



THE UNITED STATES  
SENTENCING COMMISSION  
PRESENTS  
THE ANNUAL NATIONAL SEMINAR  
ON THE  
FEDERAL SENTENCING GUIDELINES

*Cosponsored by ABA Criminal Justice Section*

June 13 - 15, 2012 -Hilton New Orleans Riverside, New Orleans, Louisiana



**UNITED STATES SENTENCING COMMISSION  
ANNUAL NATIONAL SEMINAR  
ON THE  
FEDERAL SENTENCING GUIDELINES**

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Wednesday - Friday  
June 13 - 15, 2012

Hilton New Orleans Riverside  
New Orleans, Louisiana

**WEDNESDAY  
JUNE 13, 2012**

9:00 a.m. - 5:00 p.m.

**REGISTRATION**

**Room: 1<sup>st</sup> Floor (Outside of the Chemin Royale)**

12:30 p.m. - 4:00 p.m.

**FOR BEGINNERS: A BASIC  
INTRODUCTION TO THE FEDERAL  
SENTENCING GUIDELINES**

**Room: Grand Ballroom A - 1<sup>st</sup> Floor**

This Introduction to the Federal Sentencing Guidelines session is designed to provide an introduction to guidelines application for those with limited experience working with the federal guidelines.

- **L. Russell (Rusty) Burress**  
Principal Training Advisor  
United States Sentencing Commission
- **Alan Dorhoffer, Esq.**  
Deputy Director  
Office of Education & Sentencing Practice  
United States Sentencing Commission
- **Honorable Ricardo Hinojosa**  
Commissioner, U.S. Sentencing Commission  
Chief District Judge  
McAllen, TX

2:30 p.m. - 2:45 p.m.

**BREAK**

2:45 p.m. - 4:00 p.m.

**INTRODUCTION TO THE  
SENTENCING GUIDELINES  
(RESUMES)**

4:15 p.m. - 5:30 p.m.

**CONCURRENT SESSIONS**

**A.     ADVANCED GUIDELINE  
APPLICATION ISSUES**

**Room: Grand Ballroom A - 1<sup>st</sup> Floor**

This interactive panel will be a discussion of advanced guideline issues, including some frequently asked questions.

- **L. Russell (Rusty) Burress**  
Principal Training Advisor  
United States Sentencing Commission
- **Alan Dorhoffer, Esq.**  
Deputy Director  
Office of Education & Sentencing Practice  
United States Sentencing Commission

**B.     FOR BEGINNERS: A BASIC  
INTRODUCTION TO THE  
ORGANIZATIONAL GUIDELINES**

**Room: Grand Ballroom B - 1<sup>st</sup> Floor**

This introduction to the Chapter 8 guidelines for sentencing of organizations is designed to provide an introduction to the organizational guidelines. The panel will discuss the components of an organizational sentencing, including restitution, fines, and terms and conditions of probation. The panel will also discuss how to evaluate whether an organization had an effective compliance and ethics program

- **Cathy A. Battistelli**  
Deputy Chief Probation Officer II  
Concord, NH
- **Kathleen J. Grilli, Esq.**  
Deputy General Counsel  
United States Sentencing Commission

\* **Program offered twice**

\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**WEDNESDAY**  
**JUNE 13, 2012 (continued)**

4:15 p.m. - 6:15 p.m.

**SENTENCING ETHICS FOR DEFENSE  
ATTORNEYS & PROSECUTORS**

**Room: Grand Salon A - 1<sup>st</sup> Floor**

This panel will involve a 45-minute overview of principles of legal ethics generally applicable to criminal cases (for both prosecutors and defense counsel); a 30-minute discussion of the application of such principles to federal sentencing in particular; and a 45-minute discussion (with audience participation) based on several scenarios raising ethical issues related specifically to sentencing.

- **Michelle Morales, Esq.**  
Deputy Chief, Office of Policy & Legislation  
United States Department of Justice,  
Criminal Division  
Washington, DC
- **Brent E. Newton, Esq.**  
Deputy Staff Director  
United States Sentencing Commission
- **H. Michael Sokolow, Esq.**  
First Assistant Federal Public Defender  
Houston, TX

\* **Program offered twice**

\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**THURSDAY  
JUNE 14, 2012**

7:30 a.m. - 8:15 a.m.

**LATE REGISTRATION**

**Room:** 1<sup>st</sup> Floor (Outside of the Chemin Royale)

**CONTINENTAL BREAKFAST**

**Room:** 1<sup>st</sup> Floor (Chemin Royale)

8:15 a.m. - 8:30 a.m.

**OPENING REMARKS**

**Room:** Grand Ballroom AB - 1<sup>st</sup> Floor

- **Pamela G. Montgomery, Esq.**  
Director & Chief Counsel of Training  
Office of Education & Sentencing Practice  
United States Sentencing Commission

8:30 a.m. - 9:45 a.m.

**PLENARY SESSION:  
UNITED STATES SENTENCING  
COMMISSION: A YEAR IN REVIEW**

**Room:** Grand Ballroom AB - 1<sup>st</sup> Floor

The panel will review recently proposed amendments and provide an update of Commission projects and activities.

- **Honorable Patti B. Saris**  
Chair
- **Honorable William B. Carr, Jr.**  
Vice Chair
- **Honorable Ketanji B. Jackson**  
Vice Chair
- **Honorable Ricardo H. Hinojosa**  
Commissioner
- **Honorable Beryl A. Howell**  
Commissioner
- **Honorable Dabney L. Friedrich**  
Commissioner
- **Honorable Isaac Fulwood**  
Commissioner, Ex Officio
- **Honorable Jonathan J. Wroblewski**  
Commissioner, Ex Officio

9:45 a.m. - 10:00 a.m.

**BREAK**

10:00 a.m. - 11:30 a.m.

**PLENARY SESSION: A VIEW FROM  
THE APPELLATE BENCH**

**Room:** Grand Ballroom AB - 1<sup>st</sup> Floor

- **Honorable Denny Chin**  
Circuit Judge  
Second Circuit Court of Appeals  
New York, NY
  - **Honorable Diana Gribbon Motz**  
Circuit Judge  
Fourth Circuit Court of Appeals  
Baltimore, MD
  - **Honorable Priscilla Richman Owen**  
Circuit Judge  
Fifth Circuit Court of Appeals  
Austin, TX
  - **Honorable William Jay Riley**  
Chief Circuit Judge  
Eighth Circuit Court of Appeals  
Omaha, NE
- Moderator:**
- **Honorable Ricardo Hinojosa**  
Commissioner, U.S. Sentencing Commission  
Chief District Judge  
McAllen, TX

11:30 a.m. - 1:00 p.m.

**LUNCH BREAK**

- \* **Program offered twice**
- \*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**THURSDAY**  
**JUNE 14, 2012 (continued)**

1:00 p.m. - 2:30 p.m.

**CONCURRENT SESSIONS**

**A. DRUG OFFENSES\***

**Room: Grand Ballroom AB - 1<sup>st</sup> Floor**

The panel will discuss guideline application and case law issues relating to the drug guidelines. The panel will focus on application of base offense levels as well as frequently applied specific offense characteristics.

- **Honorable Robert Holmes Bell**  
District Judge  
Grand Rapids, MI
- **Jacqueline A. Johnson, Esq.**  
First Assistant Federal Public Defender  
Cleveland, OH
- **Honorable Joyce White Vance**  
United States Attorney  
Birmingham, AL
- **Honorable Reggie B. Walton**  
District Judge  
Washington, DC
- **Mary Elizabeth Windham**  
Supervisory Probation Officer  
Columbia, SC

**Moderator:**

- **Krista L. Rubin**  
Sr. Education & Sentencing Practice Specialist  
United States Sentencing Commission

**B. ECONOMIC CRIMES: LOSS DETERMINATION AND OTHER ISSUES\***

**Room: Grand Ballroom C - 1<sup>st</sup> Floor**

The panel will discuss guideline application and case law issues arising in fraud and theft offenses. A particular focus of the panel's discussion will be the calculation of actual or intended loss in certain types of cases, as well as the other specific offense characteristics in §2B1.1 that are applied most frequently.

- **Paul B. Bergman, Esq.**  
Paul B. Bergman, P.C.  
New York, NY
- **John Buretta, Esq.**  
Deputy Assistant Attorney General  
Brooklyn, NY
- **Carolyn L. Darville**  
Supervisory Probation Officer  
New Orleans, LA
- **Honorable John Gleeson**  
District Judge  
Brooklyn, NY

**Moderator:**

- **Kathleen J. Grilli, Esq.**  
Deputy General Counsel  
United States Sentencing Commission

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\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**THURSDAY**  
**JUNE 14, 2012 (continued)**

1:00 p.m. - 2:30 p.m.

**CONCURRENT SESSIONS continued**

**C. CRIMINAL HISTORY**

**Room: Grand Ballroom D - 1<sup>st</sup> Floor**

The panel will discuss guideline application and case law issues related to the criminal history guidelines.

- **Richard Bohlken**  
Supervisory Probation Officer  
Albuquerque, NM
- **Honorable D. Brock Hornby**  
Senior District Judge  
Portland, ME
- **Marjorie Meyers, Esq.**  
Federal Public Defender  
Houston, TX
- **John R. Steer, Esq.**  
The Law Offices of Mark H. Allenbaugh  
Fairfax Station, VA

**Moderator:**

- **Alan Dorhoffer, Esq.**  
Deputy Director  
Office of Education & Sentencing Practice  
United States Sentencing Commission

**D. SUPERVISED RELEASE:  
IMPOSITION & REVOCATION**

**Room: \*\*HEC - A - 2<sup>nd</sup> Floor**

This panel will focus on the terms and conditions involved in imposing and revoking supervised release and will also discuss the USSC Report *Federal Offenders Sentenced to Supervised Release*.

- **Honorable Lance M. Africk**  
District Judge  
New Orleans, LA
- **Elisabeth F. Ervin**  
Assistant Deputy Chief Probation Officer  
Asheville, NC
- **Laura M. Roffo**  
Supervisory Probation Officer  
Boston, MA

**Moderator:**

- **Brent E. Newton, Esq.**  
Deputy Staff Director  
United States Sentencing Commission

\* **Program offered twice**

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**THURSDAY**  
**JUNE 14, 2012 (continued)**

1:00 p.m. - 2:30 p.m.

**CONCURRENT SESSIONS continued**

**E. GUIDELINE DEPARTURES & VARIANCES**

**Room: \*\*HEC - B - 2<sup>nd</sup> Floor**

The panel will discuss current developments and case law relating to guideline departures and variances; provide practical advice on guideline departures and variances; and explore issues associated with guideline departures and variances.

- **Teresa M. Brantley**  
Supervisory Probation Officer  
Los Angeles, CA
  - **Honorable Charles R. Breyer**  
Senior Judge  
San Francisco, CA
  - **Michael Dreeben, Esq.**  
Deputy Solicitor General  
United States Department of Justice  
Washington, DC
  - **Jon M. Sands, Esq.**  
Federal Public Defender  
Phoenix, AZ
- Moderator:**
- **Honorable Dabney L. Friedrich**  
Commissioner  
United States Sentencing Commission

**F. RESTITUTION AND OTHER VICTIM RIGHTS ISSUES**

**Room: \*\*HEC - C - 2<sup>nd</sup> Floor**

The panel will present a useful step-by-step approach determining restitution under federal law. It also will present developing legal issues under the Crime Victim Rights Act (and other statutes), recent case law, and emerging victims' rights issues.

- **Catharine M. Goodwin, Esq.**  
Restitution Consultant  
Phoenix, AZ
  - **Susan Smith Howley, Esq.**  
Director of Public Policy  
National Center for Victims of Crime  
Washington, DC
- Moderator:**
- **Lisa A. Rich, Esq.**  
Director, Office of Legislative & Public Affairs  
United States Sentencing Commission

2:30 p.m. - 2:45 p.m.

**BREAK**

\* **Program offered twice**  
\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**THURSDAY**  
**JUNE 14, 2012 (continued)**

2:45 p.m. - 4:15 p.m.

**CONCURRENT SESSIONS**

**A. DRUG OFFENSES\***

**Room: Grand Ballroom AB - 1<sup>st</sup> Floor**

The panel will discuss guideline application and case law issues relating to the drug guidelines. The panel will focus on application of base offense levels as well as frequently applied specific offense characteristics.

- **Honorable Robert Holmes Bell**  
District Judge  
Grand Rapids, MI
- **Jacqueline A. Johnson, Esq.**  
First Assistant Federal Public Defender  
Cleveland, OH
- **Honorable Joyce White Vance**  
United States Attorney  
Birmingham, AL
- **Honorable Reggie B. Walton**  
District Judge  
Washington, DC
- **Mary Elizabeth Windham**  
Supervisory Probation Officer  
Columbia, SC

**Moderator:**

- **Krista L. Rubin**  
Sr. Education & Sentencing Practice Specialist  
United States Sentencing Commission

**B. ECONOMIC CRIMES: LOSS**

**DETERMINATION AND OTHER ISSUES\***

**Room: Grand Ballroom C - 1<sup>st</sup> Floor**

The panel will discuss guideline application and case law issues arising in fraud and theft offenses. A particular focus of the panel's discussion will be the calculation of actual or intended loss in certain types of cases, as well as the other specific offense characteristics in §2B1.1 that are applied most frequently.

- **Paul B. Bergman, Esq.**  
Paul B. Bergman, P.C.  
New York, NY
- **John Buretta, Esq.**  
Deputy Assistant Attorney General  
Brooklyn, NY
- **Carolyn L. Darville**  
Supervisory Probation Officer  
New Orleans, LA
- **Honorable John Gleeson**  
District Judge  
Brooklyn, NY

**Moderator:**

- **Kathleen J. Grilli, Esq.**  
Deputy General Counsel  
United States Sentencing Commission

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**THURSDAY**  
**JUNE 14, 2012 (continued)**

2:45 p.m. - 4:15 p.m.

**CONCURRENT SESSIONS continued**

**C. CAREER OFFENDER, ACCA, and  
CRIME OF VIOLENCE**

**Room: Grand Ballroom D - 1<sup>st</sup> Floor**

The panel will discuss the operation of the Career Offender and Armed Career Criminal guidelines, with a particular focus on the cases that discuss and interpret the categorical approach in determining whether a conviction is a crime of violence or violent felony.

- **Richard Bohlken**  
Supervisory Probation Officer  
Albuquerque, NM
- **Marjorie Meyers, Esq.**  
Federal Public Defender  
Houston, TX
- **John R. Steer, Esq.**  
The Law Offices of Mark H. Allenbaugh  
Fairfax Station, VA

**Moderator:**

- **Alan Dorhoffer, Esq.**  
Deputy Director  
Office of Education & Sentencing Practice  
United States Sentencing Commission

**D. ROLE IN THE OFFENSE & OTHER  
CHAPTER THREE ADJUSTMENTS**

**Room: \*\*HEC - A - 2<sup>nd</sup> Floor**

The panel will discuss issues involving the guideline application and case law issues of several Chapter Three Adjustments. Data on the frequency of the most common adjustments will also be presented.

- **Honorable Gustavo A. Gelpi, Jr.**  
District Judge  
San Juan, PR
- **Honorable Janis Graham Jack**  
Senior Judge  
Corpus Christi, TX
- **Mandy LaMotte**  
Probation Officer  
Athens, GA

**Moderator:**

- **Kealin M. Culbreath, Esq.**  
Sr. Education & Sentencing Practice Specialist  
United States Sentencing Commission

\* **Program offered twice**  
\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**THURSDAY**  
**JUNE 14, 2012 (continued)**

2:45 p.m. - 4:15 p.m.

**CONCURRENT SESSIONS continued**

**E. SENTENCING FORUM: HOT TOPICS  
IN FEDERAL SENTENCING**

**Room: \*\*HEC - B - 2<sup>nd</sup> Floor**

This interactive panel will be an open forum to discuss the latest policy issues, research, and trends in federal sentencing to include disparity, severity, and mandatory minimums.

- **Richard Hertling, Esq.**  
Chief of Staff  
United States House Judiciary Committee
- **Matthew Miner, Esq.**  
White & Case LLP  
Washington, DC
- **Honorable William Sessions III**  
District Judge  
Burlington, VT
- **Bobby Vassar, Esq.**  
Chief Counsel to the Minority  
Subcommittee on Crime, Terrorism, and  
Homeland Security  
United States House Judiciary Committee

**Moderator:**

- **Honorable Ketanji B. Jackson**  
Vice Chair  
United States Sentencing Commission

**F. GROUPING OF MULTIPLE COUNTS  
OF CONVICTION**

**Room: \*\*HEC - C - 2<sup>nd</sup> Floor**

Guideline application issues related to the multiple count rules will be addressed. Panelists will focus on practical application of the grouping rules and how they affect sentencing. Discussion and scenarios will focus on the interplay between the multiple count rules, relevant conduct, and the notion of “double counting” under the guidelines.

- **Bobby L. Evans**  
Sr. Education & Sentencing Practice Specialist  
United States Sentencing Commission

**FRIDAY  
JUNE 15, 2012**

7:30 a.m. - 8:30 a.m.

**CONTINENTAL BREAKFAST**

**Room: 1<sup>st</sup> Floor (Chemin Royale)**

8:30 a.m. - 9:45 a.m.

**PLENARY SESSION: TIPS FROM THE  
DISTRICT COURT BENCH**

**Room: Grand Ballroom AB - 1<sup>st</sup> Floor**

- **Honorable Micaela Alvarez**  
District Judge  
McAllen, TX
- **Honorable Anna J. Brown**  
District Judge  
Portland, OR
- **Honorable Curtis Lynn Collier**  
Chief District Judge  
Chattanooga, TN
- **Honorable Wiley Y. Daniel**  
Chief District Judge  
Denver, CO

**Moderator:**

- **Honorable Patti B. Saris**  
Chair, U.S. Sentencing Commission  
District Judge  
Boston, MA

9:45 a.m. - 10:00 a.m.

**BREAK**

10:00 a.m. - 11:30 a.m.

**CONCURRENT SESSIONS**

**A. CHILD PORNOGRAPHY & SEX  
OFFENSES\***

**Room: Grand Ballroom AB - 1<sup>st</sup> Floor**

The session will focus on guideline application and case law issues related to child pornography and sex offenses.

- **Honorable John Adams**  
District Judge  
Akron, OH
- **Alexandra Gelber, Esq.**  
Deputy Chief & Sentencing Expert  
Child Exploitation & Obscenity Section  
United States Department of Justice  
Washington, DC
- **John Rhodes, Esq.**  
Assistant Federal Public Defender  
Missoula, MT

**Moderator:**

- **Alan Dorhoffer, Esq.**  
Deputy Director  
Office of Education & Sentencing Practice  
United States Sentencing Commission

**B. RELEVANT CONDUCT\***

**Room: Grand Ballroom C - 1<sup>st</sup> Floor**

This panel will focus on relevant conduct analysis in specific areas and will reference case law.

- **L. Russell (Rusty) Burress**  
Principal Training Advisor  
United States Sentencing Commission

\* **Program offered twice**

\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**FRIDAY**  
**JUNE 15, 2012 (continued)**

10:00 a.m. - 11:30 a.m.

**CONCURRENT SESSIONS continued**

**C. IMMIGRATION OFFENSES\***

**Room: Grand Ballroom D - 1<sup>st</sup> Floor**

This interactive panel will focus on application issues relating to the sentencing of immigration offenses, with particular emphasis on the application of §2L1.2 (Unlawfully Entering or Remaining in the United States). Panelists will discuss case law, approaches to resolving application issues, and recent developments in sentencing for immigration offenses.

- **Jill Burkhardt, Esq.**  
Assistant United States Attorney  
San Diego, CA
- **Honorable Judith Herrera**  
District Judge  
Albuquerque, NM
- **Honorable Alia Moses**  
District Judge  
Del Rio, TX
- **Paul P. Poblete**  
Assistant Deputy Chief Probation Officer  
New Orleans, LA
- **Jon M. Sands, Esq.**  
Federal Public Defender  
Phoenix, AZ

**Moderator:**

- **Krista L. Rubin**  
Sr. Education & Sentencing Practice Specialist  
United States Sentencing Commission

**D. BUREAU OF PRISONS ISSUES\***

**Room: \*\*HEC - A - 2<sup>nd</sup> Floor**

The panel will provide an overview of Bureau of Prisons issues including the designation process, judicial recommendations, substance abuse and vocational programs, and basic sentence computations. The panelists will also discuss the significance of the presentence investigation report in determining initial security and custody classification, facility placement, and programming.

- **Todd A. Bussert, Esq.**  
Frost Bussert, LLC  
New Haven, CT
- **Jineen Forbes**  
Supervisory Probation Officer  
New York, NY
- **Deborah Locke, Esq.**  
Assistant General Counsel  
Designation & Sentence Computation Center  
Bureau of Prisons  
Grand Prairie, TX

**Moderator:**

- **Louis Reedt**  
Deputy Director,  
Office of Research and Data  
United States Sentencing Commission

\* **Program offered twice**

\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**FRIDAY**  
**JUNE 15, 2012 (continued)**

10:00 a.m. - 11:30 a.m.

**CONCURRENT SESSIONS continued**

**E. ORGANIZATIONAL GUIDELINES**

**Room: \*\*HEC - B - 2<sup>nd</sup> Floor**

The sentencing guidelines significantly affect white-collar defendants both individuals and organizations even those entities that are never convicted of, or even charged with, a crime. This panel will discuss the many effects of the sentencing guidelines on white-collar defendants, including the role of the guidelines in: negotiating non-prosecution and deferred prosecution agreements (NPAs and DPAs); developing and maintaining effective compliance and ethics programs; and setting conditions of probationary sentences. The panelists will also present relevant statistical data and discuss emerging case law issues frequently arising under the organizational guidelines.

- **Jodi Avergun, Esq.**  
Cadwalader, Wickersham & Taft LLP  
Washington, DC
- **Leslie Caldwell, Esq.**  
Morgan Lewis  
New York, NY
- **David Debold, Esq.**  
Gibson, Dunn & Crutcher LLP  
Washington, DC
- **Jim Lang, Esq.**  
Chief, Criminal Division  
United States Department of Justice  
Boston, MS

**Moderator:**

- **Honorable Beryl A. Howell**  
Commissioner  
United States Sentencing Commission

**F. ALTERNATIVES TO INCARCERATION**

**Room: \*\*HEC - C - 2<sup>nd</sup> Floor**

This session will focus on the panelists' experiences and research relating to alternative to imprisonment programs.

- **Tate Chambers, Esq.**  
OCDETF Lead Task Force Attorney  
United States Department of Justice  
Peoria, IL
- **Doug Heuermann**  
Chief Probation Officer  
Peoria, IL
- **Christopher T. Lowenkamp**  
Program Administrator  
Administrative Office of the U.S. Courts  
Cleveland, OH
- **John Roman, PhD**  
Senior Fellow, Justice Policy Center  
Executive Director,  
District of Columbia Policy Institute  
Urban Institute  
Washington, DC

**Moderator:**

- **Honorable William B. Carr, Jr.**  
Vice Chair  
U.S. Sentencing Commission

11:30 a.m. - 1:00 p.m.

**LUNCH BREAK**

\* **Program offered twice**  
\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**FRIDAY**  
**JUNE 15, 2012 (continued)**

1:00 p.m. - 2:30 p.m.

**CONCURRENT SESSIONS**

**A. CHILD PORNOGRAPHY & SEX OFFENSES\***

**Room: Grand Ballroom AB - 1<sup>st</sup> Floor**

The session will focus on guideline application and case law issues related to child pornography and sex offenses.

- **Honorable John Adams**  
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- **Alexandra Gelber, Esq.**  
Deputy Chief & Sentencing Expert  
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United States Department of Justice  
Washington, DC
- **John Rhodes, Esq.**  
Assistant Federal Public Defender  
Missoula, MT

**Moderator:**

- **Alan Dorhoffer, Esq.**  
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Office of Education & Sentencing Practice  
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**B. RELEVANT CONDUCT\***

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**C. IMMIGRATION OFFENSES\***

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Del Rio, TX
- **Paul P. Poblete**  
Assistant Deputy Chief Probation Officer  
New Orleans, LA
- **Jon Sands, Esq.**  
Federal Public Defender  
Phoenix, AZ

**Moderator:**

- **Krista L. Rubin**  
Sr. Education & Sentencing Practice Specialist  
United States Sentencing Commission

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**FRIDAY**  
**JUNE 15, 2012 (continued)**

1:00 p.m. - 2:30 p.m.

**CONCURRENT SESSIONS continued**

**D. BUREAU OF PRISONS ISSUES\***

**Room: \*\*HEC - A - 2<sup>nd</sup> Floor**

This panel will provide an overview of Bureau of Prisons issues including the designation process, judicial recommendations, substance abuse and vocational programs, and basic sentence computations. The panelists will also discuss the significance of the presentence investigation report in determining initial security and custody classification, facility placement, and programming.

- **Todd A. Bussert, Esq.**  
Frost Bussert, LLC  
New Haven, CT
- **Jineen Forbes**  
Supervisory Probation Officer  
New York, NY
- **Deborah Locke, Esq.**  
Assistant General Counsel  
Designation & Sentence Computation Center  
Bureau of Prisons  
Grand Prairie, TX

**Moderator:**

- **Louis Reedt**  
Deputy Director,  
Office of Research and Data  
United States Sentencing Commission

**E. FIREARMS OFFENSES**

**Room: \*\*HEC - B - 2<sup>nd</sup> Floor**

Panelists will focus on guideline application and case law issues related to firearms offenses.

- **Honorable Ruben Castillo**  
District Judge  
Chicago, IL
- **Elizabeth Ford, Esq.**  
Federal Public Defender  
Knoxville, TN
- **Stacey Haynes, Esq.**  
Assistant United States Attorney  
Columbia, SC
- **Carlos Cancio Lugo, Esq.**  
Assistant Deputy Chief Probation Officer  
San Juan, PR

**Moderator:**

- **Rachel L. Pierce**  
Sr. Education & Sentencing Practice Specialist  
United States Sentencing Commission

\* **Program offered twice**

\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

**FRIDAY**  
**JUNE 15, 2012 (continued)**

1:00 p.m. - 2:30 p.m.

**CONCURRENT SESSIONS continued**

**F. PLEA BARGAINING**

**Room: \*\*HEC - C - 2<sup>nd</sup> Floor**

Panelists will discuss issues arising in plea bargaining in a post-*Booker* landscape. Topics include DOJ policy, appeal waivers, Rule 11 (c)(1)(C) plea agreements, stipulations, substantial assistance and Early Disposition Programs.

- **Professor Douglas A. Berman**  
Moritz College of Law, Ohio State University  
Columbus, OH
- **Honorable Tristram Coffin**  
United States Attorney  
Burlington, VT
- **Lucian E. Dervan, Esq.**  
Assistant Professor of Law  
Southern Illinois University School of Law  
Carbondale, IL
- **Jennifer Horan, Esq.**  
Federal Public Defender  
Little Rock, AR
- **Honorable Sterling Johnson, Jr.**  
Senior District Judge  
Brooklyn, NY

**Moderator:**

- **James E. Felman, Esq.**  
Kynes, Markman & Felman, P.A.  
Tampa, FL

2:30 p.m. - 2:45 p.m.

**BREAK**

\* **Program offered twice**  
\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**



**FRIDAY**  
**JUNE 15, 2012 (continued)**

2:45 p.m. - 4:15 p.m.

**SPECIAL INTEREST FORUMS**

**A. PROBATION OFFICERS**

**Room: Grand Ballroom AB - 1<sup>st</sup> Floor**

This forum is designed to discuss issues of particular interest to probation officers. Hear the latest information on presentence reports, sentencing hearings and the role of probation officers in the post-*Booker* era.

- **Cathy A. Battistelli**  
Deputy Chief Probation Officer II  
Concord, NH
- **Teresa M. Brantley**  
Supervisory Probation Officer  
Los Angeles, CA
- **Elisabeth F. Ervin**  
Assistant Deputy Chief Probation Officer  
Asheville, NC

**B. DEFENSE ATTORNEYS**

**Room: Grand Ballroom D - 1<sup>st</sup> Floor**

This forum is designed to focus on issues of particular interest to defense counsel. Hear the latest information on key sentencing matters that directly impact clients.

- **David Debold, Esq.**  
Gibson, Dunn & Crutcher LLP  
Washington, DC
- **Miguel A. Torres, Esq.**  
Attorney at Law  
El Paso, TX

**C. PROSECUTORS**

**Room: \*\*HEC - A - 2<sup>nd</sup> Floor**

This forum is designed to focus on issues of particular interest to prosecutors. Hear the latest information regarding the Department of Justice sentencing policies and crime initiatives.

- **Honorable Tristram Coffin**  
United States Attorney  
Burlington, VT
- **DOJ Representative (TBD)**
- **DOJ Representative (TBD)**

**D. CIRCUIT STAFF ATTORNEYS & LAW CLERKS**

**Room: \*\*HEC - B - 2<sup>nd</sup> Floor**

This forum is designed to focus on issues of particular interest to circuit staff attorneys and law clerks. Hear the latest information on sentencing matters that impact staff attorneys and law clerks in district courts.

- **John J. Baker, Esq.**  
Career Law Clerk  
McAllen, TX
- **Howard E. Goldberg, Esq.**  
Ninth Circuit Staff Attorney  
San Francisco, CA
- **Lorie A. Robinson, Esq.**  
Fifth Circuit Staff Attorney  
New Orleans, LA

\* **Program offered twice**

\*\* **Hilton Exhibition Center (HEC) - 2<sup>nd</sup> Floor**

## ABOUT THE SPEAKERS

**Honorable John R. Adams** is a United States District Judge for the Northern District of Ohio.

**Honorable Lance M. Africk** is a United States District Judge for the Eastern District of Louisiana.

**Honorable Micaela Alvarez** is a United States District Judge for the Southern District of Texas.

**Jodi Avergun, Esq.** is a partner with the Law Firm of Cadwalader, Wickersham & Taft LLP in Washington, D.C.

**John J. Baker, Esq.** is a Career Law Clerk in the Chambers of Judge Ricardo Hinojosa in the United States District Court for the Southern District of Texas.

**Cathy A. Battistelli** is Deputy Chief United States Probation Officer II for the District of New Hampshire. She was also a former Chair of the Probation Officers Advisory Group to the United States Sentencing Commission.

**Honorable Robert Holmes Bell** is a United States District Judge for the Western District of Michigan.

**Paul B. Bergman, Esq.** is a private attorney with his law firm of Paul B. Bergman, P.C. in New York, New York. He is also a member of the Practitioners Advisory Group to the United States Sentencing Commission.

**Douglas A. Berman** is a professor at The Ohio State University, Moritz College of Law in Columbus, Ohio.

**Richard Bohlken** is a Supervisory United States Probation Officer for the District of New Mexico. He is also a member of the Probation Officers Advisory Group to the United States Sentencing Commission.

**Teresa M. Brantley** is a Supervisory United States Probation Officer for the Central District of California. She is the Chair of the Probation Officers Advisory Group to the United States Sentencing Commission.

**Honorable Charles R. Breyer** is a Senior United States District Judge for the Northern District of California. He is also an Adjunct Professor at The University of California, Hastings College of Law.

**Honorable Anna J. Brown** is a United States District Judge for the District of Oregon.

**John Buretta, Esq.** is a Deputy Assistant Attorney General for the Eastern District of New York.

**Jill Burkhardt, Esq.** is an Assistant United States Attorney for the Southern District of California.

**L. Russell (Rusty) Burress** is the Principal Training Advisor for the Office of Education and Sentencing Practice at the United States Sentencing Commission.

**Todd A. Bussert, Esq.** is a partner of Frost Bussert LLC in New Haven, Connecticut. He is the Co-Chair of the National Association of Criminal Defense Lawyer's Corrections Committee and is a former Co-Chair of the Practitioners Advisory Group to the United States Sentencing Commission.

**Leslie Caldwell, Esq.** is a partner at Morgan Lewis LLP in New York, New York.

**Carlos F. Cancio Lugo** is an Assistant Deputy Chief United States Probation Officer for the District of Puerto Rico.

**Honorable William B. Carr, Jr.** is a Vice Chair Commissioner of the United States Sentencing Commission.

**Honorable Ruben Castillo** is a United States District Judge for the Northern District of Illinois and is a former Vice Chair Commissioner of the United States Sentencing Commission.

**Tate Chambers, Esq.** is an OCDETF Lead Task Force Attorney in the Central District of Illinois' United States Attorney's Office.

**Honorable Denny Chin** is a United States Circuit Judge for the Second Circuit Court of Appeals in New York, New York.

**Honorable Tristram Coffin** is the United States Attorney for the District of Vermont.

**Honorable Curtis Lynn Collier** is the Chief Judge at the United States District Court for the Eastern District of Tennessee.

**Kealin Culbreath, Esq.** is a Senior Education and Sentencing Practice Specialist for the Office of Education and Sentencing Practice at the United States Sentencing Commission.

**Honorable Wiley Y. Daniel** is the Chief Judge at the United States District Court for the District of Colorado.

**Carolyn L. Darville** is a Supervisory United States Probation Officer for the Eastern District of Louisiana.

**David Debold, Esq.** is Of Counsel in the Office of Gibson, Dunn & Crutcher LLP in Washington, D.C. He is former Special Counsel for the United States Sentencing Commission and is Chair of the Practitioners Advisory Group to the United States Sentencing Commission.

**Alan Dorhoffer, Esq.** is the Deputy Director for the Office of Education and Sentencing Practice at the United States Sentencing Commission.

**Michael Dreeben, Esq.** is the Deputy Solicitor General in the Office of the Solicitor General at the United States Department of Justice in Washington, D.C.

**Lucian E. Dervan, Esq.** is an Assistant Professor of Law at the Southern Illinois University School of Law in Carbondale, Illinois.

**Elisabeth F. Ervin** is an Assistant Deputy Chief United States Probation Officer for the Western District of North Carolina.

**Bobby L. Evans, Jr.** is a Senior Education and Sentencing Practice Specialist for the Office of Education and Sentencing Practice at the United States Sentencing Commission.

**James E. Felman, Esq.** is a partner with the Law Firm of Kynes, Markman & Felman, P.A. in Tampa, Florida. He is Co-Chair of the Committee on Sentencing of the ABA and is a former Co-Chair of the Practitioners Advisory Group to the United States Sentencing Commission.

**Jineen M. Forbes** is a Supervisory United States Probation Officer for the Southern District of New York. She is also a member of the Probation Officers Advisory Group to the United States Sentencing Commission.

**Elizabeth Ford, Esq.** is the Federal Public Defender for the Eastern District of Tennessee.

**Honorable Dabney L. Friedrich** is a Commissioner of the United States Sentencing Commission.

**Alexandra Gelber, Esq.** is the Deputy Chief and Sentencing Expert of the Child Exploitation and Obscenity Section in the Criminal Division for the United States Department of Justice in Washington, D.C.

**Honorable Gustavo A. Gelpi, Jr.** is a United States District Judge for the District of Puerto Rico.

**Honorable John Gleeson** is a United States District Judge for the Eastern District of New York.

**Howard E. Goldberg, Esq.** is a Staff Attorney for the Ninth Circuit Court of Appeals in San Francisco, California.

**Catharine M. Goodwin, Esq.** is a Restitution Consultant in Sun City West, Arizona.

**Kathleen J. Grilli, Esq.** is a Deputy General Counsel at the United States Sentencing Commission.

**Stacey Haynes, Esq.** is an Assistant United States Attorney for the District of South Carolina.

**Honorable Judith Herrera** is a United States District Judge for the District of New Mexico.

**Richard Hertling, Esq.** is the Chief of Staff on the House Judiciary Committee for the United States House of Representatives.

**Douglas L. Heuermann** is the United States Chief Probation Officer for the Central District of Illinois.

**Honorable Ricardo H. Hinojosa** is the Chief Judge at the United States District Court for the Southern District of Texas and is a Commissioner of the United States Sentencing Commission.

**Jenniffer Horan, Esq.** is the Federal Public Defender for the Eastern and Western Districts of Arkansas.

**Honorable D. Brock Hornby** is a Senior United States District Judge for the District of Maine.

**Honorable Beryl A. Howell** is a United States District Judge for the District of Columbia and is a Commissioner of the United States Sentencing Commission.

**Susan Smith Howley, Esq.** is the Public Policy Director for the National Center for Victims of Crime. She is also the Chair of the Victims Advisory Group to the United States Sentencing Commission.

**Honorable Janis Graham Jack** is a Senior United States District Judge for the Southern District of Texas.

**Honorable Ketanji B. Jackson** is a Vice Chair Commissioner of the United States Sentencing Commission.

**Jacqueline A. Johnson, Esq.** is the First Assistant Federal Public Defender for the Northern District of Ohio.

**Honorable Sterling Johnson, Jr.** is a Senior United States District Judge for the Eastern District of New York. He is also a former Commissioner of the United States Sentencing Commission.

**Mandy LaMotte** is a United States Probation Officer for the Middle District of Georgia. She is also a member of the Probation Officers Advisory Group to the United States Sentencing Commission.

**James Lang, Esq.** is the Chief of the Criminal Division for the United States Attorney's Office in the District of Massachusetts.

**Deborah A. Locke, Esq.** is the Assistant General Counsel in the Designation & Sentence Computation Center for the Bureau of Prisons in Grand Prairie, Texas.

**Christopher T. Lowenkamp** is a Program Administrator for the Administrative Office of the United States Courts in Cleveland, Ohio.

**Majorie A. Meyers, Esq.** is a Federal Public Defender for the Southern District of Texas.

**Matthew Miner, Esq.** is a partner with the Law Firm of White & Case LLP in Washington, D.C.

**Pamela G. Montgomery, Esq.** is the Director and Chief Counsel of Training for the Office of Education and Sentencing Practice at the United States Sentencing Commission.

**Michelle Morales, Esq.** is the Deputy Director of the Office of Policy & Legislation in the Criminal Division at the United States Department of Justice in Washington, D.C.

**Honorable Alia Moses** is a United States District Judge for the Western District of Texas.

**Honorable Diana Gribbon Motz** is a United States Circuit Judge for the Fourth Circuit Court of Appeals in Baltimore, Maryland.

**Brent E. Newton, Esq.** is the Deputy Staff Director at the United States Sentencing Commission.

**Honorable Priscilla Richman Owen** is a United States Circuit Judge on the Fifth Circuit Court of Appeals in Austin, Texas.

**Rachel L. Pierce** is a Senior Education and Sentencing Practice Specialist for the Office of Education and Sentencing Practice at the United States Sentencing Commission.

**Paul P. Poblete** is the Assistant Deputy United States Chief Probation Officer for the Eastern District of Louisiana.

**Louis W. Reedt** is the Acting Deputy Director of the Office of Research and Data at the United States Sentencing Commission.

**John Rhodes, Esq.** is an Assistant Federal Public Defender for the District of Montana.

**Lisa A. Rich, Esq.** is the Director of the Office of Legislative and Public Affairs at the United States Sentencing Commission.

**Honorable William Jay Riley** is a Chief Circuit Judge at the Eighth Circuit Court of Appeals in Omaha, Nebraska.

**Lorie A. Robinson, Esq.** is a Supervisory Staff Attorney for the Fifth Circuit Court of Appeals in New Orleans, Louisiana.

**Laura M. Roffo** is a Supervisory United States Probation Officer for the District of Massachusetts.

**John Roman** is the Senior Fellow in the Justice Policy Center for the Urban Institute in Washington, D.C. He is also the Executive Director for the District of Columbia Policy Institute.

**Krista L. Rubin** is a Senior Education and Sentencing Practice Specialist for the Office of Education and Sentencing Practice at the United States Sentencing Commission.

**Jon M. Sands, Esq.** is the Federal Public Defender for the District of Arizona and Chair of the Federal Defender Guidelines Committee.

**Honorable Patti B. Saris** is a United States District Judge for the District of Massachusetts and is Chair of the United States Sentencing Commission.

**Honorable William K. Sessions III** is a United States District Judge for the District of Vermont and is former Chair of the United States Sentencing Commission.

**H. Michael Sokolow, Esq.** is the First Assistant Federal Public Defender for the Southern District of Texas.

**John R. Steer, Esq.** is a partner with The Law Firm of Mark Allenbaugh in Fairfax Station, Virginia. He is former Vice Chair Commissioner and General Counsel of the United States Sentencing Commission.

**Miguel Torres, Esq.** is a private attorney with his law firm in El Paso, Texas. He is also a member of the Practitioners Advisory Group to the United States Sentencing Commission.

**Honorable Joyce White Vance** is the United States Attorney for the Northern District of Alabama.

**Bobby Vassar, Esq.** is the Minority's Chief Counsel for the House Judiciary Committee Subcommittee on Crime, Terrorism, and Homeland Security for the United States House of Representatives.

**Honorable Reggie B. Walton** is a United States District Judge for the District of Columbia.

**Mary Elizabeth Windham** is a Supervisory United States Probation Officer for the District of South Carolina.

**Honorable Jonathan J. Wroblewski** is a Commissioner (Ex Officio) of the United States Sentencing Commission and is Director of the Office of Policy & Legislation in the Criminal Division at the United States Department of Justice.