

# The Sentencing Guideline

A publication of the National Association of Sentencing Commissions

## National Association of Sentencing Commissions

### Executive Board

Meredith Farrar-Owens, President  
Deputy Director,  
Virginia Criminal Sentencing Commission  
Meredith.Farrar-Owens@vcsc.virginia.gov

David Soulé, Vice President  
Executive Director,  
Maryland State Commission  
on Criminal Sentencing Policy  
dsoule@crim.umd.edu

Helen Pedigo, Treasurer  
Special Counsel to Chief Justice Lawton R. Nuss,  
Kansas Judicial Center  
helenp@sentencing.ks.gov

Kevin Blackwell  
Senior Research Associate,  
U.S. Sentencing Commission  
KBlack@ussc.gov

Lynda Flynt  
Executive Director,  
Alabama Sentencing Commission  
Lynda.Flynt@alacourt.gov

Linda Holt  
Research Director,  
Massachusetts Sentencing Commission  
Linda.Holt@jud.state.ma.us

Craig Prins  
Executive Director  
Oregon Criminal Justice Commission  
craig.prins@state.or.us

### Inside this issue:

|                      |   |
|----------------------|---|
| Annual Conference    | 1 |
| President's Message  | 2 |
| Passage of H.R. 6412 | 3 |
| 2010 Conference      | 4 |
| NASC Contact List    | 5 |

## NASC Annual Conference 2011

Blazing a Trail to the Future  July 31-Aug 2  Portland, OR

The Oregon Criminal Justice Commission and Willamette University College of Law are proud to host the 2011 NASC conference at the beautiful Hilton Portland and Executive Towers in Portland, Oregon. The hotel lies in the heart of downtown Portland's financial and entertainment districts within blocks of Portland's hippest restaurants, upscale shopping, and major attractions. The hotel's conference rate is \$113 plus tax and fees. Reservations may be made by calling the hotel directly at (503) 226-1611. Ask for the "NAS" group code when making your reservation. The Portland International airport is nine miles from the Hilton Portland hotel. Taxi fare from the airport to the hotel is approximately \$35 one way. The Super Shuttle rate is \$14. The Hilton Portland is one short block from the MAX light rail line, which connects to Portland International Airport as well as points east, west and north of downtown.

Portland, known as "The City of Roses" for its famous Rose Garden, is the largest city in Oregon and the second largest city in the Pacific Northwest. Approximately 70 miles from the Pacific Ocean, it lies in a magnificent setting between the sparkling waters of the Columbia and Willamette Rivers.

With an inviting leisurely pace, Portland, views itself as a small, accessible city, vaguely European in character. Stroll through any of its neighborhoods and a culturally vibrant city unfolds, from art galleries to wine bars housed in historic and modern buildings.

Its lush green parks are perfect for a picnic or an afternoon stroll. Portland was built with walking in mind. The short blocks, combined with public art and old fashioned statuary, fountains, bridges and parks offer opportunities for leisure and contemplation for the casual stroller. Portland also has an award winning mass transit system, one of the most extensive and advanced in the U.S.

Major attractions include the Portland Art Museum, Pioneer Courthouse Square, the Rose Garden Arena, and the Oregon Zoo. Don't forget the world's largest bookstore, Powell's City of Books. Shopping options range from high-style shops to hip and funky boutiques. Stay the weekend to sift through homespun crafts at the Portland Saturday Market. Also, Portland is just a short distance from Willamette valley wineries, Pacific Ocean beaches, and waterfalls in the Columbia Gorge.

The nearby Pacific Ocean provides Portland with tasty treasures, particularly savory oysters and succulent sturgeon. Of course, don't forget the many coffee houses and intriguing local brewpubs.

(Sources: <http://www.frommers.com/destinations/portlandor>, January 20, 2011

<http://www.el.com/to/portland>, January 20, 2011)

# President's Message

On July 31 through August 2, 2011, the National Association of Sentencing Commissions (NASC) will hold its annual conference in the beautiful city of Portland, Oregon. NASC's Executive Committee is very excited about Portland as the site of the 2011 conference. According to Craig Prins, Executive Director of the Oregon Criminal Justice Commission and the 2011 NASC host, August is the perfect time of year to visit the lively city of Portland. We are also thrilled that the Willamette University College of Law will be co-hosting this year's conference and we thank Professor Laura Appleman for all of her assistance.

The theme of this year's conference is "Blazing a Trail to the Future." Given the troubled economic times and the significant budget reductions most states have experienced in recent years, we want to create a forum for attendees to discuss the challenges they face in balancing criminal justice resources and public safety goals, but we also hope to provide participants with an opportunity to exchange ideas about the future. What approaches, policies, and initiatives are on the horizon? How might these ideas be integrated to help us "blaze a trail" from the problems of today toward the criminal justice system of the future? And Portland is an ideal site for such an exchange of ideas. After all, Lewis and Clark blazed a trail to the Pacific Northwest, opening America for westward expansion.

The NASC Executive Committee is pleased to announce that we will soon be launching a new website. The website will contain information about our organization, newsletters, sentencing commission contacts and, of course, details about the 2011 conference. An announcement about the launch date of [www.thenasc.org](http://www.thenasc.org) will be coming soon.

I hope that you will make plans to attend the 2011 conference. On behalf of the NASC Executive Committee, we look forward to seeing you in Portland!

Meredith Farrar-Owens, NASC President



## About NASC

Beginning in the late 1970s and early 1980s, a handful of states and the federal government created sentencing commissions and charged these new entities with examining sentencing policies and practices. One of the most commonly-cited goals of sentencing commissions, particularly among states pioneering this concept, was the reduction of unwarranted sentencing disparity related to race, gender, or court location. Over the next decade, the number of sentencing commissions grew, as additional states throughout the country developed an interest in examining sentencing policy or implementing reform to address not only disparity but a number of other objectives as well, such as prison population growth and rising crime rates.

The National Association of Sentencing Commissions (NASC) was created in the 1990s to facilitate the exchange and sharing of information, ideas, data, expertise, and experiences and to educate on issues related to sentencing policies, sentencing guidelines and sentencing commissions. Currently, the NASC membership includes representation from nearly two dozen formally-established sentencing commissions, each unique in its sentencing system and objectives. In addition, there are several other states considering the creation of a sentencing commission or related policy board. Every year, the NASC conference brings together judges, legislators, policy makers, academics, researchers, and practitioners from around the country to examine our nation's experiences with sentencing laws and practices and to discuss emerging issues and innovations.

# PASSAGE OF H.R. 6412 PROVIDES STATE SENTENCING COMMISSIONS WITH DIRECT ACCESS TO NATIONAL CRIMINAL HISTORY RECORDS

In 2010, Virginia Congressman Bobby Scott introduced legislation that would allow state sentencing commissions to have direct access to the national database of criminal history records maintained by the Federal Bureau of Investigation (FBI). Under this legislation, state sentencing commissions would receive the same access to criminal history information already afforded to the United States Sentencing Commission. After passage by both the House and Senate, H.R. 6412 was signed by President Obama on January 4, 2011.

Prior to the passage of H.R. 6412, federal law prohibited state sentencing commissions from having direct access to the FBI's criminal history records. State commissions could only obtain out-of-state and federal criminal history information through a third party, if at all. Lack of direct access resulted in substantial delays in receiving requested information, missing or incomplete information on individual offenders, compromised efforts to identify both high and low-risk offenders, and evaluation research often limited to in-state recidivism searches. Recidivism research based solely on in-state records is especially unreliable in jurisdictions with large populations near state borders.

Providing state sentencing commissions with direct access to national criminal record systems will improve the administration of justice by enhancing the quality of sentencing decisions and program placements for individual offenders, based on complete and accurate criminal history information. This access will also improve evaluation research on sentencing outcomes and program effectiveness, based on large numbers of offenders, in order to better inform policy makers.

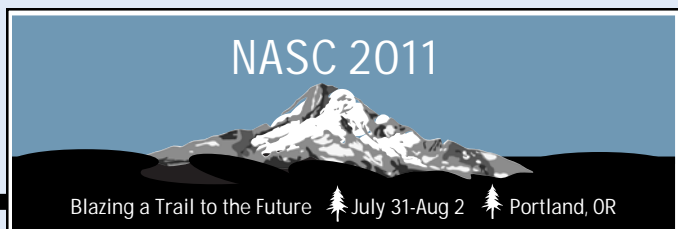
Rick Kern, Director of the Virginia Criminal Sentencing Commission, and Mark Bergstrom, Director of the Pennsylvania Commission on Sentencing, were instrumental in spearheading this effort.

Congressman Scott released a press statement on the passage of H.R. 6412, which can be found on his website.

[http://www.bobbyscott.house.gov/index.php?option=com\\_content&task=view&id=583&Itemid=62](http://www.bobbyscott.house.gov/index.php?option=com_content&task=view&id=583&Itemid=62) .

## Bill History

|   |              |
|---|--------------|
| <input checked="" type="checkbox"/> Introduced            | Nov 16, 2010 |
| <input checked="" type="checkbox"/> Referred to Committee |              |
| <input checked="" type="checkbox"/> Passed House          | Dec 9, 2010  |
| <input checked="" type="checkbox"/> Passed Senate         | Dec 20, 2010 |
| <input checked="" type="checkbox"/> Signed by President   | Jan 4, 2011  |



# 2010 NASC Conference Was a Success

In 2010, the NASC conference was hosted by the Alabama Sentencing Commission at the Grand Hotel Marriott Resort in Point Clear, Alabama. With a theme of “Sound Sentencing Policy: Balancing Justice and Dollars,” the conference provided a forum for participants to discuss the many challenges in balancing criminal justice resources and public safety goals as well as innovative ways used by state and federal agencies to deal with some of those issues.

Welcoming the conference attendees was Alabama’s Chief Justice, the Honorable Sue Bell Cobb, and U.S. Circuit Judge William H. Pryor, Jr., a former Attorney General of Alabama and a leader in establishing Alabama’s Sentencing Commission.

The agenda featured plenaries, workshops, and roundtables designed to encourage active exchanges among facilitators and participants and to provide opportunities for hands-on activities.

The plenary session on the opening day of the conference featured Chief Justice Cobb and Patricia Riley, Special Counsel in the U.S. Attorney’s Office in Washington DC. The panelists discussed their perspectives on criminal justice objectives and priorities during times of economic crisis. The plenary was followed by roundtable discussions on drug courts, the many roles of sentencing commissions, and Hawaii’s probation program known as Project HOPE. During lunch, participants heard an intriguing speech by U.S. Circuit Judge William H. Pryor on federalism in America. The remainder of the first day was devoted to workshop sessions on key topics: data collection and utilization, development of risk/needs assessments for criminal justice populations, and variations in truth-in-sentencing systems around the nation.

The second day of the conference began with a plenary session in which a state and federal official discussed some of the lessons learned from the recent economic downturn and efforts to reduce criminal justice spending without compromising public safety. The plenary explored recent, pending, and contemplated Congressional activity affecting state and federal sentencing policies, and highlighted recent experiences in the state of Oregon. This plenary featured the Honorable Floyd Prozanski, Oregon State Senator and member of the Oregon Criminal Justice Commission, and Bobby Vassar, Chief Counsel, Subcommittee on Crime, Terrorism and Homeland Security, House Judiciary Committee, U.S. House of Representatives. Following the plenary, two additional workshops were conducted. These focused on the development of impact assessments and the application of risk/needs assessments at sentencing.

The 2010 conference concluded with a “roll call of states,” in which each state was asked to provide a brief overview of the current challenges faced by their respective criminal justice systems and any innovative projects that may have been undertaken.

Representatives from 19 states, the District of Columbia, the U.S. Sentencing Commission, as well as the Republic of Korea attended the 2010 conference.



# NASC Contact List

## Alabama Sentencing Commission

Lynda Flynt, Director  
300 Dexter Ave Suite 2-230  
Montgomery, AL 36104-3741  
Telephone: 334.954.5096  
lynda.flynt@alacourt.gov  
<http://sentencingcommission.alacourt.gov>

## Alaska Judicial Council

Teri Carns, Senior Staff Associate  
1029 W. Third Avenue, Suite 201  
Anchorage, AK 99501  
Telephone: 907.279.2526  
teri@ajc.state.ak.us  
<http://www.ajc.state.ak.us>

## Arkansas Sentencing Commission

Sandy Moll, Executive Director  
101 East Capitol, Suite 470  
Little Rock, AR 72201  
Telephone: 501.682.5001  
sandy.moll@mail.state.ar.us  
<http://www.state.ar.us/asc>

## Delaware Sentencing Accountability Commission

Ronald Keen  
820 N. French St., 10th Floor  
Wilmington, DE 19801  
Telephone: 302.577.8727  
ronald.keen@state.de.us  
<http://www.state.de.us/cjc/sentac.html>

## Illinois Sentencing Policy Advisory Council

Kathy Saltmarsh, Director  
1301 Concordia Court, ISU Building  
Springfield, IL 62794-9277  
Telephone: 217.558.2200 ext.3334  
Kathy.Saltmarsh@Illinois.gov  
<http://www.icja.state.il.us/public/index.cfm>

## Kansas Sentencing Commission

Sarah E. Fertig, Executive Director  
Jayhawk Tower, 700 S. W. Jackson, Suite 501  
Topeka, KS 66603  
Telephone: 785.296.0923  
office@sentencing.ks.gov  
<http://www.accesskansas.org>

## Louisiana Sentencing Commission

Carle Jackson, Director  
1885 Wooddale Blvd, Room 1230  
Baton Rouge, LA 70806  
Telephone: 225.925.4440  
carle@cole.state.la.us  
<http://www.lcle.state.la.us>

## Maryland State Commission on Criminal Sentencing Policy

David Soule, Executive Director  
4511 Knox Road, Suite 309  
College Park, MD 20742-8235  
Telephone: 301.403.4165  
dsoule@crim.umd.edu  
<http://www.msccsp.org>

## Massachusetts Sentencing Commission

Francis J. Carney, Jr., Executive Director  
Three Center Plaza, 7th Floor  
Boston, MA 02108  
Telephone: 617.788.6867  
francis.carney@jud.state.ma.us  
<http://www.mass.gov/courts/admin/sentcomm.html>

## Minnesota Sentencing Guidelines Commission

Suzanne Alliegro, Executive Director  
321 Grove Street, Suite 103,  
St. Paul, MN 55101  
Telephone: 651.296.0144  
Suzanne.Alliegro@state.mn.us  
<http://www.msgc.state.mn.us>

## Missouri Sentencing Advisory Commission

Julie Upschulte, Director  
P.O. Box 104480  
Jefferson City, MO 65110  
Telephone: 573.522.5419  
julie.upschulte@courts.mo.gov

## New Jersey Commission to Review Criminal Sentencing

P.O. Box 095  
Trenton, NJ 08625  
Telephone: 609.341.2813  
<http://www.sentencing.nj.gov>

## New Mexico Sentencing Commission

Tony Ortiz, Director  
2808 Central Ave. SE  
Albuquerque, NM 87106  
Telephone: 502.277.3494  
ttonmsc@unm.edu  
<http://nmsc.unm.edu/>

## North Carolina Sentencing and Policy Advisory Commission

Susan Katzenelson, Executive Director  
P.O. Box 2472  
Raleigh, NC 27602  
Telephone: 919.789-3684  
susan.c.katzenelson@nccourts.org  
<http://www.nccourts.org>

## Ohio Criminal Sentencing Commission

David Diroll, Executive Director  
Supreme Court of Ohio  
65 South Front Street, 5th Floor  
Columbus, OH 43215  
Telephone: 614.387.9305  
David.Diroll@sc.ohio.gov

## Oregon Criminal Justice Commission

Craig Prins, Executive Director  
Oregon Criminal Justice Commission  
885 Summer Street NE  
Salem, Oregon 97301  
Telephone: 503.378.4858  
craig.prins@state.or.us

## Pennsylvania Commission on Sentencing

Mark H. Bergstrom, Executive Director  
P. O. Box 1200  
State College, PA 16804-1200  
Telephone: 814.863.2797  
mhb105@psu.edu  
<http://pcs.la.psu.edu>

## Utah Sentencing Commission

Jacey Skinner, Director  
Utah State Capitol Complex  
E. Office Bld, STE E330 P.O. Box 142330  
Salt Lake City, UT 84114-2330  
Telephone: 801.538.1031  
jskinner@utah.gov  
<http://www.sentencing.utah.gov>

## Virginia Criminal Sentencing Commission

Rick Kern, Director  
100 N. 9th St., 5th Floor  
Richmond, VA 23219  
Telephone: 804.225.4398  
rick.kern@vcsc.virginia.gov  
<http://www.vcsc.virginia.gov>

## Washington Sentencing Guidelines Commission

Sandy F. Mullins, Executive Director  
4565 7th Avenue SE, P.O. Box 40927  
Olympia, WA 98504-0927  
Telephone: 360.407.1050  
Sandy.Mullins@sgc.wa.gov  
<http://www.sgc.wa.gov>

## DC Sentencing & Criminal Code Revision Commission

Barbara Tombs-Souvey, Executive Director  
441 Fourth Street, N.W., Suite 830 S.  
Washington D.C. 20001  
Telephone: 202.727.8822  
Barbara.tombs@dc.gov  
<http://www.scdc.dc.gov>

## United States Sentencing Commission

Judith W. Sheon, Staff Director  
One Columbus Circle, NE Suite 2-500  
Washington, D.C. 20002  
Telephone: 202.502.4510  
<http://www.ussc.gov>

## Hilton Portland and Executive Towers



<http://www.tourhiltonportland.com/>