

SENTENCING COMMISSION NEWS

June 1999: ISSUE 9

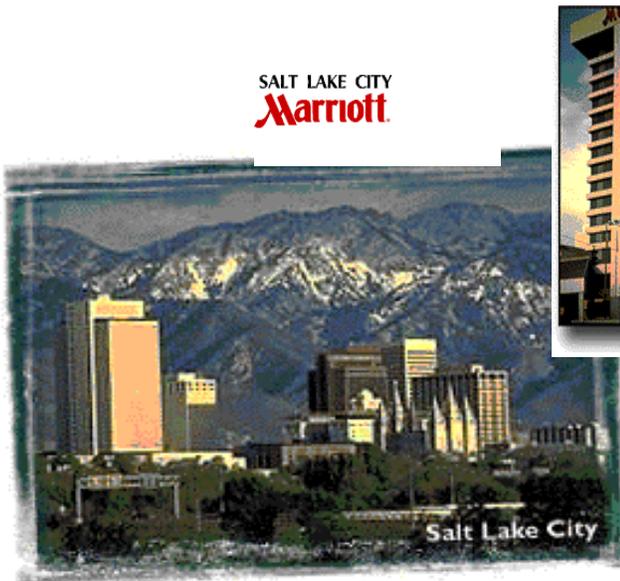
THE 1999 NATIONAL ASSOCIATION OF SENTENCING COMMISSIONS ANNUAL CONFERENCE

MARRIOTT HOTEL
SALT LAKE CITY, UTAH

AUGUST 8-10, 1999

The 1999 NASC Annual Conference will be held AUGUST 8-10, 1999, in downtown Salt Lake City, Utah at the Salt Lake City Marriott 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. Details of the conference will be distributed in March 1999.

Conference room rate: \$83.00 (single/double) – call 1-800-345-4754 for Marriott Hotel reservations
Conference registration and NASC membership: \$165.00



*Salt Lake City: Hub of the West and host
of the 2002 Winter Olympic Games!*

*For more information on Salt Lake City,
visit:*

www.visitsaltlake.com

www.ci.sl.c.ut.us

www.utah.com

SALT LAKE CITY

1999 NASC CONFERENCE AGENDA

Sunday August 8

5:00 p.m. - 7:00 p.m. Registration & Reception

Monday August 9

8:00 - 9:00 a.m. Registration & Continental Breakfast

9:00 a.m. Welcome & Introduction

9:30 a.m. Keynote Speaker: *Michael R. Sibbett, Chair of Utah Board of Pardons & Parole and President of Association of Paroling Authorities International*

10:00 a.m. Break

10:15 - 11:45 a.m. 3 Optional Roundtables (Panels & Discussions)

1. *Addressing Disparity*

How are sentencing commissions effectively addressing disparity in sentencing?
Chair, Brian Ostrom, National Center for State Courts

2. *Issues Related to Prison Population Projections*

How projections are used differently by states, the political implications surrounding projections, accuracy issues, and use of consensus groups.
Chair, Barbara Tombs, Kansas Sentencing Commission

3. *Intermediate Sanctions & Sentencing Commissions*

How do guidelines and sentencing commissions help or hinder the creation and maintenance of intermediate sanctions?
Chair, Paul O'Connell, Oklahoma Sentencing Commission

Noon Lunch with Speaker: *Sen. Orrin G. Hatch, United States Senator for Utah, Chair of Senate Judiciary Committee*

1:15 - 2:45 p.m. 3 Optional Roundtables (Panels & Discussions)

1. *Post-Release Supervision*

How is structured sentencing dealing with the evolution and abolition of parole?
Chair, Leslie Powell, Arkansas Sentencing Commission

2. *Predicting Risk*

How do sentencing guidelines predict risk of re-offending?
Chair, Kim Hunt, DC Advisory Commission on Sentencing

3. *Discretion Follow Up*

Follow up discussion from discretion theme of 1998 NASC Conference in Minneapolis.
Chair, Debra Dailey, Minnesota Sentencing Commission

2:45 p.m.

Break

3:00 - 4:00 p.m.

Open Discussion Groups and Deliberations - Part 1

Legislative Strategies: Bringing Effective Structured Sentencing Policy into the Political Arena

How are sentencing commissions creating policy in light of public opinion, media, and victims? (First of two parts on sentencing reform, follow up with action steps at Tuesday session)

5:00 p.m. - 7:00 p.m. Reception

Tuesday August 10

8:30 a.m.

Continental Breakfast

9:00 - 10:30 a.m.

3 Optional Roundtables (Panels & Discussions)

1. *Role of the Media*

Sentencing policy and release of information
Chair, Mark Bergstrom, Pennsylvania Sentencing Commission

2. *IT Session*

Information Technology and Tracking Sentencing Policy
Chair, Joanne Leznoff, Florida Department of Corrections

3. *Mechanics of Guideline Development and Evaluation*

Different approaches to development and ways to use data to assess how well a system is working.

Chair, Paul Hofer, United States Sentencing Commission

10:30 a.m.

Break

10:45 - 11:45 a.m.

Open Discussion Groups and Deliberations - Part 2

Follow-up on Previous Days Legislative Strategies: Bringing Effective Structured Sentencing Policy into the Political Arena

How are sentencing commissions creating policy in light of public opinion, media, and victims? (Second part of previous day's discussion including action steps)

Noon	Lunch with Business Meeting
1:30 p.m.	Plenary Session (Panel) <i>Wrap-up and Discussion of Conference 2000 in Pennsylvania!</i>
3:00 p.m.	Closing

NASC Conference General Conference Information

- Cost:** \$165 includes NASC membership, conference materials, receptions, and lunches both days.
- Location:** Downtown Salt Lake City, Utah at the Marriott Hotel, 75 S. West Temple, Salt Lake City, Utah 84101
- Accommodations:** A block of rooms has been reserved at the Marriott Hotel for registrants at the rate of 83.00 per night for single or double occupancy until **July 19, 1999**. Marriott Hotel is located downtown in the heart of Salt Lake City's business and cultural district. Please reserve rooms directly through the hotel at (801) 531-0800 or 1-800-228-9290. **Reservations should be made as soon as possible but no later than July 19, 1999.**
- Transportation:** Salt Lake City is served by the Salt Lake City International Airport. The downtown Marriott is approximately 15 minutes from the airport and a Marriott Shuttle Service is available and runs every 20 minutes. Vouchers may be purchased at the Lewis Bros./Marriott Shuttle Desk located in terminals 1 and 2 and the cost is \$7.00 one-way or 13.00 round trip. Payment by cash, credit card, or room charge. (Children are half price.)



Conference Registration

Name _____ Title _____
Organization/Agency _____
Address _____
City/State _____ Zip _____
Phone _____ Fax _____ Email _____

What specifically would you like addressed in the open discussion sessions focusing on working in the political and legislative arenas?

Registration Fee \$165 Payable To: National Association of Sentencing Commissions
Guaranteed if sent by July 19, 1999 (Purchase orders will be accepted.)

Return This Form and Payment to:

Utah Sentencing Commission
101 State Capitol
Salt Lake City, UT 84114

For more information contact:

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(801) 538-1645
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1999 NASC CONFERENCE SITE

Salt Lake City is a city of vitality, contrasts and surprises. It is a montage of modern high-rise commercial centers, noted attractions, historic site and classic buildings, first-class accommodations, and fine dining establishments. We invite you to experience the history, culture, and warm hospitality we hope will make your visit to Salt Lake City a memorable one. Visit www.utah.citysearch.com or www.saltlake.org or www.slachamber.com

Historic Sites/Museums

Historic Temple Square

This ten-acre plot in the heart of Salt Lake City is Utah's #1 attraction. Centerpiece of the square is the 6-spire granite Salt Lake Temple, and adjacent to this imposing edifice is the domed tabernacle, home of the famous Mormon Tabernacle Choir and the great Tabernacle Organ. Daily tours of the grounds begin every few minutes at the flag pole. Open daily 9-9 (801) 240-4872

Joseph Smith Memorial Building

Locate your ancestors with the help of 200 computers and a trained staff in the Family Search Center. View Legacy, a 53-minute film depicting the faith and courage of the Mormon Pioneers in their search for religious freedom on the frontier of the American West. Two Restaurants with breath taking views from the tenth floor. (801) 539-1911

The Beehive House

30-minute tours are available through this lovely house which served as the official residence of Brigham Young when he was President of the LDS Church and Governor of the Utah Territory from 1854 to 1877. (801) 240-2671

State Capitol

Capitol Hill overlooking Salt Lake City. Completed in 1915, Utah's Corinthian-style Capitol building resembles the National Capitol. Open 7 days week (801) 538-3000

Utah State History Museum

Informative exhibits on the history of Utah, research library, book/gift shop, tours by appointment. (801) 533-3500

Utah Museum of Fine Arts

Utah's general art museum. Open every day, free admission. Art from Europe, North and South America, Asia, Africa, and Oceania. (801) 581-7332

Utah Symphony

Enjoy the Utah Symphony which performs 225 concerts annually in Maurice Abravanel Hall, one of the world's finest concert halls. (801) 533-5626.

Governor's Mansion

Located on South Temple between G & H Streets, the mansion was built as a residence for early mining executive Thomas Kearns, and is now the official residence of Utah's Governor.

Hansen Planetarium

Daily star shows, laser/music concerts, a free space science museum with hands-on, brains-on exhibits, and unique planetarium store. (801) 538-2098

This is the Place Heritage Park

Home of Old Deseret Village and This is the Place Monument. Park marks the end of the 1,300 mile trail of the Mormon pioneers and others in their move west. (801) 584-8391

City and County Building

When Utah gained statehood in 1896, this monumental structure served for 19 years as Utah's State Capitol Building.

Capitol Theatre (801) 355-2787

Pioneer Memorial Theatre (801) 581-6961

Special Events

Aug. 6 - 8 **Salt Lake Gift Show, Salt Palace** (Across the street from Marriott Hotel) 973-7800

Utah Music Festival, Snowbird Ski Resort 378-3391

The Park City Arts Festival (Aug. 7 - 8)

The annual Park City Arts Festival draws thousands for this summer weekend event which combines art, music and food into fabulous summer fun. (435) 649-8882; also

The Park City International Music Festival (July 5 - August 15)(30 minutes from Salt Lake City)

Sports

Delta Center

Home of the NBA Utah Jazz and WNBA Utah Starzz (Aug. 7 Minnesota, Aug. 9 Charlotte) (801) 325-2013

Franklin Covey Field

Home to the Salt Lake Buzz, Triple A affiliate of the Minnesota Twins. Named best view in baseball. (801) 485-3800

Shopping/Entertainment

Crossroads Plaza

Nordstrom, Mervyn's, and more than 145 specialty stores, services, and restaurants. Across from Temple Square and next to Marriott Hotel (801)531-1799

ZCMI Center

Over 90 stores, restaurants and carts including a ZCMI department store and the Park Food Court. (801) 321-8745

Trolley Square

Hard Rock Café, Pottery Barn, Restoration Hardware, 80 unique shops and restaurants are featured in charming trolley car barns. National Historic Site. (801) 521-9877

Golf Courses

Bonneville Golf Course

The second-oldest course in the Salt Lake City municipal system, is renowned for its awe-inspiring sunsets and view of the city scape from its perch on the East Bench of Salt Lake City, just a 5-iron from the University of Utah and a sand wedge from the internationally famous Hogle Zoo. Offers 18-holes. (801) 583-9513 (Visit www.golfutah.com)

Mtn. Dell Canyon Golf Course

Golf at its highest is hosted by Salt Lake City's Mountain Dell Lake and Mountain Dell Canyon courses 12 miles east of the bustling city on Interstate 80 in Parleys Canyon. Offers 36 holes. (801)382-3812

Wingpointe Golf Course

The newest of Salt Lake City's golfing gems, borders Salt Lake City International Airport. But it looks like it has been imported from Scotland with its rolling mounds and links-style rough. (801) 575-2345

Dining & Clubs

Market Street Grill (Visit www.gastronomyinc.com)

Located downtown, Salt Lakes finest seafood restaurant, offering fresh fish from around the world. (801) 322-4668

Rio Grande Café

Located downtown, full selection of fine Mexican dishes served in the historic Rio Grande Train Station. (801) 364-3302

Rodizio Grill

Located in Trolley Square, Authentic Brazilian style steakhouse. Free appetizers, a gourmet salad bar. Beef, chicken, pork, seafood served to your table on

skewers.
(801) 220-0500

Red Rock Brewing Co.

Located downtown, acclaimed micro-brewery and restaurant (801) 521-7446

Café Pierpont

Located downtown, festive Mexican dining. (801) 364-1222

The Zephyr Club

Located downtown, a private club that features national touring bands in an elegant and casual setting. (801) 355-5646

Squatter's Brewery

Located downtown, Salt Lake City's first Brewpub, serving up good food and a brew that is "Good For What Ales You." (801) 363-2739

New Yorker

Located downtown, Zagat rates as #1 in fine dining, with New Yorker Dining Room and casual Café. Private banquet rooms. (801) 363-0166

Sightseeing Tours

Innsbruck Sightseeing Tours (801) 534-1001

The city's finest sightseeing bus tour includes stops for a Tabernacle Organ recital, lunch, and an outing to the Great Salt Lake. Other stops include the Salt Lake Temple, the Genealogy Library, This Is the Place Monument, and several more. Reservations only.

Old Salty Famous Historical Tour (801) 359-8677

This fully narrated trolley tour takes visitors through the best of Salt Lake's past and present. From Mormon pioneers to the Utah Jazz, Old Salty is ready to share the best sights the city has to offer. The tour lasts approximately one and a half hours and departs from the Temple Square South Gate at 11am, 1pm, and 3pm.

Misc.

Liberty Park (801) 972-7800

A city park with lots of room for recreation or relaxation.

Tracy Aviary, located at the southwest end of Liberty Park, is Americas premier bird park, with more than 750 birds on display. (801) 596-8500

Hogle Zoo

Home to an extensive collection of animals.
Open every day except Christmas and New Years.
(801) 582-1631

Kennecott Copper Mine

Visitor Center offers guest exhibits and video presentations on the history, geology and operations of one of the largest and most productive copper mines in the country. (801) 252-3234

Climate

Salt Lake enjoys four distinct seasons. Spring is mild enough for golf in the valley, while offering good skiing at resorts. Summer is warm and sunny with low humidity, and cooler canyon temperatures. Autumn brings vibrant foliage and moderate weather. In winter, day time temperatures in the valley are usually above freezing, and light, dry powder blankets the mountain slopes.

Population

Salt Lake City: 171,000 State of Utah: 2 million

Elevation

Salt Lake City: 4,330

Utah Attractions outside Salt Lake City

One of the most popular tourist states both in Summer and Winter, Utah has extraordinarily diverse locations with much to offer for travelers. Variety includes high mountains to desert red rock landscapes. Dramatic Wasatch mountain canyons, peaks, and resorts are less than an hour's drive from downtown Salt Lake City. Within a half day's drive are several national parks including Yellowstone to the north and Zion's to the south. Enjoy internationally renown mountain biking trails near Moab, river running, hiking, fishing, camping, or just driving through some of the most spectacular country you have ever seen. Visit the website www.utah.com.

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:

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 202-502-4604.

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

NEWS FROM THE STATES

ALASKA

Budget issues preoccupied the Alaska Legislature during this year's session, and members passed little in the way of substantive legislation. No bills with any significant effect on the criminal justice system passed. While the legislature did not cut most budgets substantially, it also funded few new programs. Executive branch agencies have continued to work on the projects that occupied much of their attention in the past few years, including upgrading or installing new criminal justice information systems, managing prison overcrowding and distribution of limited resources, and focusing more on early intervention than on handling of chronic or repeat offenders.

Restorative justice has begun to play a major role in actions taken by many criminal justice agencies. The courts have taken the initiative to implement recommendations for improved justice in rural areas and for increased use of culturally appropriate resources. They have hired a "cultural navigator" to assist Yupik Eskimo defendants and victims in the Bethel region, have funded a "travelling master" to handle cases in villages in which they occur, and are training judges and magistrates in "circle sentencing," a Canadian community-based approach to deciding on the appropriate sentence. Anchorage municipal prosecutors are initiating an informal adult victim-offender mediation program, using the services of a non-profit that conducts juvenile victim-offender mediation. The Department of Corrections has developed several programs that focus on restitution to victims and use other restorative justice principles. The Department of Public Safety is training many of its Village Public Safety Officers to supervise probation and parole so that offenders can be re-integrated into their communities more safely and successfully.

Alaska's Criminal Justice Assessment Commission will complete its work within the next year. Members include Commissioners of the executive branch criminal justice agencies, the state's Attorney General, judges and court administrators, legislators, and representatives of related criminal justice interests. The Commission will make recommendations oriented to its mission of holding offenders accountable and protecting the public, while looking for alternatives to incarceration and making the system more cost-effective. Current projects include working to decriminalize mentally ill offenders when possible, addressing alcohol and substance abuse use (which in Alaska underlies or directly causes a very high percentage of all offenses), developing alternatives to pretrial incarceration and reviewing the probation/parole revocation process. The sentencing committee is considering the possibility of increasing the value limits for property offenses that were established in 1978, to take into account inflation, and other changes in sentencing. If other states have information about how property value limits were

established for guidelines offenses, and what issues played the most important roles in the limits adopted (e.g., prior record considerations, consistency with other states' limits, inflation, willingness of law enforcement agencies to investigate or charge offenses below a certain level), Alaska would welcome their input.

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

DISTRICT OF COLUMBIA

The National Capital Revitalization and Self-Government Act of 1997 required the District to make a number of changes to the structure of sentencing for criminal offenses. The Revitalization Act required that sentencing for certain specific serious offenses be determinate. The Act abolished parole for those offenses and required that offenders serve at least 85 percent of the specified term. The Act created the District of Columbia Truth in Sentencing Commission and on January 31, 1998 it submitted its formal recommendations in the form of legislative language to the Council.

In deference to the District's Home Rule, the Truth in Sentencing Commission's formal recommendations contained only those changes to District law that the Commission believed were specifically mandated by the Revitalization Act. As a result, a large number of major and critically important policy issues were left to the District of Columbia government to resolve. The Commission did, however, provide a large number of supplemental recommendations for the Council to consider.

The Advisory Commission on Sentencing

In addition to adopting the formal recommendations of the Truth in Sentencing Commission, the Council also created the new District of Columbia Advisory Commission on Sentencing, [Advisory Commission on Sentencing Establishment Act of 1998, effective Oct. 16, 1998 (D.C. Law 12-167; D.C. Code §___)]. This Advisory Commission is charged with recommending the most sweeping changes in the District's criminal justice system since Home Rule was initiated.

The Advisory Commission is composed of 13 voting members and 4 nonvoting members including three judges of the Superior Court, a member of the Council, and representatives of the U.S. Attorney's office, the Public Defender Service, the Corporation Counsel, Court Services and Offender Supervision, the D.C. Bar, the criminal justice research community, and the citizens of the District, as well as representatives of corrections, law enforcement, and parole.

The Advisory Commission is required to file an interim report to

the Council by September 30, 1999, and a final report by April 5, 2000. The interim report must provide information on current sentencing and release practices. The final report must make recommendations to the Council as the District moves from indeterminate sentencing to determinate sentencing for most serious felonies. The Other issues expected to be covered in the final report are supervised release, life sentences, the Youth Rehabilitation Act, intermediate sanctions and community corrections, and judicial discretion.

For more information, please contact Kim Hunt, Ph.D., Executive Director of the Advisory Commission on Sentencing, at (202) 220-5710.

FLORIDA

For information, contact:

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

KANSAS

Kansas Sentencing Commission

During the fall of 1998, the Kansas Sentencing Commission spent a considerable amount of time reviewing and evaluating changes that have occurred to the Sentencing Guidelines since their implementation in July of 1993. Legislative amendments have occurred annually and in a piece meal fashion over the past five years. The cumulative impact of these changes was examined in relation to the proportionality of sentences and the original goals of the guidelines.

As the result of the Commission's guideline review, an extensive legislative package was introduced during the 1999 Legislative session. The bill introduced contained a combination of both increases and decreases in sentence lengths and offense classifications. Sentences for various types of murder were increased significantly, with sentence lengths up to 50 years, without the possibility of parole. For several low level felony offenses, such as Driving on a Suspended License and Habitual Violator, the felony classification was reclassified as a misdemeanor, which designates incarceration at the county level versus a state correctional facility.

One of the most significant changes proposed was a 20 percent reduction in all sentence lengths on Severity Level I and II of the Non-drug Sentencing Grid. This recommendation attempted to address the proportionality issue between on-grid and off-grid sentences that had resulted from previous legislative action that had doubled sentence lengths on those specific levels of the sentencing grid. The situation had developed whereas it was possible to receive a longer sentence for attempted murder or

aggravated kidnapping (on-grid offenses) than for murder (an off-grid offense). The Commission believed that the crime of murder should result in a longer sentence than convictions for various other violent crimes, since murder involves in the loss of a human life. Although this was not a popular recommendation and very controversial, it was viewed as necessary to maintain the integrity of the sentencing guidelines.

All sentences were increased 20 percent on Severity Level III to address the disparity that had developed between sentence lengths on Levels II and III. In addition, a new sentencing rule was enacted that imposes a presumptive prison sentence for a second conviction of residential burglary. Finally, a new offense called "Unlawful Voluntary Sexual Relations" was created to address what is commonly referred to as the "Romeo and Juliet" situation where there is certain voluntary sexual activity between two individuals and one person is under 16 years of age but over 14 and the other person is less than four years older than the victim. The offense is designated a low level felony with a presumptive nonprison sentence and the offender is not required to register as a sex offender.

When the Commission introduced this bill there was considerable debate and it was amended into several other bills during the legislative session. It did encounter some rough periods through the legislative process. However, the bill was passed in its original form during the final hours of the session and signed into law by the Governor on May 13, 1999.

During the drafting of these recommendations, the Sentencing Commission was very sensitive to the impact of the changes on the state's prison population. Numerous prison bed impacts were developed during the process and the Commission was able to draft a proposal that would result in the need for only 113 additional prison beds by the year 2009. It was a very monumental legislative session for the Sentencing Commission.

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MARYLAND

Maryland Commission on Criminal Sentencing Policy

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MASSACHUSETTS

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MICHIGAN

Michigan Sentencing Commission

Judge Paul L. Maloney, Chair
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MINNESOTA

Minnesota Sentencing Guidelines Commission

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MISSOURI

Missouri Sentencing Advisory Commission
C/O Dora Schriro, Director
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(573) 751-2389

NEVADA

Governor's Advisory Commission on Sentencing

Kathilee Koche, (702) 687-6374.

NORTH CAROLINA

North Carolina Sentencing and Policy Advisory
Commission

Juvenile Justice Reform

At the close of its 1998 Short Session in October, the North Carolina General Assembly passed the Juvenile Justice Reform Act, effective July 1, 1999. The new legislation, which structures juvenile dispositions to reflect the social harm of the offense and the prior delinquency of the juvenile, mandates a variety of policy and research tasks for the Sentencing Commission. Among the Commission's primary responsibilities is an annual simulation of dispositional resource needs in the juvenile justice system, and a study of the feasibility of blended sentencing and direct filings in the state's juvenile courts.

Evaluation of Correctional Programs

The Commission is in the process of conducting an extensive evaluation of the state's correctional programs. In addition to the traditional measure of recidivism rates, the study also aims to expand its scope to other outcome measures when comparing the effectiveness of a variety of prison and community programs. The report, based on a cohort of cases released from prison or sentenced to community and intermediate sanctions in Fiscal Year 1996/97, will afford a first look at the success rate of offenders sentenced under Structured Sentencing.

Training and Public Education

Commission staff will offer this summer a series of statewide training sessions for criminal justice professional to enhance their understanding of Structured Sentencing and guarantee the uniform application of the new laws in North Carolina's 39 judicial districts. In a related effort, Commissioners and staff will hold regional briefings for local county officials, policy makers, the media, and other interested groups to increase public awareness of changes in the system since the implementation of Structured Sentencing in 1994.

Contacts

North Carolina Sentencing and Policy Advisory Commission
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OHIO

Ohio Sentencing Commission

Spring was unseasonably dry and so, perhaps, is our wit. There is good news from a prison intake study just completed by Ohio's Corrections Department. It found that, under the Commission's felony sentencing plan, the prison population has declined, while, on balance, those sentenced to prison are a tougher group than under prior law. The Commission is pleased with these results, since our goals included easing the growth in the prison population while making sure there is space for the most menacing offenders to serve longer terms. Of course, the sentencing law alone cannot take all the credit for this. There is that declining crime rate. Also, our successful push for broader funding for community sanctions for lower level felons has helped considerably.

In late May, the Ohio Senate unanimously passed a package of cleanup amendments to our felony sentencing laws. The changes were suggested by the Sentencing Commission. They await consideration by the Ohio House later this year.

The General Assembly will soon turn its attention to our misdemeanor and traffic proposals. Meanwhile, legislators are pressing us to finish our juvenile recommendations.

David Diroll, Executive Director
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OKLAHOMA

Oklahoma Sentencing Commission

Oklahoma Contact Information
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Web site: (for Resource Center): www.state.ok.us/~OCJRC/

PENNSYLVANIA

Pennsylvania Sentencing Commission

The Commission continues to refine its recently adopted

Release of Information Policy that permits the release of judge-specific information beginning with the 1998 sentencing data. A Commission committee held several meetings with representatives of the Bar Association, the Trial Judges Conference, the District Attorneys Association and the Criminal Defense Bar to develop contextual information on criminal justice practices, procedures and programs that will be provided with any release. The Committee is also considering a suggestion to conduct a media workshop, to be held in conjunction with the release of the 1998 data, providing information on sentencing practices and describing the standard reports available. In June, staff will be providing all criminal court judges with a record of sentences reported to the Commission during 1998 for review and verification.

The Commission recently published its 1997-98 Annual Report, containing information on sentences imposed during 1997. Approximately 102,000 sentences were reported to the Commission, representing 69,507 separate sentencing transactions. The 1997 data set will be released to the Inter-University Consortium for Political and Social Research [ICPSR] during the summer, following completion of the documentation. Staff continues to work on Phase 2 of the sentencing guideline software application which will allow for electronic reporting of sentences to the Commission, thus reducing errors and improving the turn-around time on completed data sets.

The Commission's Research staff is currently involved in three research projects: Motivational Boot Camp Evaluation; Evaluation of the Sentencing Guidelines [1982-1999]; and Examination of Restitution and Restorative Sanctions. The Boot Camp project is headed by Dr. Cynthia Kempinen, Deputy Director. In addition to the analysis of admissions and recidivism studied previously, the project also includes an offender survey. In addition to Commission staff, other researchers include staff of the Department of Corrections and the Board of Probation and Parole. The Evaluation of the Sentencing Guidelines project is headed by Dr. John Kramer, former executive director of the Commission. During the past year, Dr. Kramer has focused on documenting the changes resulting from the initial guidelines (1982) and the impact of subsequent guideline revisions (1988, 1991, 1994, and 1997). This policy information will be used to set a research agenda evaluating the changes. The Restitution project is headed by Dr. Barry Ruback, director of Penn State's Center for Research on Crime & Justice, is funded through an NIJ partnership grant between the Commission and the Center. This research studies the impact of changes in guidelines and legislation on restitution sentences and rates of collections. For information on any of these projects, contact Dr. Kempinen [(814) 863-2543 or cak16@psu.edu].

To obtain a copy of the Commission's 1997-1998 Annual Report, Release of Information Policy, or to download the sentencing guideline software application, visit our *updated*

website [<http://pcs.la.psu.edu>].

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SOUTH CAROLINA

South Carolina Sentencing Guidelines Commission

South Carolina Sentencing Guidelines Commission
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(Email) sanders1@usit.net

UTAH

Having implemented new 1998 Sentencing & Release Guidelines for Adult Offenders, the Utah Sentencing Commission is in the process of guidelines tracking, evaluation, and future revisions. Research and data efforts are expanding to better track sentencing policy and results statewide. An extensive report from the Department of Corrections in April 1999 is serving as a basis for addressing additional intermediate sanctions, an examination of probation supervision, and a concern over the amount of probation and parole violators that are filling our prisons.

Although most of the Sentencing Commission recommendations for additional intermediate sanctions were adopted in the Governor's FY 2000 budget, they lost momentum in the legislature. Approximately 25% of a \$6 million recommendation package was ultimately included in the state budget. However, one key placement that was funded is a probation oriented community corrections center which will focus on drug offenders. Our research team is planning a longitudinal evaluation of this new option.

The Commission will begin to work with a state court task force on racial and ethnic fairness in the justice system. A preliminary report on what judges and parole board members should consider in sentencing and the impacts on race and ethnicity will be provided in July 1999. We are also involved with both state and local legislative task forces to reduce crime and victimization over the next several years. A Commission subcommittee is exploring a new statutory sentencing enhancement for hate crimes.

Concerning the juvenile justice system, the Commission has

been mandated to review an extensive legislative performance audit which recommends some sweeping changes in placements and administration of juvenile offenders. Some of the more controversial points include moving probation away from the courts to the executive branch and developing a risk assessment for dispositions. The University of Utah is continuing an extensive evaluation of Utah's 1997 Juvenile Sentencing Guidelines.

Please plan to attend the 1999 Annual NASC Conference in Salt Lake City on August 8 - 10.

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VIRGINIA

Virginia Criminal Sentencing Commission

In its 1998 Annual Report, the Virginia Criminal Sentencing Commission made 24 recommendations for guidelines system revisions to the legislature. During its 1999 session, the General Assembly approved all but two of these recommendations. The guidelines revisions cover a wide range of issues such as the designation of crimes as violent for purposes of sentence enhancements, the addition of new guidelines scoring factors, and the inclusion of new crimes in the guidelines system. Consequently, the Commission has produced the third edition of the guidelines manual that incorporates these revisions and applies to all felons sentenced on or after July 1, 1999. Throughout the summer months, the Commission staff will be holding a series of training seminars on the guidelines revisions for judges, probation officers, prosecutors, public defenders and defense attorneys.

During its 1999 session, the legislature also directed the Sentencing Commission to develop a risk assessment instrument for utilization in the sentencing guidelines for sex offenses. In developing the risk assessment instrument, the legislature has directed the Commission to consider the impact of treatment interventions on the risk for re-offending. The Commission has until January of 2000 to complete the work on this project and report its findings and recommendations to the Governor and the General Assembly. The General Assembly also adopted legislation that mandates a drug abuse screening and assessment evaluation to be performed on all convicted felons. The Commission is working very closely with the Department of Corrections in the implementation of this new measure.

The Commission is also involved in two partnership studies with the National Center for State Courts. These two studies are funded through grants from the National Institute of Justice. The first study is an evaluation of the Offender Notification Program – a specific deterrence initiative that educates inmates departing the prisons on the realities of parole abolition and the new sentencing guidelines system. The second study is an evaluation of the Commission’s risk assessment project for non-violent felons. The risk assessment instrument is a component of the drug, larceny and fraud sentencing guidelines and is applied in cases where the guidelines initially recommend incarceration. The risk assessment instrument is designed to recommend an alternative punishment sanction for approximately 25% of incarceration-bound non-violent felons. The risk assessment component of the guidelines is being pilot tested in six judicial circuits.

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WASHINGTON

Washington Sentencing Guidelines Commission

The dust is finally beginning to settle on the completed 1999 session of the Washington State Legislature, and the state’s Sentencing Guidelines Commission is celebrating its very successful effort in helping to modify the state’s sentencing laws. The major changes to the state’s Sentencing Reform Act included expanded eligibility for the sentencing alternative for the treatment of drug offenders, and also the “Offender Accountability Act,” legislation that reforms the way offenders will be supervised in the community. As part of that bill, the Commission has been directed by the Legislature to devise a comprehensive new structure for the sentencing of offenders to periods of supervision in the community. In addition to the major criminal justice bills, the Commission also succeeded in getting many technical changes to sentencing laws, and also the lengthening of sentences for felony-level domestic violence offenses.

The Commission staff is now engaged in a number of research studies, including an evaluation of disparities in adult and juvenile sentencing, as assessment of the capacity of the state prisons and of the county and city jails, a recidivism study and a comprehensive review of Washington’s sentencing practices, among other projects. The Commission staff continues to

provide valuable technical support to criminal justice practitioners throughout the state and also helps to project the fiscal impact of legislative proposals affecting the criminal justice system. Among the new initiatives from the Commission will include a series of workshops for judges and prosecutors in the state to educate and guide them through the recent, major changes in the state’s sentencing law.

The Commission recently hired a new Research Director, and the Commission staff continues to grow. The staff is currently busy revising the annual Adult Sentencing Manual and the Report on Judicial Sentencing Practices. Many staff members will be attending this year’s NASC conference in Salt Lake City.

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UNITED STATES (FEDERAL COURTS)

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EMPLOYMENT OPPORTUNITIES

EXCELLENT CAREER OPPORTUNITY

RESEARCH ASSOCIATE **VIRGINIA CRIMINAL SENTENCING COMMISSION**

The Criminal Sentencing Commission, an agency of the Supreme Court of Virginia, seeks a Research Associate. The Research Associate will participate in a wide variety of empirical research studies focusing on criminal sentencing decisions and their impacts. This position will work with Commission project teams to develop statistical models of judicial sentencing practices, to identify risk factors associated with the likelihood of offender recidivism, to conduct impact

analysis of proposed policy changes, and on other justice system topics. The primary requirement for this position is demonstrated proficiency in social science research methods and multivariate statistical analysis of data. Professional work experience using both descriptive and multivariate statistical techniques and working with large data sets is highly desirable. Ability to effectively communicate complex information to lay audiences is also highly desirable. An advanced degree in a social science discipline is desirable. Experience with statistical software such as SPSS or SAS is

required. This position includes a full and excellent benefits package. Compensation is very competitive and will be commensurate with training and experience. To apply send a detailed resume and a salary history to the Recruitment Committee, Virginia Criminal Sentencing Commission, 100 North Ninth Street, 5th Floor, Richmond, VA 23219. Applications will be accepted until the position is filled.

AN EQUAL OPPORTUNITY EMPLOYER

NASC Elections

Four positions on the NASC executive board will be filled by election at the 1999 conference in Salt Lake City. Each position has a term of three years.

CANDIDATE BIOGRAPHIES

The following individuals have indicated a desire to serve on the NASC Board and submitted biographies prior to the publication deadline.

ROGER E. GOODMAN (Washington State)

Roger Goodman is currently the Executive Director of the Washington State Sentencing Guidelines Commission, which established standard sentences for felony offenses in the state and continues to evaluate sentencing policy and practice for both the adult and juvenile justice systems and to recommend modifications to the state's sentencing structure. Mr. Goodman has been with the Commission since 1998.

Prior to his arrival in Washington State, Mr. Goodman served in Washington, D.C. as Chief of Staff to U.S. Representative Rick Boucher and previously as Legislative Director to U.S. Representative Bob Wise. Before working on Capitol Hill, Mr. Goodman was a litigation associate with the law firm of Tillinghast, Collins and Graham in his hometown of Providence, Rhode Island, specializing in commercial and environmental law. He has also worked on the staffs of a number of national presidential campaigns over the years.

Mr. Goodman received an A.B. degree from Dartmouth College, where he was a Senior Fellow focusing on government and policy

studies. He received a J.D. degree from the George Washington University, where he specialized in environmental law, and he most recently received an M.P.A. degree from Harvard University, where he concentrated his studies on American social policy and on issues of governance.

Mr. Goodman is recently married to a Kirkland, Washington native. A classical music enthusiast, he also enjoys reading philosophy and history. He is also an avid adventure traveler, having visited over 90 countries on six continents thus far.

ED McCONKIE (Utah)

Ed McConkie, for 5 years, has been the Director of the Utah Sentencing Commission which is responsible for recommending legislation and policy to all three branches of government concerning the sentencing and release of juvenile and adult offenders. Mr. McConkie also acts as legal counsel and spokesman for the Commission. For the past year, he has served on the Executive Board for the National Association of Sentencing Commissions.

He graduated from the University of Utah School of Law and is currently a member of the Utah State Bar. For three years he clerked for the Education Division of the Utah Attorney General's Office focusing his efforts on constitutional law.

He was a law clerk for two years for Justice Richard C. Howe of the Utah Supreme Court and interned for Judge J. Thomas Greene, Federal Court Judge for the District of Utah.

DEB DAILEY (Minnesota)

Ms. Dailey's life's work has been with the Minnesota Sentencing Guidelines Commission. She worked for the organization as a researcher in the early 1980s during the development and implementation stages of the sentencing guidelines. She left the Commission for a brief time to work for the Minnesota Supreme

Court as Research Director. She returned to the Sentencing Guidelines Commission and has been the Executive Director since 1986. Ms. Dailey's educational background includes a BA in Sociology at the University of Minnesota and a Masters Degree in Public Affairs from the HHH Institute of Public Affairs, University of Minnesota. She is the current President of the National Association of Sentencing Commissions and has written numerous articles on sentencing issues in various publications.

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