

**NASC 2016 Annual Conference**  
***Examining the Interactions between Policy and Sentencing***  
 Hosted by the Utah Sentencing Commission  
 August 7-9, 2016  
 Little America Hotel  
 Salt Lake City, Utah

*As of May 10, 2016*

*Note: Details are subject to change.*

**Sunday, August 7, 2016 – SJ Quinney College of Law, University of Utah**

---

- 3:30 p.m. Collaborative Approaches to Reversing the School-to-Prison Pipeline**  
*A panel representing various aspects of the education and juvenile justice systems will engage in a frank dialogue about what has been termed the “school to prison pipeline,” with a focus on proposing collaborative solutions.*
- 5:00 p.m. NASC 2016 Conference Reception**

**Monday, August 8, 2016 – Little America Hotel**

---

- 7:30 a.m. Breakfast & Registration**
- 8:45 a.m. Welcome & Introductions**
- 9:00 a.m. Plenary Session 1: Evidence-Based Short-Term Interventions for Lower Level Offenses**  
*Lengthy periods of treatment or community supervision are disproportionate to the potential incarceration time for lower level offenses. Roughly half the total number of offenders nationwide commit lower level offenses (misdemeanors, drug and property felonies) and a significant percentage are high risk to reoffend. This panel will explore sentencing alternatives to incarceration (community service, circles of peace, diversion, plea in abeyance, etc.) which are both evidence-based and short term.*
- 10: 15 a.m. Morning Break**
- 10:30 a.m. Plenary Session 2: Public Attitudes Toward Criminal History Enhancements: What Do the People Think?**  
*All U.S. and foreign guidelines impose sentence enhancements to reflect an offender’s prior convictions. This is done to discourage re-offending and to reflect the higher culpability of repeat offenders. This seminar will explore the degree of “fit” between the practice of the guidelines and public opinion. The presentation draws upon a systematic review of public opinion research conducted in several states as well as a national survey conducted by the Robina Institute in 2016.*

Julian Roberts, Professor, Oxford

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

- 11:30 a.m. All-Members Update**  
*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

12:15 p.m.      **Lunch**

**Rick Kern Memorial Keynote Speaker**

1:30 p.m.      **Breakout Sessions:**

**How do sentencing commissions stay relevant?**

*What is the secret to longevity in the world of sentencing commissions? The first sentencing commissions were established in 1978 (Minnesota, New Mexico, and Pennsylvania). Since then, additional commissions have been established. Some commissions went out of existence, suddenly or slowly; others have been reconfigured, reinvented or resuscitated. This session will pose questions to a panel of 'older' commissions who have survived the teste of time.*

Nathaniel J. Reitz, Executive Director, Minnesota Sentencing Guidelines Commission  
Anne Dannerbeck Janku, Ph.D., Research Manager, Court Business Services, Missouri  
Office of State Courts Administrator

Linda Freeman, Executive Director, New Mexico Sentencing Commission

Mark H. Bergstrom, Executive Director, PA Commission on Sentencing

**The Role of Guidelines in Delivering Procedural Justice**

*This panel will discuss the concept of procedural justice generally and then dialog whether the use of guidelines assist or hinder the actual delivery of procedural justice. In particular, this panel will dialogue the question of whether the existence of guidelines create uniformity, consistency, and basic expectations for sentencing; or whether guidelines are formulaic, rigid, and encourage less individualized sentencing? Various jurisdictions' guidelines and their practical impact in court proceedings will be discussed from different perspectives within the criminal justice system. In addition, the degree of flexibility or individualization which exists within each jurisdiction post-Blakely & Booker will be discussed.*

2:45 p.m.      **Afternoon Break**

3:00 p.m.      **Plenary 3: To Be Determined**

**Tuesday, August 9, 2016 – Little America Hotel**

---

8:00 a.m.      **Breakfast & Registration**

9:00 a.m.      **Plenary Session 4: Recidivism among Federal Offenders: A Comprehensive Overview**  
*This presentation provides a broad overview of key findings from the United States Sentencing Commission's study of recidivism of federal offenders based on a report released in March 2016. The Commission studied offenders who were either released from federal prison after serving a sentence of imprisonment or placed on a term of probation in 2005. Nearly half (49.3%) of such offenders were rearrested within eight years for either a new crime or for some other violation of the condition of their probation or release conditions. The presentation will discuss the Commission's recidivism research project and provide many additional findings from that project.*

10:15 a.m.      **Break**

10:30 a.m.      **Breakout Sessions:**

**From Pre-Trial to Parole: Basing Release Decisions on More than Gut Instinct Alone**

*Multiple states and the federal government have implemented pre-trial release and/or parole release tools based upon the results of validated risk and/or need information. This session will*

*present research on the effectiveness of release decisions which are based on gut instinct alone, in comparison to release decisions which incorporate risk and/or need assessment information. Various approaches which are being used nationwide will be discussed, as well as how to practically implement the use of such tools.*

**Sentencing Guidelines and Probation – Workshop Discussion**

*Probation is one of the most highly utilized sentencing options, yet the interaction between probation and sentencing guidelines varies greatly in guidelines jurisdictions. In some systems, aspects like the length of probation and potential conditions are built into the guidelines, but in others, the guidelines indicate a recommended in/out decision but provide no further guidance with regard to probation. In some systems, the guidelines govern sentencing or resentencing when probation is revoked; in others, the guidelines apply only to the initial decision to impose probation or not. This workshop will give attendees an opportunity to learn from each other and discuss these varying approaches.*

**11:45 p.m. Lunch**

NASC Business Meeting

**1:15 p.m. Plenary Session 5: How High Profile Cases Impact Sentencing Policy**

*How do Sentencing Commissions maintain the integrity of their Guidelines when faced with sentencing for a “sensational/high profile” criminal case? Panel members will share a variety of experiences responding to high profile cases that had the potential to or resulted in changes to their Sentencing Guidelines. This discussion will address issues faced by high profile cases and how best to navigate those issues.*

**2:30 p.m. Conference Adjourns**