOMA

Oklahoma Sentencing Commission

The Truth in Sentencing Act passed in 1997 created a structured sentencing system and mandated a community sentencing system. The Community Sentencing Act increases the availability of intermediate sentencing sanctions for offenders to provide a middle ground between probation and prison. The Act is scheduled to go into effect July 1, 1998. There has been considerable debate concerning Truth in

Sentencing in the 1998 Oklahoma Legislative Session, but as of May 12, 1998, the date of this report, nothing has been passed by both houses of the legislature. The House of Representatives has passed a bill which contains major changes to the Truth in Sentencing Act. The changes recommended by the House include sentencing "off the grid" and an increase in the amount of a sentence for many crimes. The House bill would delay implementation of the sentencing portion of the Act until July 1, 1999. The Senate has passed a bill which increases the amount of prison time for certain drug and sex crimes. The Senate bill also recodifies burglary and increases the amount of prison time for some types of burglary. Both versions of the bill do continue to use a matrix and structured sentencing. The 1998 Oklahoma Legislative Session is scheduled to end on May 29, 1998 and unless the two houses reach some type of agreement prior to that date the Act passed in 1997 will become effective on July 1, 1998.

The Oklahoma Sentencing Commission was reconstituted by the 1997 Truth in Sentencing Act. It continues to be staffed by the Oklahoma Criminal Justice Resource Center. It also continues to be the state entity responsible for providing policy guidelines for the development of comprehensive criminal justice and correctional systems. The bills passed by each of the houses of the legislature will continue the Oklahoma Sentencing Commission, but may give it some additional duties concerning victim's rights. The House bill would add additional members to the Commission.

The Oklahoma Sentencing Commission is required to report to the Legislature each year. The Sentencing Commission will continue to make recommendations for re-codification and changes in placement of crimes within the sentencing schedules included in the Penal Code of the State of Oklahoma. In 1997 the Commission recommended a Recodification of Burglary and that some of the drug and sex crimes be rescheduled.

The major opponents to the 1997 Truth in Sentencing Act in Oklahoma have been prosecutors, law enforcement, and victim's groups. Sheriffs in many counties of the state have voiced opposition to the community corrections aspects of the bill arguing primarily that some of the penalties are not harsh enough and that their facilities are too crowded and not secure enough for offenders. The proposed budgets of the local planning councils were much greater than members of the legislature had expected. There will probably be some adjustments to the Community Corrections part of the Act in that there may be more community prisons used rather than county jails and more direct involvement in placement by the Department of Corrections. The issues concerning Community Corrections continue to be debated by a Conference Committee of Senate and House members.

Paul O'Connell, Director
Oklahoma Criminal Justice Resource Center (staff)
5500 N. Western, Suite 245
Oklahoma City, Oklahoma 73118
phone: 405-858-7027
fax: 405-858-7040
e-mail: poconnel@dps.state.ok.us

PENNSYLVANIA

Pennsylvania Sentencing Commission

Since shortly after its establishment in 1978, John Kramer has been Executive Director of the Pennsylvania Commission on Sentencing. Throughout this period, John has also been a faculty member at the Pennsylvania State University. And for the past two years, John has been on assignment as Staff Director of the United States Sentencing Commission. On April 22, 1998, during the quarterly meeting of the Commission, John stepped down as Executive Director in order to devote more time to teaching, research and leisure. When he completes his assignment in Washington, John will return to Penn State to teach and to participate in research center activities on behalf of the Commission, coordinating long term, sophisticated research on selected sentencing issues. He may even be able to take a vacation! The Commission is planning a reception for John in August to publicly recognize him for his many years of service and his contributions to sentencing policies in the Commonwealth and the nation.

During the April meeting, the Commission appointed Mark Bergstrom as Executive Director and Cynthia Kempinen as Deputy Director. Mark has been employed by the Commission for the past six years, most recently serving as Associate Director responsible for administration and field services. His previous work experience includes development and supervision of probation, restitution and community service programs. Cynthia has been on staff at the Commission since 1979, most recently serving as Senior Associate Director responsible for research and evaluation.

The Commission approved a staff reorganization plan which focuses more resources in the area of research. As part of this reorganization, the Commission has entered into a formal agreement with the University to collaborate on research on the implementation and impact of sentencing policies through a newly established Crime, Law & Justice Research Center. A multi-year grant received from the National Institute of Justice will support some of these research partnership activities.

Also during the April meeting, the Commission adopted a Release of Information Policy. The policy creates standards to

be used by staff in the release and dissemination of all sentencing data.

The Commission thanks all NASC members who provided information or otherwise contributed to the development of this policy. A copy of the policy has been sent to all sentencing judges in Pennsylvania for review and comment. The policy will be posted on our web site following final approval at the Commission's June 23-24 Commission meeting.

Mark H. Bergstrom, Executive Director
101 Pine Cottage
University Park, PA 16802-4612
Phone: (814) 863-4368
Fax: (814) 863-2129
E-mail: mhb105@psu.edu
<http://www.la.psu.edu/pcs/>

SOUTH CAROLINA

South Carolina Sentencing Guidelines Commission

The South Carolina Sentencing Guidelines Commission completed development of Advisory Sentencing Guidelines to complement Truth in Sentencing in December of 1996. The Speaker of the House and Chairman of the Commission, David H. Wilkins, sponsored the Guidelines legislation. Forty-nine other House members signed on as co-sponsors of the bill. Legislative subcommittee hearings began in December of 1997; and, on March 2, 1998 the House passed the bill. Senate hearings on the bill began at the end of April 1998 and are currently underway.

Ashley Harwell-Beach, Director
1105 Pendleton St., Columbia, SC 29211
(Ph) 803-734-6200 (Fax) 803-734-8727
(Email) abeach1@ix.netcom.com

UTAH

Utah Sentencing Commission

The Utah Sentencing Commission has recently finalized, validated, and adopted new 1998 sentencing and release guidelines for adult offenders. Training and implementation will occur in the next several months. The guidelines are voluntary and intended to be as descriptive as possible of current sentencing practice. Primary revisions include a separate matrix for sex offenders, typical lengths of stay recommendations for the Board of Pardons & Parole, percentage formulas for concurrent and consecutive enhancements, and increased use of

intermediate sanctions. The new guidelines reinforce Utah's indeterminate sentencing system and strong parole authority.

Revolutionary \$20 million juvenile sentencing guidelines have been in place for approximately one year. Efforts are proceeding to track compliance rates and evaluate the earlier intervention premise of the guidelines.

Although the governor adopted all of the Sentencing Commission's \$3.3 million recommendations concerning intermediate sanctions, the legislature would only fund a fraction of the package. The Commission is preparing a new approach to educate the legislative branch as to the critical need for alternatives to prison which include community correctional treatment facilities, day reporting centers, and drug courts.

During the last year, the Commission has successfully spearheaded legislative reform in Utah's statutory rape laws, expungement policy, and unemployment compensation fraud. Other policy and legal issues under current review include an innovative procedure for mitigating certain homicide offenses down to manslaughter when there exists extreme emotional distress and sex offenses involving health care practitioners or counselors.

We look forward to hosting the 1999 NASC Annual conference here in Salt Lake City.

Ed McConkie, Director
Utah Sentencing Commission
101 State Capitol
Salt Lake City, Utah 84114
(801) 538-1645
(801) 538-1024 FAX
email:
web page:

VIRGINIA

Virginia Criminal Sentencing Commission

Richard P. Kern, Ph.D.
Director
Virginia Criminal Sentencing Commission
100 North 9th Street, 5th Floor
Richmond, VA 23219

Phone: (804) 225-4565
Sentencing Guidelines Hot Line: (804) 225-4398
Fax Number: (804) 786-3934
Email: rkern@vcsc.state.va.us
No web page

WASHINGTON

Washington Sentencing Guidelines Commission

The Washington Sentencing Guidelines Commission recently completed a series of studies focusing on drug offender sentencing options, racial disproportionality in juvenile and adult justice systems, and the capacity of state and local correctional facilities and resources.

In a follow-up study on the use of the special Drug Offender Sentencing Alternative (DOSA), the Commission found that use of the sentencing alternative declined substantially from fiscal year 1996 to 1997 and that the implementation of the sentence option has been hampered by differing statutory interpretations of the DOSA legislation, plea bargaining practices which favor other sentencing options for first-time narcotics offenders, and differences in charging and sentencing philosophy by judges, prosecutors, and defense attorneys.

The Commission also completed its first biennial assessment of racial and ethnic disproportionality in juvenile and adult sentencing. The study focusing on disproportionality in juvenile justice found that minority youth were disproportionately represented at virtually every stage of the justice system, and that they were more likely to be sentenced to secure institutions—or confinement—than white youth. The appraisal of disproportionality in adult felony sentencing found that differences in sentence length were minimized when offenders were sentenced within the presumptive standard sentence ranges set forth under the guidelines. However, sentencing disparities were readily apparent where an offender's sentence constituted a departure from the standard range through the use of intermediate sanctions such as the First-Time Offender Waiver (FTOW) or the Special Sex Offender Sentencing Alternative (SSOSA). The use of these sentencing options tended to favor white offenders over similarly situated minority offenders.

The Commission also recently published a report on the capacity of correctional facilities. This report describes some of the findings of previous studies on capacity, notes the difficulties of working with capacity data, and describes some initiatives underway to improve our ability to deal with capacity issues.

At the request of the Washington Superior Court Judges' Association, the Commission is currently undertaking a comprehensive review of the list of offenses eligible for community placement (post-prison release supervision) and may make recommendations to the state legislature based upon that review.

In addition to conducting ongoing research in these critical areas of concern, the Commission was recently directed by the Legislature to conduct a study of the feasibility of allowing certain aged and physically infirm offenders to be released from institutional confinement, with the assumption that they would be supervised upon release.

Recent sentencing changes enacted by the 1998 Legislature include stiffer penalties for methamphetamine manufacturers, amphetamine dealers, drunk drivers, and traffic felonies committed with a history of drunken driving.

Copies of recent Commission studies and reports may be obtained by contacting the Commission staff.

Washington Sentencing Guidelines Commission
PO Box 40927
Olympia WA 98504-0927
(360) 956-2130 FAX: (360) 956-2149
<http://www.sgc.wa.gov/>

UNITED STATES (FEDERAL COURTS)

U.S. Sentencing Commission

In December 1997, the Commission held a mini-hearing on federal voluntary and involuntary manslaughter crimes. In February, a similar hearing was held on telemarketing fraud, and in March, the Commission, in conjunction with the ABA's White Collar Crime Institute, held a public hearing in San Francisco on sentencing policy for theft, fraud, and tax offenses. The Commission's annual, Washington, D.C., amendment hearing on proposed guideline amendments also took place in March.

The Commission sent letters to Congress in February 1998: (1) recommending an increase in the maximum statutory penalty for voluntary manslaughter, and (2) requesting a harmonization of telemarketing legislation with proposed guideline amendments.

The Commission is in the process of working with the Administrative Office of the U.S. Courts and the Federal Bureau of Prisons to integrate data collected by these agencies with data collected by the Commission. The Commission has also continued its work on several long-term research projects, including studies of sentencing disparity, homicide and other violent offenses, and current issues in juvenile justice.

The Commission, on May 1, submitted to Congress for its review a report containing amendments to the sentencing guidelines. The Commission approved amendments resolving

federal circuit court conflicts regarding such issues as abuse of position of trust, obstruction of justice, failure to appear, and diminished capacity departures. The Commission also responded to recent legislative enactments by increasing penalties for: (1) any offense against the property of a national cemetery; (2) transferring a gun to a felon or any other person prohibited from owning a firearm; and (3) frauds committed through mass marketing or that involve sophisticated concealment of the offense. The Commission shortly will publish for comment amendment options regarding penalties for criminal infringement of copyright and trademark. In addition, the Commission decided to "field test" a definition of loss for selected economic crimes.

The Seventh Annual National Seminar on the Federal Sentencing Guidelines was held in Clearwater, Florida, May 13-15. The seminar, jointly sponsored by the U.S. Sentencing Commission and the Federal Bar Association, featured topics such as fraud and theft guidelines, organizational and tax guidelines, and money laundering.

The Commission is working closely with the Federal Judicial Center and the Administrative Office of the U.S. Courts in the planning, coordination, and development of the new Federal Judicial Television Network (FJTN). By the end of June, some 200 down links are expected to be installed on court location nationwide, allowing the network to provide a full array of educational programs directly to employees of the federal judiciary.

John Kramer, Executive Director
United States Sentencing Commission
One Columbus Circle, NE, Suite 2-500
Washington, DC 20002
Phone: 202-273-4510 /Fax: 202-273-4529
email: KRAMER@ussc.gov

JOB ANNOUNCEMENT

Oklahoma Sentencing Commission: Research Director

The Oklahoma Sentencing Commission (OSC)/Oklahoma Criminal Justice Resource Center (OCJRC) is seeking applications for a Research Director. To express interest in this position, please send a letter of interest describing your qualifications, including relevant professional experience, along with a resume showing employment, education, and a writing sample (short report or publication) to Paul O'Connell, Director, Oklahoma Criminal Justice Resource Center, 5500 N. Western, Suite 245, Oklahoma City, OK 73118, phone 405-858-7025, fax 405-858-7040, email poconnel@dps.ok.state.us. Salary range: \$45,000-\$54,000, depending on qualifications and experience. Application closing date: July 1, 1998.

JOB ANNOUNCEMENT

**United States Sentencing Commission:
Director of Research**

The USSC seeks a Director of Research, Full-time permanent position equivalent to ES-1 through ES-3 (Salary range \$106,00-\$116,000). Director of the Office of Research will provide leadership and executive direction for a comprehensive program area overseeing data extraction and research tasks to meet the overall goals of the United States Sentencing Commission. Mandatory selective factor: Ph.D in Social Science and practical experience in the criminal justice field and a familiarity with structured sentencing. Call 202-273-4610 or 202-273-4580 for vacancy announcement or mail resume to: United States Sentencing Commission, One Columbus Circle NE, Suite 2-500, Washington, DC 20002-8002, Attn: Human Resources.

UNITED STATES SENTENCING COMMISSION
ONE COLUMBUS CIRCLE, NE
SUITE 2-500
WASHINGTON, DC 20002