

# Chapter Four

## Guideline Training and Education; Public Affairs

In fiscal year 2013, the Commission continued to provide guideline application assistance, education, and public information using a variety of different means.

### **Training**

Congress authorized the Commission to “devise and conduct periodic training programs of instruction in sentencing techniques for judicial and probation personnel and other persons connected with the sentencing process.” 28 U.S.C. § 995(a)(17), § 995(a)(18). The Commission recognizes that an evolving guideline system, together with the steady influx of new practitioners, creates a continuing need for effective training programs and materials. In fiscal year 2013, the Commission provided training on the guidelines and related sentencing issues to more than 5,900 individuals at 118 different training programs across the United States, including ongoing programs sponsored by the Federal Judicial Center (FJC) and other agencies.

Participants included circuit and district court judges, probation officers, prosecuting and defense attorneys, congressional staff members, law clerks, and other government agency personnel. At the sessions, commissioners and staff provided training on guideline application, developing case law, guideline amendments, statutory changes, and other sentencing issues.

Working with the FJC and the Administrative Office of the U.S. Courts (AOUSC), the Commission plays an active role in training newly appointed judges and probation officers. For example, the Commission continued in 2013 to participate in the FJC’s orientation program for newly appointed district and appellate court judges by providing training on guideline application and sentencing-related topics to approximately 44 newly appointed judges at three orientation programs.

In 2013, the Commission continued to present workshops on guideline application training to approximately 125 newly appointed probation officers during five orientation programs at the Federal Law Enforcement Training Center (FLETC) in Charleston, South Carolina. The workshops concentrated on guideline topics, including introduction to the guidelines, relevant conduct and criminal history.

The Commission also works with the Department of Justice and the federal defenders to provide training to federal prosecutors and defense attorneys.

### **Regional Training Seminars on Federal Sentencing Guidelines**

In 2013, the Commission held seven regional training seminars in various locations across the nation. Topics included basic individual guidelines training, the evolving role and work of the Commission, economic crimes, the “Categorical Approach,” and advanced guideline issues. These regional training seminars were attended by more than 600 participants who consisted of federal judges, probation officers, prosecutors, defense attorneys, and other professionals from across the United States.

### **Organizational Guidelines Training**

Throughout 2013, commissioners and staff participated in a variety of symposia and programs on compliance and business ethics. In five seminars with more than 65 participants, commissioners and staff discussed the operation and amendments to Chapter Eight of the sentencing guidelines and the significance of their application to corporations and other organizations.

## High-Tech Approaches to Training

The Commission continues to explore ways in which technologies such as multi-media programs, video teleconferencing, and online conferencing can be utilized to supplement its existing training efforts. In 2013, the Commission launched its Online Learning Center, which provides a collection of videos and other supplemental materials to provide additional instruction on the application of the federal sentencing guidelines. In 2013, Commission staff participated in three different webcasts addressing application of the federal sentencing guidelines, Commission reports to Congress, and new amendments to the sentencing guidelines. Approximately 570 individuals from more than 200 locations watched the initial airing of these three webcasts. Additionally, in August 2013, the Commission's regional training seminar in Washington, DC was streamed live on the Commission's website to reach a greater audience. Approximately 200 individuals from more than 50 locations registered to watch the initial airing of this broadcast. Such work on the part of the Commission affords the agency the opportunity to expand the reach of its training efforts to the federal judiciary and the general public.

The Commission has increased the number of training videos offered on its website. In addition to making the webcasts available for viewers, other available videos include a three-part series "Introduction to the Federal Sentencing Guidelines," and a three-part series on "Drug Offenses". Other available videos cover topics such as highlights of new amendments, and the "Statement of Reasons Form." Advanced guideline videos offer training on topics of immigration, relevant conduct, firearms, multiple counts, and criminal history.

## HelpLine

The *HelpLine* — serving judges, probation officers, prosecuting and defense attorneys, and law clerks — assists callers with specific guideline application questions and promotes guideline and sentencing education. *USSC HelpLine* is open to callers from Monday through Friday between 8:30 a.m. and 5:00 p.m., EST at (202) 502-4545.

Since the *HelpLine's* inception in 1987, the Commission staff has responded to more than 28,000 questions from probation officers, judges, prosecutors, defense attorneys and law clerks. It is estimated that in 2013, the *HelpLine* staff responded to approximately 1,300 calls. Frequently asked questions related to application issues concerning relevant conduct, the criminal history guidelines, drug and firearms offenses, theft/fraud, immigration offenses, and the grouping of multiple counts of conviction. In the process of responding to *HelpLine* questions, the Commission's training and legal staffs regularly consult with each other to ensure that questions are researched fully and answered accurately.

## Temporary Assignment Programs

The Commission's temporary assignment program for assistant federal public defenders continued through 2013. Two assistant federal public defenders worked with the Commission during 2013. The Commission also continued its temporary assignment program for U.S. probation officers. In 2013, one U.S. probation officer participated in the program.

## Website

The Commission's user-friendly website provides information and resources about the agency, its activities, and developments in federal sentencing practices. In fiscal year 2013, the Commission expanded the digital-centric content published on its website and increased interactive features to help users move through publications more efficiently.

Website visitors continue to read and download documents on numerous topics, including general information about the Commission and its activities, publications and reports to Congress, *Guidelines Manuals* and amendments, federal sentencing data, *Federal Register* notices, Commission meeting information, hearing transcripts and testimony, organizational guidelines materials, and information on the standing advisory groups to the Commission. The website also provides guidelines training materials, including offense-type primers and

exclusive web-based training videos on key sentencing topics.

The home page is updated frequently to keep the public informed of Commission meetings, hearings, news releases, legislative developments, training events, and sentencing guideline issues (e.g., proposed amendments and issues for comment). The Commission uses RSS (Really Simple Syndication) feeds and its USSC Listserv e-mail service to alert subscribers to new postings on its website.

## Public Information

In fiscal year 2013, Commission staff responded to approximately 6,000 information requests from Congress, attorneys, government agencies, academics, inmates and their families, the media, and the public.

**Telephone Inquiries.** In 2013, Commission staff responded to more than 5,000 public information telephone calls.

**Written Requests.** In 2013, Commission staff responded to approximately 1,000 written inquiries (i.e., letters, e-mails), the majority of which were from inmates or their families. Other written inquiries came from Members of Congress, attorneys, libraries, government agencies, and the research community.

**Presentations.** During 2013, Commission staff made numerous presentations about the guidelines to university groups, visiting foreign dignitaries, and criminal justice practitioners.

## Publications and Training Materials

The Commission issues a number of publications each year in addition to the *Guidelines Manual* and the agency's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*. In fiscal year 2013, the Commission submitted its extensive report to Congress assessing the continuing impact of *United States v. Booker* on the federal sentencing system, with the bulk of the detailed data analyses available exclusively online. Also published was the Commission's comprehensive report to Congress on federal child pornography offenses.

The Commission also launched its new Quick Facts publication series. These short, printable documents describe an area of crime using basic facts and easy-to-read graphics. Topics released in the Quick Facts series during fiscal year 2013 included Heroin Trafficking; Illegal Reentry; Theft, Property Destruction, and Fraud; Mandatory Minimum Penalties; and Marijuana Trafficking.

The Commission published on its website prison and sentencing impact assessments for proposed amendments to the federal sentencing guidelines for the 2013 amendment cycle, and continued to provide quarterly sentencing updates and federal sentencing statistics by district, circuit and state. The Commission also published on its website annual individual offender datafiles (without personal identifiers) in SAS and SPSS formats for researchers interested in studying federal sentencing practices through quantitative methods.

In addition, the Commission continued to provide its collection of guideline training materials on new guideline amendments and guideline sentencing issues related to drugs, economic crimes, Chapter Three adjustments, immigration, relevant conduct, and sex crimes. These materials and publications and numerous others are available on the Commission's website in the Online Learning Center.

The year 2013, as used in this report, refers to the fiscal year 2013 (October 1, 2012, through September 30, 2013).

