

NASC newsletter

A PUBLICATION OF THE NATIONAL ASSOCIATION OF SENTENCING COMMISSIONS

2006 CONFERENCE

KEYSTONE OF SENTENCING: BALANCING FAIRNESS AND COST

AUGUST 6-8, 2006 PHILADELPHIA, PENNSYLVANIA

The Pennsylvania Commission on Sentencing and the Virginia Criminal Sentencing Commission will be jointly hosting the 2006 NASC Conference on August 6-8, 2006. The conference will be held at the Four Seasons Hotel, located adjacent to the Ben Franklin Parkway in the heart of the Center City district.

The theme for this year's conference is Keystone of Sentencing: Balancing Fairness and Costs. The Conference will consist of three tracks, with each track including a plenary session, followed by three related concurrent breakout sessions. The tentative agenda on the next page details the three tracks and the breakout sessions: Policy Shaping, Research, and Policy Shaping, Research and the Purposes of Sentencing.

A Monday evening reception and dinner will be held at the National Constitution Center and will include a brief presentation by The Pew Charitable Trusts on their Initiative Public Safety and Corrections, followed by

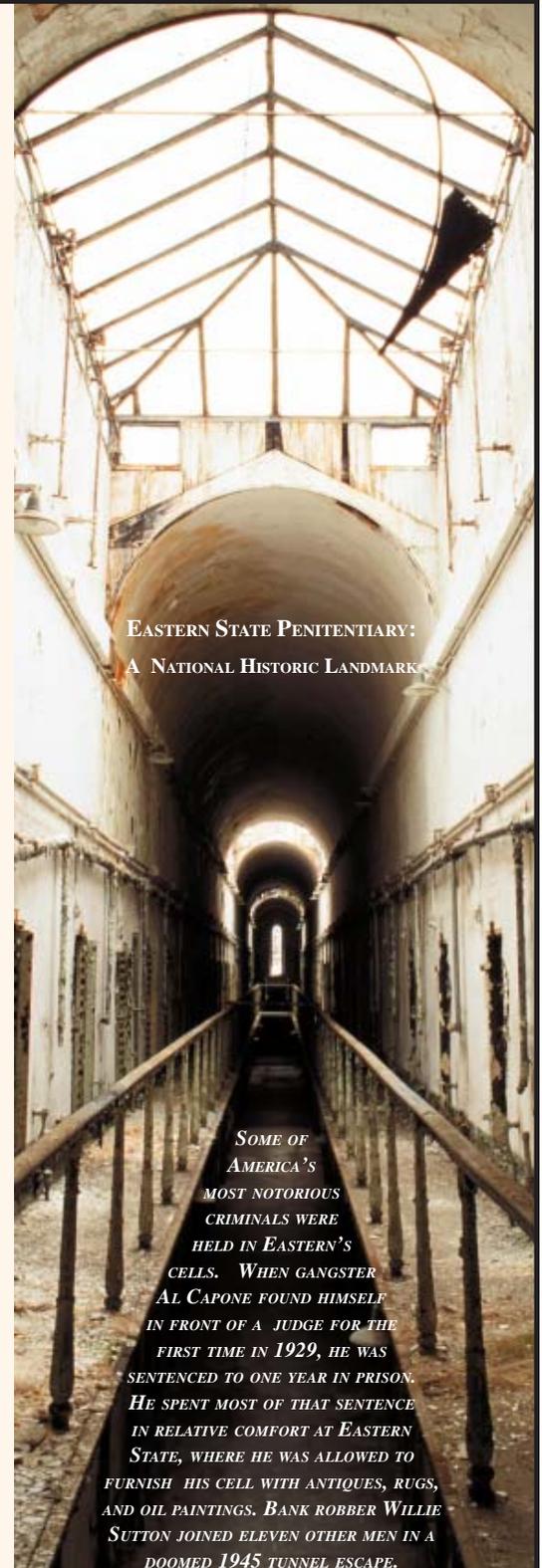
a quick-paced version of NASC jeopardy with prizes for every correct answer. Friends and family are encouraged to attend. The reception begins at 6:00 pm. The dinner is free for paid attendees of the conference and \$50 for all others. Transportation will be provided.

On Tuesday afternoon, a tour of Eastern State Penitentiary is planned, where you can see the Quaker inspired system of rehabilitation through isolation and penitence. The tour will include transportation and a reception following the tour. There will be an additional charge of \$20 for this tour.

The \$129 per night rooms at the Four Seasons have been sold out. The Embassy Suites, next door to the Four Seasons, have graciously accepted the overflow at the \$129 rate. Make your reservations by July 15th to take advantage of this special rate.

The Four Seasons Hotel has a small block of additional rooms available for Sunday (8/6) and Monday (8/7) at \$160/night while they last. Reservations may be made directly with the Four Seasons Hotel by calling 1-215-963-1500 to book guest rooms under the group: "NASC". Those requesting rooms at the original conference rate of \$129/night will be directed to the Embassy Suites Hotel.

Reservations may be made directly with the Embassy Suites by calling 1-800-EMBASSY to book guest rooms under the group: "NASC" Rooms are available at the conference rate for the following evenings: Saturday (8/5) through Tuesday (8/8).



EASTERN STATE PENITENTIARY:
A NATIONAL HISTORIC LANDMARK

SOME OF AMERICA'S MOST NOTORIOUS CRIMINALS WERE HELD IN EASTERN'S CELLS. WHEN GANGSTER AL CAPONE FOUND HIMSELF IN FRONT OF A JUDGE FOR THE FIRST TIME IN 1929, HE WAS SENTENCED TO ONE YEAR IN PRISON. HE SPENT MOST OF THAT SENTENCE IN RELATIVE COMFORT AT EASTERN STATE, WHERE HE WAS ALLOWED TO FURNISH HIS CELL WITH ANTIQUES, RUGS, AND OIL PAINTINGS. BANK ROBBER WILLIE SUTTON JOINED ELEVEN OTHER MEN IN A DOOMED 1945 TUNNEL ESCAPE.

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Keystone of Sentencing: Balancing Fairness and Cost

Tentative Agenda and Speakers

Sunday, August 6, 2006

12:00-5:00pm

Conference Registration

5:00-7:00pm

Opening Reception "Welcome to Philly"

Kevin Blackwell, NASC President

Mummers String Band and Ben Franklin

Monday, August 7, 2006

7:00-8:30am

Continental Breakfast

8:30-9:00am

Welcoming Remarks

Justice J. Michael Eakin

Supreme Court of Pennsylvania

9:00-10:15am

Plenary Session I: Policy Shaping

Marc L. Miller, University of AZ Rogers College of Law

Ronald F. Wright, Wake Forest University School of Law

Cyrus Tata, University of Strathclyde (Scotland)

Neil Hutton, University of Strathclyde (Scotland)

10:30-12:00pm

Sentencing Information Exchange

Steven L. Chanenson, Villanova University School of Law

Marc L. Miller, University of AZ Rogers College of Law

Ronald F. Wright, Wake Forest University School of Law

Cyrus Tata, University of Strathclyde (Scotland)

Neil Hutton, University of Strathclyde (Scotland)

Juvenile Offenders

J. Robert Flores, OJJDP

Kenneth C. Montague, Jr., Dept. of Juvenile Services MD

Chief Judge Chandlee Johnson Kuhn, Family Court of DE

Federalism & Sentencing

Douglas Berman, Moritz College of Law at The OH State Univ.

Lisa Rich, United States Sentencing Commission

12:00-1:30pm

Lunch

Presentation: Sentencing Information Exchange

1:30-2:45pm

Plenary Session II: Research

Design & Applied Research

Michael Jacobson, President, Vera Institute of Justice

3:00-4:30pm

Sex Offender Research

Meredith Farrar-Owens, Virginia Sentencing Commission

Karol M. Lucken, University of Central Florida

R. Karl Hanson, Corrections Research, Public Safety Canada

Kim English, Colorado Division of Criminal Justice

Problem-Solving Courts

Daniel M. Filler, Drexel University College of Law

John Goldkamp, Temple University

Drug Treatment & Re-entry

Douglas Marlowe, University of Pennsylvania

Harry K. Wexler, University of PA and National

Development and Research Institutes (NDRI)

Paul T. Bellatty, Oregon Department of Corrections

6:00-9:00pm

Reception /Dinner at National Constitution Center

Presentation: Initiative on Public Safety & Corrections

NASC Jeopardy

Tuesday, August 8, 2006

7:00-8:30am

Continental Breakfast

8:30-9:00am

Morning Address: Surveys on Sentencing Attitudes

Judge Roger K. Warren, President Emeritus

National Center for State Courts

9:00-10:15am

Plenary Session III: Policy, Research & Purposes of Sentencing

Judge Michael H. Marcus, Circuit Court, Multnomah County

Andrew Vincent, Victoria University (Australia)

10:30-12:00pm

Economic Impact on Sentencing Decisions

Steven Aos, Washington State Policy Institute

Michael Thompson, Council of State Governments

Sentencing & Corrections Toolbox:

Information-based decision-making

Chief Justice Michael Wolff, Supreme Court of MO

Kathleen Gnall, PA Dept. of Corrections

John Tuttle, PA Board of Probation & Parole

Probation & Sentencing Alternatives

John O'Connell, Delaware Statistical Analysis Center

Alan Harland, Temple University

Karen Jones, Senior Researcher, NC Sentencing Comm.

12:00-1:30pm

Lunch (NASC Business Meeting)

2:00-3:30pm

Tour of Eastern State Penitentiary Historic Site

Tickets \$20 per person

3:30-4:30pm

Closing Reception

NASC 2006 Sponsors

The Pew Charitable Trusts

The Pennsylvania Commission on Crime & Delinquency

Drexel University College of Law

Villanova University School of Law

Temple University

Interested in becoming a sponsor of/contributor to NASC 2006?

Contact Mark Bergstrom (mhb105@psu.edu or 814.863.4368) to discuss options.

NASC 2006 Contributors

PA Department of Corrections

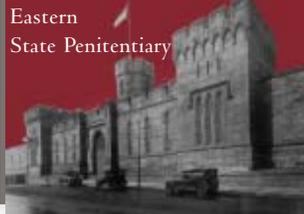
PA Department of Transportation

Philadelphia Sheriff's Department

Roaring Spring Bottling

Tasty Baking Company

**2006 NASC
Annual Conference**



Registration Fees

The conference registration fee of \$275.00 includes receptions on Sunday and Monday, Dinner on Monday evening, continental breakfast and luncheon on Monday and Tuesday. Complete the registration form to the right, enclose the appropriate fee, and return it to the Pennsylvania Commission on Sentencing. Payment should be in the form of a check made payable to NASC or a purchase order number.

Travel Information

Area Airport
Philadelphia International Airport
10 miles from Four Seasons Hotel
www.phl.org/index.html

Train
Direct Amtrak Service
www.amtrak.com

**For More Information,
please contact:**
Catherine (Cathy) Dittman
PA Commission on Sentencing
P.O. Box 1200
State College, PA 16804-1200
Phone: (814) 863-5729
Fax: (814) 863-2129
e-mail cwd2@psu.edu

Conference Registration

Keystone of Sentencing: Balancing Fairness and Cost

Name _____
 Title _____
 Agency _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____ Fax _____
 E-mail _____
 Special Needs _____

Conference Registration Fee

- If paid by July 9 \$275.00 \$ _____
- If paid after July 9 \$300.00 \$ _____

Special Event - Dinner at National Constitution Center:

Monday, August 7 at 6:00 p.m.

Dinner is free for paid attendees of the conference \$50 for non-attendees

- Please register my guests for Dinner (have to register by August 1)
 _____ Tickets x \$50.00 per person (by July 9) \$ _____
- _____ Tickets x \$65.00 per person (after July 9) \$ _____

Special Event - Tour of Eastern State Penitentiary Historic Site:

Tuesday, August 8 at 2:00 p.m.

Tour includes transportation and a reception

- Please register me for the Tour
 _____ Tickets x \$20.00 per person (by July 9) \$ _____
- _____ Tickets x \$25.00 per person (after July 9) \$ _____

TOTAL DUE \$ _____

Payment Method

- A check or purchase order made payable to NASC for \$ _____ is enclosed. (NASC Federal ID # 51-0372368)

Make checks payable to National Association of Sentencing Commissions
 Send completed registration form and payment to:
 Pennsylvania Commission on Sentencing
 Attn: 2006 NASC Registration
 P.O. Box 1200
 State College, PA 16804-1200

Background image: Engraving of Eastern State Penitentiary. Eastern State Penitentiary's hub and spoke design was the model for over 300 prisons worldwide. This engraving by Samuel Cowperthwaite, convict number 2954, shows Architect John Haviland's seven original cellblocks spreading like the spokes of a wheel.

PRESIDENT'S MESSAGE

August, to me, evokes thoughts of football training camp, hot summer days with a cooling breeze off of the Atlantic, and the annual NASC conference. This will be my 10th NASC Conference, starting with my first in Palm Beach, Florida. I must say, this conference is shaping up to be the best one yet. The theme of "Keystone of Sentencing: Balancing Fairness and Cost" is a good one! The knowledge and depth of the speakers that are slated to appear, the topics that will be discussed, the venue, the city, and (thanks to our many sponsors) the free receptions and meals, make this a "must attend" conference. I cannot thank Mark Bergstrom and his Commissioners and staff at the Pennsylvania Commission on Sentencing and Rick Kern and his Commissioners and staff at the Virginia Criminal Sentencing Commission enough for their hard work and dedication in arranging all that you will enjoy in Philadelphia. The success of this conference is mostly due to their efforts.

Along those lines, at the Monday evening dinner and reception, we will have the second "NASC Jeopardy" game. This game was a huge success at the Pittsburgh conference, and it is time for its return. The prizes for the game will be sentencing commission clothing, mugs, pens, signed footballs from legendary football coaches or anything else donated. If you have anything you would like to donate to the game, please bring it with you to Philadelphia and give it to myself or someone on the Pennsylvania Commission staff.

The NASC Conference Program Committee has formed an agenda that includes speakers from 15 states, the District of Columbia, the federal government, and four foreign countries (if you count Judge Richard Gebelein from the International Court of Bosnia), thus making this a truly international conference. The agenda has a sequence and a logic to it this year. The Plenary Sessions will serve to introduce and act as a stepping stone to the Break-Out Sessions to follow. The final Plenary Session and Break-Out Sessions will serve as a wrap up session, hopefully bringing all the information together. As of the end of June, the Four Seasons hotel has been sold out, so anticipation is high. I truly hope that all are ready to enjoy the program that we have set for you, the city of Philadelphia, the experiences and the insights that each of you bring to this conference.

On a personal level, this conference also marks my 20th year in the sentencing area, as I started in August 1986 as a graduate student intern in the offices of the Pennsylvania Commission. At the time, I didn't think that I would be doing this as a career, but under the direction of "Sentencing Giants" John Kramer, Rob Lubitz and Cynthia Kempinen, I started my love of this work. I have worked with so many of you on many projects and have had the fortune of serving as the Secretary, Vice-President and President of this

organization. I can truly say that I have enjoyed my time in leadership of NASC. I have made many good sentencing contacts over the last few years serving on the NASC Board, many acquaintances, and more importantly, some very good friends as I have tried to get to know as many of you as I possibly could. I hope this continues. I would be remiss if I didn't thank you, the members of NASC for allowing me to serve as President. I also would like to thank my mentors/bosses/friends here at the United States Sentencing Commission who allowed me to spend the hours that I have on NASC business (namely our Chair Judge Ricardo Hinojosa, Vice Chair John Steer, Judy Sheon, and Lou Reedt). Finally, a special thanks to Barbara Tombs, Cynthia Kempinen, Michael Traft, Linda Holt, and Jack O'Connell whose leadership have made NASC run so smoothly over the years. Please, come and enjoy the 2006 NASC Conference!!

Sincerely,
Kevin Blackwell
NASC President

NATIONAL ASSOCIATION OF SENTENCING COMMISSIONS EXECUTIVE BOARD

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Senior Research Associate, U.S. Sentencing Commission

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IDA LEGGETT

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Sentencing Guidelines Commission*

ALABAMA

YES! WE HAVE SUCCESS

Alabama Legislature Approves Voluntary Sentencing Standards, Effective October 1, 2006

The major component of the Alabama Sentencing Commission's reform efforts, sentencing standards, has now been approved by the Legislature and will go into effect October 1st. These standards, developed to eliminate unwarranted disparity in sentences while maintaining meaningful judicial discretion, are voluntary and nonappealable sentencing recommendations for 26 of the most frequent non-capital felonies of conviction. Although the standards are voluntary, they will provide judges with information needed for more informed sentencing decisions and, based on pilot projects, we project that judges will follow the standards in at least 75% of the covered cases.

The approval and implementation of the standards and worksheets and worksheet instructions adopted by the Sentencing Commission also lays the ground work for truth-in-sentencing. The Commission believes it prudent to implement the initial standards that do not implement truth-in-sentencing, testing the efficacy of these standards to make sure the standards accomplish the intended result and will be followed, as expected, by trial court judges. The Commission will monitor the effectiveness of the standards, adding to them and suggesting modifications where appropriate. When these initial standards prove to be effective in producing more rational sentencing, the Commission will proceed to the next step in sentence reform - truth-in-sentencing standards based on "time served," which are slated for implementation in 2009.

From the beginning, the Commission has promoted community corrections programs as an essential part of our reform efforts. The Legislature and Governor are cognizant of this fact and have provided additional funding to expand alternative sentencing programs. These programs are needed to enhance sentencing options and to increase prison bed space for violent and dangerous offenders by diverting low risk felons to effective community punishment programs. The continued development of these programs, as well as increased capacity for post release supervision, is an essential part of the Commission reform plan.

Truth-In-Sentencing

Act 2006-312 provides for the development of truth-in-sentencing standards and presentation to the Legislature during the 2009 Regular Session. If approved, these standards are to become effective October 1, 2009. This second set of sentencing standards will be developed based on historical data reflecting "time served" by offenders in Alabama prisons. From this data, the Commission will develop worksheets and sentence length tables recommending sentences that will be served day-for-day. Thus, all parties to a criminal proceeding will know the sentence and the projected release date for the offender at the time of sentencing.

The Sentencing Commission asked that the Legislature delay the date for presenting the Truth-in-Sentencing standards until 3 years after the implementation of the initial voluntary sentencing standards, for several reasons. The Commission and the Legislature are cognizant of the problems presently created by overcrowding in prisons. Many states that have adopted untested truth-in-sentencing

guidelines have exacerbated their prison population explosion. Alabama's overcrowding and underfunding is already chronic. For these reasons, Alabama is attempting a more planned and studied approach. We must first gauge the effectiveness of the new voluntary sentencing standards scheme before we can move to a system that eliminates the currently used release mechanisms. In addition, prior to adopting truth-in-sentencing, Alabama must expand alternative sentencing programs and make room in prison for longer sentences for some offenders. The continued development of alternative sentencing programs, as well as increased capacity for post release supervision, is an essential part of the Commission reform plan. When these programs are in place and the voluntary sentencing standards have been shown to work, Alabama will be prepared to effect the second phase of sentence reform, Truth-in-Sentencing Standards.

Six Commission Bills Approved

In addition to approval of the initial sentencing standards, the Legislature passed five other criminal reform bills proposed by the Alabama Sentencing Commission. A major achievement was the passage of a bill requiring the electronic filing of a pre-sentence or post-sentence report for every convicted felon. Our DUI bill, which was introduced to specifically authorize the use of out-of-state convictions for the purpose of enhancements, was amended during passage through the Senate to provide that only those prior DUI convictions occurring within the preceding 5 years could be considered for enhanced punishment. This 5-year limitation applies to all priors - second and subsequent and those occurring in state and in other states. We were also successful in amending our burglary 1st and 2nd to invoke the "Loot Rule" which was incorporated into the sentencing standards. As amended, to be guilty of Burglary in the first or second degrees, an offender must either be armed with a deadly weapon or dangerous instrument upon entry into a dwelling or building or use or threaten the immediate use of a deadly weapon during the commission of the offense or flight from the offense. Another successful Commission bill increased the maximum fine amounts authorized for felonies and Class A and B misdemeanors, reflecting adjustments due to inflation since the statute was originally enacted in the 1970s. The last bill amended Alabama's Theft of Property 2nd statute to reflect the changes in value the Commission recommended and the Legislature approved in 2003. The values were inadvertently changed to the pre-2003 values when the Legislature amended the statute in 2004 to change the words "horses" and "mules" to equine" and "equidae." It made a good story, but caused a lot of confusion for our judges and prosecutors.

Our success is due to the generous assistance and expert guidance of many. We thank all our NASC friends, Vera Institute of Justice staff and associates, and Applied Research Services of Atlanta, Georgia (Drs. Tammy Meredith and John Speir) for all their help and invaluable advice.

Our next step (we have already begun) is to conduct 24 seminars in 12 locations to instruct judges, prosecutors, lawyers, defense counsel, corrections professionals, probation officers, court personnel, and the general public on the use of Alabama's standards, worksheets, and instructions. These seminars are scheduled and will be completed prior to the effective date of the standards. We scheduled around the NASC conference and look forward to seeing everyone there!

OKLAHOMA COMMISSION APPROVES REFORMS TO IMPROVE CRIMINAL JUSTICE PROCESS

The Oklahoma Sentencing Commission voted to forward a list of five suggestions to the Legislature to improve the state's criminal justice process. Several of the proposals may ultimately help control growth in the state's prison system, which is ranked No. 3 in the nation in per-capita incarceration.

Also, official prison population projections for Oklahoma indicate that the prison system growth in the next fiscal year will be 1,200 beds – three times the number that had previously been projected. The Oklahoma Department of Corrections uses the estimates to support its budget request to the Legislature.

The 15-member commission voted to suggest improving probation supervision, promote re-entry programs that reduce recidivism, and study the best use of state funds for drug offenses, which account for 21% of annual prison receptions. The commission is staffed by the Oklahoma Criminal Justice Resource Center (OCJRC).

The commission, created in 1997 to study the criminal justice system and suggest improvements to the Legislature, consists of legislators from both parties, prosecutors, defenders, judges, representatives of the governor's office, law enforcement, and victims. Its annual report is available at <http://www.ocjrc.net/publications.asp>.

The commission is chaired by Rep. Fred Morgan, R-OKC, with Sen. Richard Lerblance, D-Hartshorne, serving as the Senate co-chair.

Reform proposals approved at the commission's Feb. 16 meeting:

1. Review and refine the DOC Intermediate Sanctions Program, which seeks to provide a way for Probation Officers to have more authority in sanctioning offenders short of revocation to prison. DOC Director Justin Jones told the commission last fall of a number of improvements that could help local justice officials embrace and promote the program. More than 1,000, or 13%, of the 8,247 offenders received to the prison system in FY'03 were imprisoned for failure to abide by rules of probation. OCJRC reported that Oklahoma spends \$2.04 per day per offender on probation supervision, less than half the national average of \$4.37/day. Oklahoma's criminal justice system uses probation at a rate 40% below the national average, and Oklahoma's incarceration rate is 56% higher than average.

2. Appoint a Task Force to study treatment and punishment of drug offenders. OCJRC reports that of 20,000 persons convicted of a felonies each year, 41% are directly committing drug crimes and 11% are committing alcohol offenses. "Drug abuse is one of the few underlying causes of crime with accepted treatment options," the commission report states. "The agencies administering criminal justice programs should work together to make recommendations to the Legislature on whether to revise and restructure the treatment and punishment of drug offenders to best utilize the state's resources."
3. Jurors should be advised of the fact that offenders convicted of 85%-crimes are not eligible for parole until that percentage of their sentence has been served. Currently, judges are reluctant to instruct jurors about sentence-administration issues because statutes and case law are not clear about what is proper. The proposal was opposed by Lerblance and Judge Charles Goodwin, the appointee of the Assembly of Presiding Judges.
4. Victims should be advised that offenders convicted of 85%-crimes are not eligible for parole or time credits until that percentage of their sentence has been served. Victims should also be advised of the effect that statutory earned credits have on the length of a prison sentence. The proposal was the most controversial of the commission recommendations, passing by a 6-5 vote.
5. Support should be provided for structured re-entry programs for prisoners being released for incarceration. The report notes that 40.8% of the 8,113 offenders released from prison in FY'04 were discharged to the street and not supervised by probation/parole officers.

Also at the Feb. 16 meeting, commissioners looked over more than 70 crime bills that have been proposed in the current legislative session.

An analysis by the OCJRC indicates that 39 bills aim to increase punishments and 34 would create new crimes. Four others would expand the existing definition of certain crimes.

The Legislature wants to get tough on crime but has yet to fully fund the prison system, Sen. Lerblance said. "It doesn't make any sense," he said. "The Legislature has 77 new bills to increase punishments for a crime or create a new crime.. We want to increase (the number of actions that constitute) crimes, but we don't want to pay for" the punishments.

OCJRC prison population estimate, available at http://www.ocjrc.net/pubFiles/InmatePopulation/OklahomaPrisonPopulationProjection_2006.pdf, indicates the system growth can be attributed to fewer parole and commutation releases. The rate of release has dropped nearly in half of the rate of two years ago. In Oklahoma, the governor must sign his approval to each parole or commutation of an inmate. The Governor is seeking re-election in November.

Sex Offense Fact Sheets

Like many states, Pennsylvania's General Assembly has recently introduced sex offender legislation that would create new offenses, increase maximum penalties, and expand mandatory minimum sentencing provisions. The Commission, along with numerous other state and local agencies, is actively participating in a federally funded Sex Offender Management Team Project, which is working toward identifying and implementing components of a comprehensive and consistent sex offender management system in PA. In order to provide more information on the current sentencing practices for sex offenders, the Commission developed fact sheets that contain information on the statutory definition of the offense, the sentencing guideline recommendations, any applicable mandatory sentencing statutes, distribution of sentences and time served information on sentences imposed during 2004. These fact sheets can be found on the Commission's website at <http://pcs.la.psu.edu/>, under Sentencing Data.

Projections Model Revisions

As a legislative service agency, the Commission has responsibility for developing legislative impact analyses, providing sentencing projections, and completing requests for sentencing data, information, and reports. The Commission is also represented on the state's Correctional Population Projections Committee (CPPC). Currently, Commission staff is assisting the CPPC and Applied Research Services, Inc. (ARS) in the development of a new sentencing module and the migration of the current projection model to an enhanced, web-based application. These efforts leverage recent advances in sentencing data collection through the Commission's *SGS Web* application, and the virtual integration of criminal justice information through the *JNET*, the Commonwealth's secure, web-based Justice Network.

Pre-Sentence Investigation Project

During the last year the Commission has been coordinating an effort involving numerous state and local agencies to review the content, format and availability of pre-sentence investigation (PSI) reports and other offender information for use by the courts, institutions and community corrections agencies. Key goals include the development of a secure, statewide electronic index of reports ordered and completed, and electronic access to authorized information. Broader policy goals include improved information and greater standardization of that information for use at sentencing as well as for classification, parole review, and community supervision of offenders.

Economic Sanctions Report

One advantage of being located at Penn State University is the Commission's ability to enter into research projects with the faculty in the Crime, Law, and Justice Program at the University. One such project is the Economic Sanctions Project, which was recently completed under the direction of Professor Barry Ruback. This study was a follow-up to Professor Ruback's previous study that examined the imposition, payment, and effect of restitution in Pennsylvania. The current study utilized a multi-method approach to explore the imposition and payment of the various fees and costs in Pennsylvania, in addition to restitution. Phase I involved data collection in six counties that varied in size, geographic location, and method of collecting economic sanctions. Information was collected on offender [e.g., race, age, gender], victim [e.g., type of injury] and case [e.g., charge, conviction, and sentence] characteristics, in addition to the information on the various economic sanctions used in the county. Various sources, including Clerk of Courts files, probation files, and Victim/Witness Services files were used to obtain the information. Phase II involved the administration of a Victim Survey and an Offender Survey in two counties.

Major findings from the study include: 1) counties vary significantly in their use and imposition of economic sanctions; 2) generally, higher levels of economic sanctions were imposed for more severe crimes, 3) mandatory sanctions were not always imposed for The Crime Victim Compensation and Crime Commission Costs [varied from 84% to 97%], 4) mandatory sanctions were fully paid in about 56% of the cases and were significantly less likely to be paid for property offenders than for offenders convicted of personal, drug, traffic, or other offenses, 5) victims were more satisfied with procedural fairness [e.g., how information was gathered, how much voice they had] than outcome fairness [e.g., sentence offender received], and 6) the major reason offender's did not make payment on ordered economic sanctions was lack of money. The major recommendations of the study were: 1) to provide offenders with a better understanding of the type and amount of each economic sanction that they owed, and 2) to have counties develop written policies and procedures about the application of economic sanctions in their respective county. A copy of the report can be found on the Commission's website at: <http://pcs.la.psu.edu/> under Research.

The Wisconsin Sentencing Commission has posted on its website a recently completed study of recidivism in Wisconsin. This report presents a variety of trends, traits and observations about general recidivists and robbery recidivists who were sentenced to the Wisconsin Department of Corrections (DOC) on multiple occasions from 1980 through 2003.

There were three main objectives of the study. First, to help criminal justice practitioners better understand the traits associated with specific groups of repeat offenders, in this case, robbers. Second, to raise awareness of the significance of those traits when sentencing or making policy. Finally, to attempt to identify what an effective sentence is to prevent offenders (robbers) from re-offending.

Section one of the report presents summary information on all offenders sentenced to DOC regardless of the offense category. Statistics for Wisconsin offenders are presented along with observations from previous studies.

The main topics presented in this section include:

- Trends of all offenders
- Traits of Wisconsin offenders including criminal history, age, gender, and race.
- Traits from previous studies covering general traits and psychological traits.
- Observations from previous studies covering the topics of punishment, deterrence, rehabilitation, prevention, and prediction.

Section two identifies characteristics specific to repeat robbery offenders. This robbery section includes topics such as:

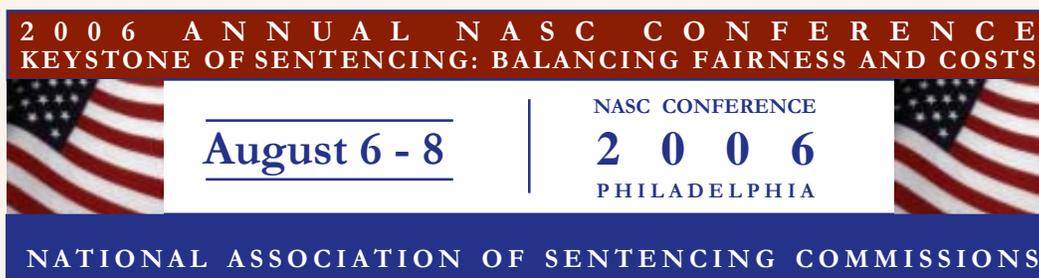
- Trends of robbery offenders with particular attention paid to recidivistic robbers.
- Traits of Wisconsin robbers including criminal history, age, gender, race, and progression of criminality.
- Traits of robbery offenders from previous studies including reasons for robbing and psychological traits.
- Observations from previous studies including: progression of criminality, punishment, and prevention.

Section three examines the sentences received by Wisconsin robbery offenders. The primary focus of this portion of the study is on data collected from the Wisconsin Sentencing Guidelines Worksheets. The objective of this section was to determine what impact selecting various worksheet factors had on a robbery offender's prison sentence length. This section includes:

- An overview of robbery sentences in Wisconsin consisting of what percentage of robbery offenders received prison versus probation, along with the length of robbery sentences.
- A description of the Sentencing Guidelines Worksheets.
- A worksheet analysis including the types of sentences received by robbery offenders from the worksheets, frequently checked worksheet factors, the length of sentences for the worksheet group in general, and the effect of specific worksheet factors on sentence length.
- An attempt to determine if observations about likelihood to recidivate can be determined from reviewing the factors selected by judges on the worksheets.
- Attempts to determine if the sentences imposed on this group of robbers were effective.

In the fourth section of this report, a comprehensive sentencing model is introduced that discusses three elements that are critical to reducing recidivism. Each of the three elements is discussed in detail followed by a discussion of why all three elements are required to develop sentences that reduce recidivism.

The report concludes by presenting a set of seven recommendations. The findings from the four sections along with the recommendations are presented as a way to get criminal justice practitioners and policy makers thinking about potential ways in which victimization and the expense created by repeat offenders might be moderated in the future.



Offender Population Forecasting in Virginia

In Virginia, as elsewhere, forecasts of inmate populations provide key information for budgeting and planning of criminal justice capital and operational expenditures. These forecasts are also useful for assessing the potential impact of a variety of policy proposals. Prison forecasting has a long history in Virginia, dating back to the early 1980s. In 1985, however, Virginia's legislative watchdog agency (the Joint Legislative Audit & Review Commission, or JLARC) identified weaknesses in the methodology and procedures used by the state's Department of Corrections (DOC) to forecast the adult inmate population. A subsequent report from the watchdog group recommended changing the forecasting process toward a more open, participative process asserting that such a process would ensure that key actors in the criminal justice system have input into the forecast and such a group would promote general understanding of the forecast and the assumptions which drive it. A more open, participative forecasting process was implemented in the late 1980s and remains in use today. This process, overseen by Virginia's Secretary of Public Safety, has become known as "consensus" forecasting.

Committee Structure

The Technical Advisory Committee is composed of personnel from various state agencies who have expertise in statistical and quantitative methods. This committee reviews trends, methods, and assumptions employed in the forecasts, to assure that the final forecast has a sound methodological basis. This year, the Technical Advisory Committee will be chaired by Meredith Farrar-Owens of the Virginia Criminal Sentencing Commission. The committee evaluates the various forecasts for statistical performance and recommends which forecasts should be considered.

A second committee, the Technical/Policy Liaison Work Group, includes staff of the legislature's House Appropriations and Senate Finance Committees, agency deputy directors and senior managers. The group oversees and referees the work of the Technical Advisory Committee, requesting additional data or analysis as needed. Ultimately, this group determines which forecasts are brought to the next level of review.

The final committee, called the Policy Advisory Committee, is composed of representatives of Virginia's executive, legislative and judicial branches of government, as well as local and state criminal justice professionals. This diverse membership brings a broad scope of experience and expertise to the forecasting process, including first-hand knowledge of what is happening in the state's criminal justice system. This committee reviews the projections and selects the official forecast for each offender population. This committee also considers the potential impact of emerging trends, newly-adopted legislation, or recent policy changes on future correctional populations and may approve adjustments to the forecast to account for these effects. When divergent views can be reconciled and incorporated into the forecast, overall confidence in the forecast may

be improved. While the policy committee adopts the forecast on the basis of a vote, minority opinions can be submitted in writing to present disagreements with certain aspects of the forecast.

Four Inmate Population Forecasts

Four inmate population forecasts are produced through the consensus process. The largest is the state-responsible (SR) inmate population, which comprises the population housed in Virginia's prison facilities and the state-responsible inmates being housed in local jails. The local-responsible (LR) prisoner population captures prisoners confined in local and regional jails throughout the Commonwealth who are not state-responsible. Two juvenile offender populations are also forecasted: the juvenile correctional center (JCC) population and juvenile detention center (JDC) population.

The Department of Corrections produces a forecast of the SR inmate population, while the Department of Criminal Justice Services produces a forecast of the LR prisoner population. The state's Department of Juvenile Justice generates projections of both juvenile offender populations. Analysts from Virginia's Department of Planning and Budget independently develop forecasts for each of the four offender populations. Ideally, confidence in the official forecast is bolstered if the different methods used by the two agencies converge on the same future population levels.

Annual Process

The Technical Advisory Committee generally begins meeting in the spring of each year and usually concludes its work by September. The Policy Advisory Committee will meet twice (August and September) to review and select the official forecasts. The process concludes when the Secretary of Public Safety issues a report, due to the legislature by September 30 each year, documenting the process and presenting the official forecasts.

Budget Process

Virginia's Department of Planning and Budget converts the inmate forecasts into budgets and proposed appropriations, although analysts who generate the forecasts typically are not involved in budget preparation for the Governor. Some budget adjustments are made based on the staff's judgment and experience with prior forecasts. While these adjustments generally take place after the forecasting process, they are subject to further review and additional adjustments by the legislature.

Unique Approach

The extent of outside participation distinguishes the corrections forecasting process from other state forecasting efforts in Virginia. The consensus process brings diverse expertise to bear, but it also ensures that no significant trend or change is overlooked in preparing the forecasts and it promotes a more objective forecasting result.

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Special NASC Event Dinner and Reception

On July 4, 2003 the City of Philadelphia, along with the entire nation, opened the doors to the National Constitution Center. This elegant two-story building is located on the third block of the Independence Mall and serves as the northernmost anchor of the mall complex. The National Constitution Center tells the story of the U.S. Constitution through more than 100 interactive multimedia exhibits, photographs, sculpture, text, film and artifacts.

DINNER AT NATIONAL CONSTITUTION CENTER MONDAY, AUGUST 7 AT 6:00 P.M.



A Monday evening reception and dinner will be held at the National Constitution Center and will include a brief presentation by The Pew Charitable Trusts on their Initiative on Public Safety and Corrections, followed by a quick-paced version of NASC jeopardy with prizes for every correct answer. Friends and family are encouraged to attend. The reception begins at 6:00 pm. The dinner is free for paid attendees of the conference and \$50 for all others. Transportation will be provided.

CONSTITUTION FAST FACTS

- ★ The U. S. Constitution was written in the same Pennsylvania State House where the Declaration of Independence was signed and where George Washington received his commission as Commander of the Continental Army. Now called Independence Hall, the building still stands today on Independence Mall in Philadelphia, directly across from the National Constitution Center.
- ★ Written in 1787, the Constitution was signed on September 17th. But it wasn't until 1788 that it was ratified by the necessary nine states.
- ★ The U.S. Constitution was prepared in secret, behind locked doors that were guarded by sentries.
- ★ Some of the original framers and many delegates in the state ratifying conventions were very troubled that the original Constitution lacked a description of individual rights. In 1791, Americans added a list of rights to the Constitution. The first ten amendments became known as The Bill of Rights
- ★ Of the 55 delegates attending the Constitutional Convention, 39 signed and 3 delegates dissented. Two of America's "founding fathers" didn't sign the Constitution. Thomas Jefferson was representing his country in France and John Adams was doing the same in Great Britain.
- ★ Established on November 26, 1789, the first national "Thanksgiving Day" was originally created by George Washington as a way of "giving thanks" for the Constitution.
- ★ Of the written national constitutions, the U.S. Constitution is the oldest and shortest.
- ★ At 81, Benjamin Franklin of Pennsylvania was the oldest delegate at the Constitutional Convention and at 26, Jonathon Dayton of New Jersey was the youngest.
- ★ The original Constitution is on display at the National Archives in Washington, D.C. When the Japanese bombed Pearl Harbor, it was moved to Fort Knox for safekeeping.
- ★ More than 11,000 amendments have been introduced in Congress. Thirty three have gone to the states to be ratified and twenty seven have received the necessary approval from the states to actually become amendments to the Constitution.