

NASC 2015 Annual Conference

TRANSFORMING RESEARCH TO RESULTS

THE HOTEL ALYESKA ■ GIRDWOOD ALASKA
Hosted by the Alaska Judicial Council

AGENDA

Sunday, August 16, 2015

5:00 p.m.

NASC 2015 Conference Reception

Pearl Tent

The Hotel Alyeska

Monday, August 17, 2015

7:30 a.m.

Breakfast & Registration

Columbia Ballroom

8:30 a.m.

Welcome & Introductions

Columbia Ballroom

Chief Justice Craig Stowers, *Alaska Supreme Court*

Attorney General Craig Richards, *Alaska Department of Law*

Senator John Coghill, *Alaska State Legislature*

continued

AGENDA *continued*

9:00 a.m.

PLENARY SESSION I

Justice Reinvestment Initiative: Maximizing the Outcomes

Columbia Ballroom

In the past half-dozen years, over 30 states have passed justice reinvestment reforms, data-driven sentencing and corrections policies that aim to control prison spending and reinvest savings in practices proven to reduce recidivism. This session will drill down to four examples of justice reinvestment – Utah, Mississippi, South Carolina, and Georgia – to discuss key elements of enduring reform, including telling a story with data, mobilizing state leaders for change, and successful implementation.

Kenny Ellis, *Office of Lieutenant Governor of Mississippi*

Ron Gordon, *Utah Commission on Criminal and Juvenile Justice*

Senator Gerald Malloy, *South Carolina State Senate*

Jay Neal, *Georgia Governor's Office of Transition, Support and Reentry*

Zoë Towns (Moderator and Speaker), *The Pew Charitable Trusts*

10:15 a.m.

Morning Break

10:30 a.m.

PLENARY SESSION 2

Justice Reinvestment and the Sentencing Commission

Columbia Ballroom

Sentencing Commissions have supported the Justice Reinvestment Initiative (JRI) in their jurisdictions in various ways. To follow up and expand on the previous panel, three executive directors of sentencing commissions who have supported this work in Kansas, Oregon, and Utah will discuss their involvement. This discussion will include how they provided sentencing expertise to the technical advisers, worked to administer grants to implement JRI legislation and meet the legislation's goals, and making sentencing guidelines adjustments based upon the JRI work.

Scott Schultz (Moderator and Speaker), *Executive Director, Kansas Sentencing Commission*

Mike Schmidt, *Executive Director, Oregon Criminal Justice Commission*

Jennifer Valencia, *Director, Utah Sentencing Commission*

12:00 p.m.

Lunch

Columbia Ballroom

RICK KERN MEMORIAL KEYNOTE SPEAKER

Honorable Patti Saris, *Chair, U.S. Sentencing Commission*

1:30 p.m.

All-Members Update

Columbia Ballroom

This session will summarize and review the major policy issues facing NASC member jurisdictions and sentencing commissions. Results from a recent member survey will be presented, and we will hear directly from each attending jurisdiction.

Kelly Mitchell, *President, National Association of Sentencing Commissions, Executive Director, Robina Institute of Criminal Law & Criminal Justice*

2:30 p.m.

Afternoon Break

2:45 p.m.

BREAKOUT SESSIONS

Sentencing Commissions as a Catalyst for Change

Columbia Ballroom

Sentencing Commissions serve as the lynchpin of the criminal justice system. Their work influences the initial stages of the criminal justice process, including revising the crimes code and formulating legislation and public policy. The work of the Commissions certainly impacts the later stage of the criminal justice system such as correctional populations. This session will focus on examples of how Sentencing Commissions have become and can remain vital and instrumental members of their states' broader criminal justice systems.

Steven L. Chanenson, *Professor, Villanova University School of Law, Chair, Pennsylvania Commission on Sentencing*

Hon. John T. Lu, *Justice of the Massachusetts Superior Court*

Helene Placey (Moderator), *Pennsylvania Commission on Sentencing*

Kathy Saltmarsh, *Director, Illinois Sentencing Policy Advisory Council*

How Are Guidelines Associated with Actual Sentences Imposed?

Harding Room

In the early days of guidelines, commissions and legislators expected that as many as 85% of all sentences would fit within the established guideline ranges. Departures would be infrequent. But the U.S. Sentencing Commission reported recently that the majority of 2014 sentences fell outside the ranges. A panel of sentencing experts and commission representatives will discuss the factors that impact compliance with the guidelines, including the guidelines structure (presumptive vs. advisory), the availability of appeal, etc. They will discuss the effects of the *Blakely* and *Booker* cases, and will examine the question of how meaningful and useful guidelines are in 2015 and for the future.

Ken Cohen, *Staff Director, U.S. Sentencing Commission*

Linden Fry, *General Counsel, D.C. Sentencing and Criminal Code Revision Commission*

Rebecca Murdock, *Research and Policy Associate, North Carolina Sentencing and Policy Advisory Committee*

Kelly Mitchell (Moderator), *Executive Director, Robina Institute of Criminal Law & Criminal Justice*

continued

AGENDA *continued*

Tuesday, August 18, 2015

8:00 a.m.

Breakfast & Registration

Columbia Ballroom

9:00 a.m.

PLENARY SESSION 3

Criminal History Enhancements in Guidelines Systems

Columbia Ballroom

Criminal history formulas vary widely across guidelines systems, and have a major impact on the form and severity of recommended and imposed sentences. Offenders in the highest criminal history category frequently have recommended prison sentences that are many times longer than the recommended sentences for offenders in the lowest criminal history category. This plenary session will examine the goals and major findings of a comprehensive survey, conducted by the Robina Institute of Criminal Law and Criminal Justice at the University of Minnesota, of criminal history enhancement provisions in 18 guidelines jurisdictions.

Richard S. Frase, *Professor, University of Minnesota Law School;*
Co-Director, Robina Institute of Criminal Law and Criminal Justice

Julian Roberts, *Professor, the University of Oxford; Visiting Faculty, Robina Institute of Criminal Law and Criminal Justice*

Kelly Mitchell, *Executive Director Robina Institute of Criminal Law & Criminal Justice*

Rhys Hester, *Post-Doctoral Fellow, Robina Institute of Criminal Law & Criminal Justice*

10:30 a.m.

Break

10:45 a.m.

PLENARY SESSION 4

The Prison Experience and Recidivism: Research on Time Served and Serving Time

Columbia Ballroom

This session will focus on the experience of prison and how it affects future criminal behavior. The panel will discuss recent criminological research that attempts to isolate the effect of length of prison stay on offender outcomes; and provide a brief summary of the best research, which indicates that longer prison terms do not reduce recidivism. But doing time involves more than just going the distance. To understand why incarceration appears to have little effect on reoffending, other aspects of the prison experience need to be better understood. Recent work on cellmate relationships, their impact on reoffending, and how variation in those relationships might lead to both increases and decreases in reoffending will, therefore, also be discussed.

Heather M. Harris, *Post-Doctoral Researcher, University of California, Berkeley*

Katie Zafft, *Senior Researcher, The Pew Charitable Trusts*

12:15 p.m.

Lunch

Columbia Ballroom

NASC Business Meeting

1:45 p.m.

BREAKOUT SESSIONS

Workshop: Evidence-Based Ways to Reduce Ethnic and Racial Disparities in Prison Populations

Harding Room

Ethnic and racial disparities persist throughout the criminal justice system despite decades of efforts to eliminate them. Recent research on prison population-reduction strategies in three states showed that racial disproportionality declined substantially as a collateral effect of new programs that were adopted primarily to reduce recidivism. A panel of researchers and policy-makers will discuss how jurisdictions can identify racial and ethnic disproportionalities in their jail and prison populations, and what evidence-based policies and programs they can use to bring greater fairness into their justice systems.

David Boerner, *Chair, Washington Sentencing Guidelines Commission*

Richard S. Frase, *Professor, University of Minnesota Law School*

Ronald F. Taylor, *Alaska Commissioner of Corrections*

Round Table: Importance of Data

Columbia Ballroom

This session is a round table discussion focusing on the importance of sentencing data and data systems. The panel will discuss data collection systems and techniques along with how different sentencing commissions utilize and present data. It will also highlight some of the challenges involved in designing, building, and deploying data systems, developing research techniques, and data sharing.

Linden Fry (Moderator), *General Counsel, D.C. Sentencing and Criminal Code Revision Commission*

Nate Reitz, *Executive Director, Minnesota Sentencing Guidelines Commission*

Kevin Blackwell, *Senior Researcher, U.S. Sentencing Commission*

Barbara Tombs-Souvey, *Executive Director, D.C. Sentencing and Criminal Code Revision Commission*

Round Table: The Place of Mandatory Minimum Sentences in the Age of Evidence-Based Practices

Bering Room

This round table will invite discussion of the purposes and effects of mandatory minimum sentences. Do they accomplish their intended purposes, and do they have a role in systems based on individual risk and needs assessments?

Jacey Skinner (Moderator), *General Counsel, Office of the Governor, State of Utah*

Kathleen Grilli, *General Counsel, U.S. Sentencing Commission*

Craig Prins, *Director, Research and Public Safety Performance Project, The Pew Charitable Trusts*

3:15 p.m.

Conference Adjourns