

THIRTY-FIRST ANNUAL NATIONAL SEMINAR ON FEDERAL SENTENCING

proudly presented by

The Tampa Bay Chapter of the Federal Bar Association,
The National Association of Criminal Defense Lawyers,
and
The Criminal Law Section of the Federal Bar Association

**Wednesday - Friday
August 31-September 2, 2022**

**Tradewinds Island Resort
St. Pete Beach, Florida**

**WEDNESDAY
AUGUST 31, 2022**

2:00 - 5:00 p.m.

**BASIC GUIDELINES TRAINING
(Optional Session)**

The Basic Federal Sentencing Guidelines Training is designed to provide an introduction to the Federal Sentencing Guidelines for those with limited federal sentencing experience. This session may be taken alone or in connection with the remainder of the seminar.

THANK YOU TO OUR SPONSORS!



KYNES MARKMAN & FELMAN

ATTORNEYS AT LAW

**KEVIN J.
NAPPER P.A.**

**THURSDAY
SEPTEMBER 1, 2022**

7:30-8:15 a.m.

REGISTRATION & CONTINENTAL BREAKFAST
(GRAND PALM COLONNADE/BANYAN BREEZEWAY)

8:15 a.m.

WELCOMING REMARKS
(TARPON/SAWYER KEY ROOMS)

8:30-9:45 a.m.

A VIEW FROM THE BENCH PLENARY SESSION
(TARPON/SAWYER KEY ROOMS)

Federal judges will discuss their personal views on federal sentencing policy and procedure. The panel will also discuss current events and topics in federal sentencing law.

9:45-10:00 a.m.

BREAK
(BANYAN BREEZEWAY)

10:00-11:15 a.m.

UPDATE ON FEDERAL SENTENCING LAW AND POLICY PLENARY SESSION
(TARPON/SAWYER KEY ROOMS)

This session will provide information regarding legislative developments in the criminal justice system. Panelists will discuss federal sentencing law and policy, including new precedent, changes in policies and procedures, and their personal opinions on sentencing issues.

11:15-12:45 p.m.

LUNCH ON YOUR OWN

12:45-1:45 p.m.

CONCURRENT SESSIONS

**APPROACHES TO THE
PRESENTENCING PROCESS**
(TARPON KEY ROOM)

This panel will discuss the varying practices and processes several different jurisdictions utilize during the presentencing process and in the preparation of the PSR.

ECONOMIC CRIMES
(SAWYER KEY ROOM)

This panel will discuss practical considerations for negotiating loss calculation in plea agreements, determining actual versus intended loss, and valuing benefits the government received. The panelists' diverse background and experience will allow a discussion across many substantive areas, including health care, tax and securities cases. The panel will also discuss the use of technology, live witnesses and other creative presentations at sentencing.

THURSDAY (CONT.)
SEPTEMBER 1, 2022

1:50-2:50 p.m.

CONCURRENT SESSIONS

LOOKING FORWARD TO PREVENT GOING BACK
(TARPON KEY ROOM)

The field of community corrections has embraced evidenced-based practices (EBP) to increase successful reintegration of individuals under supervision into the community while continuing to protect the community. The Middle District of North Carolina has been a leader in integrating these practices into supervision. More recently, our district has actively pursued incorporating EBP and research into presentence investigation practices. The panel from MDNC will discuss the development of supplemental questions to specifically address recidivism factors, how interviewing methods have changed, and the impact of those changes on case analysis and sentencing recommendations.

BUREAU OF PRISONS ISSUES
(SAWYER KEY ROOM)

This panel will focus on practical aspects related to federal inmates. Topics to be discussed include security designations and classifications, the importance of the presentence report in the BOP, and sentence computation.

2:50- 3:05 p.m.

COFFEE BREAK

3:05- 4:05 p.m.

CONCURRENT SESSIONS

FIREARM OFFENSES
(TARPON KEY ROOM)

Panelists will focus on guideline application issues related to firearms offenses along with a discussion of relevant case law.

DEFENSE SENTENCING ADVOCACY
(SAWYER KEY ROOM)

The panel will walk attendees through the process of preparing a strong, persuasive sentencing memorandum and sentencing presentation to the court.

4:10 - 5:10 p.m.

CONCURRENT SESSIONS

VIOLATION PROCESS
(TARPON KEY ROOM)

TAX CRIMES

(SAWYER KEY ROOM)

This panel of experienced criminal tax practitioners will address sentencing issues encountered in tax cases including the applicable sentencing guidelines provisions, restitution, the relationship between criminal and civil tax issues, and effective sentencing advocacy.

5:30-7:15 p.m.

COCKTAIL RECEPTION

**FRIDAY
SEPTEMBER 2, 2022**

7:30-8:30 a.m.

CONTINENTAL BREAKFAST

8:30-9:45 a.m.

PLENARY OR BREAKOUT SESSIONS - TBD

9:45-10:00 a.m.

COFFEE BREAK

10:00-11:00 a.m.

CONCURRENT SESSIONS

**PLEA BARGAINING
(TARPON KEY ROOM)**

Panelists will discuss issues arising in plea bargaining, including DOJ policy, appeal waivers, Rule 11(c)(1)(C) plea agreements, stipulations, substantial assistance and Early Disposition Programs.

**ETHICAL ISSUES AT SENTENCING
(SAWYER KEY ROOM)**

The Ethical Issues at Sentencing panel will discuss and explore issues (from the prosecution and defense perspective) that arise when clients want to present "evidence" at sentencing which is untrue or ethically challenged, what to do when the Presentence Report has "factual" items which are inaccurate or untrue, what to do when the prosecution backs up on a previously agreed upon plea agreement and many other ethical issues at sentencing.

11:05 a.m. - 12:05 p.m.

CONCURRENT SESSIONS

**COMPASSIONATE RELEASE
(TARPON KEY ROOM)**

**DRUG OFFENSES
(SAWYER KEY ROOM)**

Panelists will discuss strategies and case law regarding sentencing in cases involving drug offenses, as well as the Sentencing Commission's continued work in the area of drug offenses.

For additional information visit www.federalbartampa.org