



Annual Membership Meeting Minutes August 9, 2022

The National Association of Sentencing Commissions (NASC) held its annual membership meeting on August 9, 2022, at 4:00 PM PDT in the Crystal Ballroom of the Benson Hotel in Portland, Oregon.

Call to Order

NASC President Susanne DiPietro, J.D., Executive Director of the Alaska Judicial Council, called the meeting to order and welcomed the NASC members. She thanked the Oregon Sentencing Commission for hosting the 2022 meeting.

President DiPietro introduced her fellow Executive Committee members present at the conference: Vice President Matt Kleiman, Deputy Director, Pennsylvania Commission on Sentencing; Secretary Nate Reitz, Executive Director, Minnesota Sentencing Guidelines Commission; Nikole Hotchkiss, Assistant Director, Ohio Criminal Sentencing Commission; Carl Reynolds, Senior Legal and Policy Advisor, Council of State Governments Justice Center; and Michelle Hall, Executive Director, North Carolina Sentencing and Policy Advisory Commission. Ms. DiPietro said that Treasurer Romie Griesmer, Supervising Attorney and Lecturer at Law, Widener University Law School and Delaware Sentencing Accountability Commission staff, could not be present in person.

Report on 2022 of Membership Eligible to Vote

Secretary Reitz reported that 95 individuals registered for the 2022 NASC conference, and that all persons registering and in attendance were eligible to vote as members of NASC.

Approval of the Agenda

Mr. Reynolds moved to adopt the agenda as drafted. Dr. Hotchkiss seconded the motion, and the membership adopted it unanimously on a voice vote.

Approval of 2019 and 2021 Annual Membership Meeting Minutes

President DiPietro called for a motion to approve the minutes of the annual membership meetings for 2019 and 2021. Scott Schultz, Executive Director of the Kansas Sentencing Commission, moved

to approve the minutes of the August 7, 2019, and August 10, 2021, annual meetings. Linden Fry, Executive Director of the District of Columbia Sentencing Commission, seconded the motion, and the membership approved it unanimously on a voice vote.

Treasurer's Report

Being unable to join the conference in person, Treasurer Griesmer provided her report via a pre-recorded video message. Treasurer Griesmer reported that NASC began calendar year 2021 with a positive balance of \$51,850, and ended the year with a positive balance of \$50,057.00.

President DiPietro announced that Ms. Griesmer had tendered her resignation from the Executive Committee effective at the end of her report. President DiPietro further announced that, pursuant to the Bylaws and with the prior approval of the Executive Committee, she was appointing Victoria Gonzalez, Director of the Nevada Department of Sentencing Policy, to serve out the final year of Ms. Griesmer's term on the Executive Committee effective immediately.

Ratification of 2020 and 2021 Executive Committee Elections

Secretary Reitz reported that COVID-related measures prevented NASC from meeting in 2020 and 2021, so elections were conducted by email. Because of the unusual circumstances, and to remove any future question about the authority of the Executive Committee members who were elected in those years to act on behalf of NASC, the Executive Committee was asking the membership to ratify those two elections.

Secretary Reitz explained that in 2020, four of the seven seats on the Executive Committee came open. Three members, Sara Andrews, Diane Shoop, and Alex Tsarkov, were at the end of their three-year terms and either chose not to run for reelection or were term-limited by the Bylaws. A fourth member, Mike Schmidt, was elected to public office and therefore resigned before the end of his term. A call for nominations was emailed May 20, 2020, to all 2019 NASC attendees and Sentencing Commissions and Councils. The nominations closed June 3, 2020. Four individuals were nominated for the four openings: Ms. Griesmer, Dr. Hotchkiss, Dr. Kleiman, and Mr. Reynolds.

Secretary Reitz next explained the 2020 election process. NASC contracted with an online election platform called ElectionBuddy, which ensures voter qualifications while preserving ballot security and anonymity, to run the election by email. Using the 2019 NASC conference registration list, 87 email ballots were sent out. Of those, 22 ballots were returned while the election ran, which was from June 15 to June 30, 2020. All four nominees received between 17 and 22 votes each, so all four nominees were elected to the Executive Committee.

With respect to the 2021 election, Secretary Reitz next explained that, late in 2020, Executive Committee member Rebecca Dial accepted private-sector employment and resigned about eight months before the expiration of her term. In December 2020, with the Executive Committee's

approval, President DiPietro appointed Michelle Hall, Executive Director of the North Carolina Sentencing and Policy Advisory Commission, to complete Ms. Dial's term, which was to have ended in 2021.

As a result, Secretary Reitz reported, two Executive Committee seats were open in 2021: Those of Ms. Hall and of Mr. Reitz, who was at the end of his first three-year term. Both Ms. Hall and Mr. Reitz ran for reelection and no additional nominations were made at the August 10, 2021, annual membership meeting. Using the registration list for the 2021 annual membership meeting, 48 email ballots were sent out, again using the ElectionBuddy platform. Of those, 19 ballots were returned while the election ran, which from August 16 through August 23, 2021. Each nominee received 17 or 18 votes, so both nominees were elected to the Executive Committee.

Kelly Lyn Mitchell, Executive Director of the Robina Institute, moved to ratify the results of the 2020 and 2021 email elections, which Meredith Farrar-Owens, Director of the Virginia Criminal Sentencing Commission, seconded. The motion was approved unanimously on a voice vote.

Election of New Executive Committee Member

President DiPietro explained that her second term as an Executive Committee member was expiring and that the Bylaws require the membership to vote on her replacement. She said that the Executive Committee had recently solicited the membership for nominations for the impending vacancy, and that two nominations had been received: Ken Sanchagrin, the Executive Director of the Oregon Criminal Justice Commission, and Taylor Tarnalicki, the Statistician of the District of Columbia Sentencing Commission.

President DiPietro called for any additional nominations for election to the Executive Committee. There were no nominations from the floor. She directed the Executive Committee members to distribute a paper ballot to each NASC member present, and paused the proceedings while members voted using the paper ballots that had been distributed. After the ballots were voted and collected, members of the Executive Committee tallied them while the meeting continued.

Proposed Amendment of the NASC Bylaws

Secretary Reitz reported that the Executive Committee proposed several amendments to Article V and Article VI of the NASC Bylaws pertaining to meetings and elections. The amendments were primarily intended address situations that arose in 2020 and 2021, and other situations that could arise in the future that could require NASC to meet and conduct business using remote conferencing technologies, and could require meeting or voting by email or other electronic means. Secretary Reitz briefly explained the proposal, copies of which were provided to those in attendance. The proposed amendments follow:

ARTICLE V **MEETINGS**

SECTION 1. ANNUAL MEMBERSHIP MEETING

There shall be a meeting of the full membership each year. Any matters requiring a vote of the entire membership shall be presented at the annual ~~member~~ membership meeting. If exigent circumstances do not permit a regular membership meeting in a particular year, the Executive Committee may conduct a limited annual membership meeting for the sole purpose of electing Executive Committee members.

SECTION 2. EXECUTIVE COMMITTEE MEETINGS

The frequency and purpose of the meetings of the NASC Executive Committee are governed by Article VI. ~~meets at least once per calendar month. This meeting may take place via conference call. During this meeting, the Executive Committee discusses progress and actions taken in preparation for the annual meeting, as well as any other necessary organizational business.~~

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SECTION 4. MANNER OF MEETING

Meetings may take place in-person, by conference call, by interactive technology that allows individuals in different physical locations to see and hear one another, or by a hybrid method. The manner of meeting shall be determined by the presiding officer or, in the case of the annual membership meeting, by the Executive Committee. In the case of a limited annual membership meeting for the sole purpose of electing Executive Committee members, the meeting may take place entirely by electronic messages.

ARTICLE VI **EXECUTIVE COMMITTEE**

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SECTION 2.

Nominations for the Executive Committee shall be made by the voting membership. ~~Election~~ If the number of nominees does not exceed the number of vacancies and all nominees are eligible to serve under Section 1, the presiding officer shall declare the nominees elected by acclamation. Otherwise, election shall be by written ballot and voting or an online election platform that ensures voter qualifications while preserving ballot security and anonymity. If an online election platform is used, the Executive

Committee may designate a limited period of time after the meeting during which voting may be permitted. Voting members may vote for as many nominees as there are vacancies. Nominees receiving the most votes shall serve on the Committee. If two nominees cannot both serve due to the limitations in Section 1, the nominee receiving the fewer votes shall not serve.

SECTION 3.

All Executive Committee terms will be three years. No member of the Executive Committee shall be elected to serve more than two consecutive terms. Vacancies occurring other than by expiration of a term shall be filled by the President, with the approval of the Executive Committee, for the ~~remainder of the existing term.~~ interim period until the next annual membership meeting. For purposes of the two-consecutive-term limitation, such an interim period does not constitute a term.

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SECTION 8.

The Executive Committee shall meet at least once per calendar month. One meeting will be at the annual membership meeting. Additional meetings shall be held between annual membership meetings to review the preceding year; to discuss progress and actions taken in preparation for, and otherwise to prepare for, the next annual membership meeting; and to conduct any other necessary organizational business. The President of ~~the Executive Committee~~ may call additional meetings as needed. ~~Meetings may be held via conference call.~~

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SECTION 11.

Quorums for the Executive Committee meeting require a majority of the voting Executive Committee members to be present and all actions taken by the Executive Committee must be approved by a majority of the members constituting a quorum. ~~For purposes of this section, members participating by telecommunications conference are considered to be present.~~

Linda Freeman, Executive Director of the New Mexico Sentencing Commission, moved to amend the Bylaws in the manner proposed by the Executive Committee. Mr. Schultz seconded the motion, and the membership approved it unanimously on a voice vote.

Recognition of Susanne DiPietro's Service as President

On behalf of the Executive Committee, Vice President Kleiman expressed thanks to Ms. DiPietro for her work during her years as president, especially recognizing the many challenges during the past two and a half years of COVID disruptions. They noted that during this time, she had overseen improvements of the web site and offered virtual training sessions to the membership. Ms. DiPietro thanked the Executive Committee and the members, and said she had been honored to serve.

2023 NASC Conference Preview

President DiPietro said that the Executive Committee plans to decide the date and location of the 2023 conference within the next few months. Ms. Gonzalez said that Nevada is interested in hosting the 2023 conference in the Lake Tahoe area of Nevada. Ms. DiPietro asked members to provide feedback to the Executive Committee about Nevada's interest, and she solicited other Commissions interested in hosting to reach out to an Executive Committee member.

President DiPietro also announced that Hawaii might be interested in hosting in 2024. She again asked all Commissions to provide feedback to the Executive Committee about this possibility.

Results of Executive Committee Election

With a vote tally of 28 votes for Dr. Sanchagrin and 20 votes for Ms. Tarnalicki, President DiPietro announced Dr. Sanchagrin as the new incoming Executive Committee member. Ms. DiPietro sincerely thanked Ms. Tarnalicki for agreeing to have her name put in nomination.

President DiPietro announced that the current and former members of the NASC Executive Committee would meet at 8:00 AM on August 10, 2022, in the Crystal Ballroom to discuss transition matters, and the current members would elect officers. She invited interested members to join the meeting.

Adjournment

There being no further business on the agenda, President DiPietro adjourned the meeting at 4:55 PM.

Prepared by Nate Reitz (September 2, 2022).