

## Conference Hosts



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**U.S. CHAMBER OF COMMERCE**

# Due Diligence, Background Checks, and Employment Conference

2012

## Due Diligence, Background Checks, and Employment

March 13, 2012  
U.S. Chamber of Commerce  
1615 H Street Northwest  
Washington, DC

### Agenda

#### **8:00 a.m. - 8:25 a.m.**

*Registration*

#### **8:25 a.m. - 8:30 a.m.**

*Welcome*

Michael J. Eastman  
Executive Director of Labor Policy  
U.S. Chamber of Commerce

#### **8:30 a.m. - 9:00 a.m.**

*A Current Overview of the Use of Criminal History Information in Employment*

Stuart K. Pratt  
President and CEO  
Consumer Data Industry Association

#### **9:00 a.m. - 10:00 a.m.**

*Why Businesses, Non-Profit Agencies, and Government Entities Need Access to Criminal  
Background Checks*

Panel Discussion

#### Moderator:

Judy Gootkind  
Vice President, Finance and Administration  
Creative Services, Inc.  
Treasurer, National Association of Professional Background Screeners

#### Panelists:

James M. Hmurovich  
President & CEO  
Prevent Child Abuse America

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Richard Mellor  
Vice President, Loss Prevention  
National Retail Federation

Donald Livingston  
Partner  
Akin Gump (former General Counsel, EEOC)

## **10:00 a.m. - 10:15 a.m.**

*Coffee Break*

## **10:15 a.m. - 10:45 a.m.**

*The Employer's Dilemma: To Screen or Not to Screen*

Garen Dodge  
Partner  
Jackson Lewis LLP

## **10:45 a.m. - 11:45 a.m.**

*The Dangers of Not Using Background Checks*  
Panel Discussion

### Moderator:

Norm Magnuson  
Vice President of Public Affairs  
Consumer Data Industry Association

### Panelists:

Theresa Preg  
Senior Director of Market Development and Product Management  
LexisNexis Screening Solutions, Inc.  
Chair, National Association of Professional Background Screeners

Les Nichols  
Vice President of Club Safety and Compliance  
Boys and Girls Clubs of America

Lucia Bone  
Founder  
The Sue Weaver C.A.U.S.E. (Consumer Awareness of Unsafe Service Employment)

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## **11:45 a.m. - 1:15 p.m.**

Lunch and Keynote speaker

*A View from the EEOC*

Victoria Lipnic

Commissioner

U.S. Equal Employment Opportunity Commission

## **Introduction by:**

Montserrat Miller

Partner

Arnall Golden Gregory LLP

Legislative Counsel, National Association of Professional Background Screeners

## **1:15 p.m. - 1:45 p.m.**

*Background Checks and Minority Employment*

Peter N. Kirsanow

Commissioner

U.S. Commission on Civil Rights

## **1:45 p.m. - 3:15 p.m.**

*Criminal Background Checks and Setting Public Policy: What Does the Latest Empirical Data Show Us?*

Panel Discussion

## **Moderator:**

Robert Belair

Partner

Arnall Golden Gregory LLP

## **Panelists:**

Jeffrey Sedgwick

Managing Partner & Co-Founder

Keswick Advisors

Alfred Blumstein

J. Erik Jonsson University Professor of Urban Systems and Operations Research

Heinz College

Carnegie Mellon University

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Kiminori Nakamura  
Assistant Professor, Department of Criminology and Criminal Justice  
University of Maryland

**3:15 p.m. - 3:45 p.m.**

*Wrapping Up and Looking Forward*

Michael R. Klipper  
Partner  
Meyer, Klipper & Mohr, PLLC

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## **Michael J. Eastman**

Executive Director, Labor Law Policy  
U.S. Chamber of Commerce

Michael J. Eastman joined the U.S. Chamber of Commerce in October 2002 and serves as the organization's executive director of labor law policy. In this capacity, he works with members of the business community to develop sound labor and employment policy and advocates for that policy before the Congress and administrative agencies.

Eastman focuses on policy related to equal employment opportunity and civil rights, union organizing and collective bargaining, and international labor and employment policy issues.

Before joining the Chamber, Eastman practiced labor and employment law with the law firm of McGuiness Norris & Williams, where he also served as director of government relations for its client the Labor Policy Association. Earlier, he served on the legislative staff of Congressman James P. Moran (D-VA), a senior member of the House Appropriations Committee, and as an associate staff member to the House Budget Committee. In addition, he has policy experience on the state level, having worked for the New Hampshire Legislature.

Eastman earned an undergraduate degree in psychology from Colgate University and a law degree from George Mason University. He lives in Washington, D.C., with his wife, Anne, and their daughter, Bridget.

The U.S. Chamber of Commerce is the world's largest business federation representing the interests of more than 3 million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations.

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**Stuart K. Pratt**  
President and CEO  
Consumer Data Industry Association

Stuart K. Pratt is President and CEO of the Consumer Data Industry Association, headquartered in Washington, D.C. CDIA, is the international trade association representing over 300 consumer data companies that provide fraud prevention and risk management products, credit and mortgage reports, tenant and employment screening services, check fraud and verification services, and collection services to hundreds of thousands of customers across the United States and the globe.

Mr. Pratt leads a talented team of public policy experts and is the industry's principal spokesman. He testifies regularly before the U.S. Congress, represents the industry in the international market and interacts with the major media outlets including CBS, NBC, Fox, CNN, Reuters, The New York Times, The Washington Post and The Wall Street Journal.

Pratt has advised presidential and gubernatorial task forces on the importance of the free flow of information to the U.S. economy, and represented the industry as an advisor to the U.S. Department of Commerce on European Union-U.S. Safe Harbor negotiations. Pratt has participated in World Bank forums on credit reporting in developing economies and counseled private and government entities overseas on credit reporting issues. He speaks frequently on the subjects of consumer data law, policy and business practices at domestic and international forums, including most recently programs in Cape Town, Beijing and Berlin.

CDIA's mission is to enable consumers, media, legislators and regulators to fully understand the broad economic benefits of the responsible use of consumer data which creates both opportunities for consumers individually and the economy as a whole. The Association's work focuses on Congress, and the regulatory process through its staff in Washington, D.C. and representatives in more than 35 state capitals.

Mr. Pratt currently serves on the U.S. Chamber of Commerce's Committee of 100 and on the Advisory Council for the National Foundation for Credit Counseling. He received his Bachelor's Degree from Furman University in Greenville, SC., and conducted his graduate studies in business at the University of Maryland.

## Judy Gootkind

Vice President, Finance and Administration

Creative Services, Inc.

Treasurer, National Association of Professional Background Screeners

CSI is a founding member of the National Association of Professional Background Screeners (NAPBS). Ms. Gootkind has been active in NAPBS since its inception. She has participated in the Best Practices Committee since that committee's first meeting in Scottsdale, AZ and her team at CSI was instrumental in creating the Reinvestigation Requirements of Background Screeners which is posted on the NAPBS website as well as the Certification Checklist that is used to conduct self-audits in preparation of the BSCC Accreditation process.

When the State Subcommittee of the Government Relations Committee was created, Ms. Gootkind joined that committee and appeared or met with members of the RI Judiciary regarding redaction of information from public records, the MA Judiciary Committee hearing on MA CORI reform, the CT Department of Public Safety hearing on PI licensing for Consumer Reporting Agencies (CRA), the New York Office of Court Administration on scope of search results and the MA Attorney General's office which used her recommendations regarding personally identifiable information in court records.

In 2008, Ms. Gootkind assumed a role as co-chair of the Government Relations Committee and subsequently served a two year term as a Director on the Board of NAPBS for 2009 and 2010. In 2011, Ms. Gootkind was nominated as Treasurer of the Board and serves in that role now. She has participated in presentations at association meetings on Legislation, Regulation and Policy Update and Audit Tools and the Certification Check List that was created to prepare organizations to undergo the certification process for CRA Accreditation. She has attended industry meetings with the Federal Trade Commission (FTC), conducted meetings with House Financial Services Committee Chairman Barney Frank regarding H.R. 3126 and a CRA exemption from the proposed Consumer Financial Protection Agency legislation to allow for continued regulatory oversight by the FTC, and EEOC Commissioners Ishimaru and Lipnic on the use of credit and criminal for employment purposes.

Ms. Gootkind has remained actively engaged in federal and state legislative efforts and challenges that face the background screening industry. She participates in a national Adhoc Screening Group and currently leads the Outreach Committee of this group. As a result of collective efforts of association members from 2003 to date and the lobbying efforts of Attorney Montserrat Miller, NAPBS has gained recognition as a voice for the screening industry. In September 2010, NAPBS was invited to testify at a hearing of the U.S. House Financial Services Subcommittee on Financial Institutions and Consumer Credit about proposed legislation H.R. 3149, the Equal Employment for All Act, regarding the use of credit for employment purposes. Judy was selected to represent the association and testified before the Subcommittee on September 23, 2010. Judy currently leads the NAPBS Finance Committee and serves on the Revenue Committee, Government Relations Ad Hoc Subcommittee, Government Relations State Subcommittee and the NAPBS ROI Taskforce.



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**Jim Hmurovich**  
President/CEO  
Prevent Child Abuse America

Jim Hmurovich is the President/CEO of Prevent Child Abuse America. His priorities for the organization include the development of concise, consistent messaging about the importance of preventing child abuse and neglect from occurring in the first place, the development of a statewide prevention planning process that promotes prevention as a “way of thinking, not as a funding stream”, and expanding the infrastructure of the National Office to serve more effectively the state networks of the organization.

Prior to his present appointment he successfully managed his own consulting business for 5 years after 30 years of public service. He is a former Deputy Commissioner for the Indiana Department of Correction and was the Indiana State Welfare Director, during which time Indiana was awarded 7 federal high performance cash bonuses for successes in welfare reform and child welfare and received national recognition as a leader in the State Children’s Health Insurance Program (SCHIP) and for the Healthy Families Program, a voluntary home visitation program. He is the recipient of the Sagamore of the Wabash, which is the highest award that can be given to an Indiana citizen for leadership and accomplishment

**Richard T. Mellor**  
Vice President, Loss Prevention  
National Retail Federation

Richard Mellor serves as Vice President, Loss Prevention for the National Retail Federation. Mellor joined NRF in November 2011 and is responsible for the direction of initiatives ranging from NRF's Annual Loss Prevention Conference and LP Advisory Council to NRF's Investigator's Network. He works to raise the visibility of retail loss prevention issues, including organized retail crime and return fraud.

Prior to joining NRF, Mellor served as an executive with companies such as Helzberg Diamonds, Macy's, Woodward & Lothrop and John Wanamaker. He spent 12 years with Helzberg Diamonds, having most recently served as Divisional Vice President of Loss Prevention. Previously, Mellor was Divisional Vice President of Loss Prevention and Security for The Bon-Ton Stores and Regional Director of Security for Macy's East.

In 2005, Mellor was awarded NRF's Silver Plaque, which recognizes his leadership and influence on the retail LP community. He has been an active member of the NRF LP Advisory Council for more than 20 years, which includes his tenure as Chairman of the Council from 2002 to 2005.

**Don Livingston**  
Akin Gump  
Partner

Don Livingston represents large employers in all aspects of civil rights and employment discrimination law, with an emphasis on complex employment litigation. Since joining Akin Gump in 1993, he has served as defense litigation counsel in numerous fair employment class actions, including *Gutierrez v. Hooters, Inc.*, which *The Washington Post* termed EEOC's "biggest defeat."

Mr. Livingston is a former general counsel of the U.S. Equal Employment Opportunity Commission (EEOC), where he was responsible for the federal government's enforcement of Title VII of the Civil Rights Act of 1964, the Equal Pay Act, the Age Discrimination in Employment Act and the Americans with Disabilities Act.

Mr. Livingston received his A.B. cum laude in 1974 and his J.D. in 1977 from the University of Georgia. He is a member of the Georgia and District of Columbia Bars, the Atlanta Bar Association and the American Bar Association (ABA), and serves on the ABA's EEO Committee. He was chairman of the Labor and Employment Law Section of the Georgia Bar in 1986, and served on the Section's executive board from 1983 to 1987. He served as regional liaison to the ABA from 1985 to 1987, and as a member of the Committee of Labor Arbitration and the Law of Collective Bargaining Agreements from 1979 to 1987. He is admitted to practice before the U.S. Supreme Court; the U.S. Courts of Appeals for the 2nd, 4th, 5th, 6th and 11th Circuits; and the U.S. District Courts for Maryland, the District of Columbia, the Northern and Middle Districts of Georgia, the Northern District of California and the Northern District of New York.

Mr. Livingston is the author of *EEOC Litigation and Charge Resolution* (BNA 2004), a treatise covering all aspects of attorney interactions with the EEOC. In addition, he has written numerous articles and spoken extensively on employment discrimination and labor arbitration. He is chapter chair for *Employment Discrimination Law* (Lindemann & Grossman) and a contributor to *Sexual Harassment in Employment Law* (Lindemann & Kadue).

In 2003 Mr. Livingston was elected to the College of Labor and Employment Lawyers. He is listed in *Who's Who in American Law*, *Who's Who in America*, *The International Who's Who of Business Lawyers*, *The International Who's Who of Management Labour & Employment Lawyers* and *Chambers USA: America's Leading Lawyers for Business*. He was one of 26 management lawyers named to *The National Law Journal's* most recent "Who's Who of Employment/Labor Lawyers" (July 28, 1997).

**Garen Dodge**  
Partner  
Jackson Lewis LLP

Garen Dodge a Partner in the Washington, D.C. Region office of Jackson Lewis LLP. He is co-Leader of the firm's Government Relations practice, and coordinator of the firm's Government Contracts industry group.

Mr. Dodge's practice covers the spectrum of employment litigation, including both state and federal claims involving labor; privacy; discrimination; harassment; wage and hour; and occupational safety and health. He assists companies in establishing workplace harassment, background check, substance abuse and other programs, and trains supervisors and employees on effective personnel policies. He has experience conducting workplace investigations. He represents clients before Congress and key federal agencies.

Mr. Dodge has been recognized by *Smart CEO* as one of its "Go To Lawyers" and by *Lawdragon* as a "Leading Lawyer. He has also been named a "Super Lawyer" in both Washington, D.C. and Virginia, and has long been "AV" rated by Martindale-Hubbell.

Mr. Dodge is a member of the Virginia, District of Columbia and Wisconsin bars. He is a Member of the United States Supreme Court bar, as well the federal and state courts in Virginia, District of Columbia and Wisconsin. He is a member of the Labor Relations Committee of the U.S. Chamber of Commerce and serves as General Counsel to the Council for Employment Law Equity. He served as an Attorney-Advisor for the U.S. Department of Labor, Office of the Secretary, Benefits Review Board from 1982-1985.

Mr. Dodge received his B.A. *summa cum laude* from the University of Wisconsin – Green Bay in 1979. He earned his J.D. in 1982 from the College of William & Mary Marshall-Wythe School of Law.

**Les Nichols**

Vice President of Club Safety and Design  
Boys & Girls Club of America

Internal expert for Boys & Girls Clubs of America, a national youth-serving nonprofit organization with over 4,000 locations in the U.S. and on U.S. military installations in Europe and Asia. Les specializes in security, safety, hiring practices, planning, estimating, design and renovation of facilities, and facilities operations.

Les is a licensed architect, member of American Institute of Architects, and the National Council of Architectural Registration Boards, and a Certified Protection Professional through the American Society of Industrial Security.

**Norm Magnuson**  
Vice President of Public Affairs  
Consumer Data Industry Association

Norm Magnuson has held his position as Vice President of Public Affairs for the Consumer Data Industry Association since 1990. His job responsibilities include managing media relations, internal and external communications, international issues and education. The Fair Credit Reporting Act, identity theft and fraud, privacy, data security, mortgage issues, employment reporting, and the global market are the topics he has written of and spoken to on a regular basis.

Prior to joining CDIA, Mr. Magnuson was the Director of Public Affairs for Sears Governmental Affairs in Washington, D.C. He also worked in the corporate public relations department of Allstate Insurance in Northbrook, IL, before his move to D.C.

Mr. Magnuson has a B.S. in Journalism from the University of Kansas. He lives with his wife and their two children in Virginia.

## **Theresa Preg**

Senior Director, Marketing Development and Product Management  
LexisNexis Screening Solutions, Inc.  
Chair, National Association of Professional Background Screeners

Theresa Preg is a senior director of market development and product management for LexisNexis Screening Solutions, Inc. She has been involved in the background screening profession for more than 20 years and has worked in many facets of the industry in various management level positions requiring a broad knowledge of the FCRA, employment laws and public record access.

Ms. Preg has worked directly with the human resource and risk management managers of more than half of the Fortune 20 U.S. companies, as well as managers from many of the Fortune 1000 companies; helping them to establish background screening criteria to ensure a safe workplace environment and risk mitigation. Public records access has been a significant focus in order to help private industries meet their workplace challenges. She has also been actively involved in legislative activities to ensure open access to public records.

Ms. Preg currently serves on the executive committee of the National Association of Professional Background Screeners. She participated on the initial steering committee for the development of NAPBS - LexisNexis is a Founding Member company. In addition, she has been an active member of the NAPBS board of directors for the previous five years and has served on the Government Relations Committee and other committees as well.

Ms. Preg is an active member of both the Society for Human Resource Management (SHRM) and the American Society for Industrial Security (ASIS). She is also a former chapter president of ALTRUSA, an international association of professional women and men who volunteer their energies and expertise in projects dedicated to community betterment, espouses volunteerism, service and fights for literacy.

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**Lucia Bone**  
Founder & President  
The Sue Weaver C.A.U.S.E.

Lucia Bone is the founder of The Sue Weaver C.A.U.S.E., Consumer Awareness of Unsafe Service Employment.

In 2004, Ms. Bone established the not for profit organization in order to promote safety awareness and education to employers and consumers to the necessity of criminal background checks on all service employees, contractors and sub-contractors hired to work in or near our homes.

Lucia campaigns nationwide sharing The Sue Weaver C.A.U.S.E. and the importance of their mission with audiences large and small. Civic groups, community leaders, legislators, business professionals and consumers have all learned first hand the importance of Lucia's message.

One of Lucia's goals is for national legislation requiring criminal background checks on all service employees, contractors and sub-contractors. With national legislation and the support of the insurance industry, businesses could be forced to conduct background checks before hiring in-home service workers. "It is absurd for a person with multiple convictions for sexual assaults to be engaged as a in-home service employee, yet it happens all the time", Lucia adds.

A threat to consumers' safety due to inadequate or non-existent background checks of people being employed to come into your home is a real and serious danger. "Sue's death was a tragedy! However, it is even more alarming because this was not an isolated incident. Every year, innocent people become victims of sexual and physical assault in their homes by workers hired as service employees with criminal records. Sue trusted the company she hired to do service work in her home and THAT TRUST COST SUE HER LIFE in 2001," says Lucia.

C.A.U.S.E. has been featured in numerous television and newspaper interviews across the country. In 2004, Lucia appeared as one of the feature stories on The Montel Williams Show, "Taking Back My Life".

What happened to Sue could and should have been prevented!



**Montserrat C. Miller**

Partner

Arnall Golden Gregory LLP

Legislative Counsel, National Association of Professional Background Screeners

Montserrat Miller is a Partner in the Immigration Compliance and Government Relations Practice Teams and is a member of the Firm's Diversity Committee. Over the past 15 years, Ms. Miller's experience includes work in the public-sector, private practice and in the court room.

Ms. Miller focuses her practice on providing clients, such as small business owners, major corporations, trade associations and various coalitions, with strategic advice and counseling. She represents clients on Capitol Hill and before government agencies, and she also assists clients with corporate employment verification compliance matters, including form I-9 compliance and the minimization of exposure and liabilities before government, administrative and regulatory agencies. Ms. Miller works with a number of federal agencies, including the Consumer Financial Protection Bureau, Department of Homeland Security, Federal Trade Commission, Equal Employment Opportunity Commission and the State Department.

Prior to joining AGG, Ms. Miller was in private practice with Greenberg Traurig LLP. She has worked in the U.S. Senate as Judiciary Committee Counsel to Senator Dianne Feinstein, advising her on immigration, homeland security, and data privacy and security matters. Before working on Capitol Hill, Ms. Miller was in private practice and began her legal career as a trial attorney for the U.S. Department of Justice, Immigration and Naturalization Service, entering service through the Attorney General's Honors Program.

Ms. Miller is a strong believer in providing opportunities for women and also in community service. She is a member of the Tahirih Justice Center's Public Policy Council, a non-profit organization working to protect immigrant women and girls fleeing gender-based violence. As a past co-chair of the American Bar Association's (ABA) Section of Litigation's Immigration Committee, she was instrumental in the creation of the ABA's Immigration Justice Project, which seeks to promote due process and access to justice during immigration proceedings through the provision of pro bono legal services. She also spearheaded an effort at her prior law firm to assist the Haitian community in the United States who were affected by the devastating earthquake in Haiti in January 2010 through the provision of pro bono legal services.

Awards and Recognitions

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**Victoria A. Lipnic**  
Commissioner  
Equal Employment Opportunity Commission



Victoria A. Lipnic was nominated to serve as a Commissioner of the EEOC by President Barack Obama, and was confirmed by the Senate, for a term ending on July 1, 2015. Immediately before coming to the EEOC, Commissioner Lipnic was of counsel to the law firm of Seyfarth Shaw LLP in its Washington, DC, office.

Commissioner Lipnic brings to the EEOC a breadth of experience working with federal labor and employment laws, most recently as the U.S. Assistant Secretary of Labor for Employment Standards, a position she held from 2002 until 2009. In that position, she oversaw the Wage and Hour Division, the Office of Federal Contract Compliance Programs, the Office of Workers' Compensation Programs, and the Office of Labor Management Standards. Under her tenure, the Wage and Hour Division revised regulations regarding overtime under the Fair Labor Standards Act, reissued regulations under the Family and Medical Leave Act, and the Office of Federal Contract Compliance Programs issued new guidance and regulations for evaluating compensation discrimination.

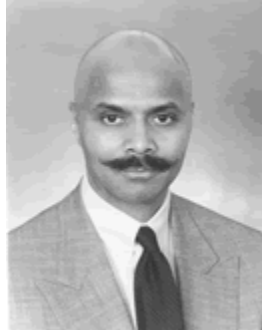
In addition to her work with the Department of Labor, Commissioner Lipnic's government experience includes service as Workforce Policy Counsel to the then-Majority (Republican) members of the Committee on Education and the Workforce in the U.S. House of Representatives. Before her work for Congress, Commissioner Lipnic acted as in-house counsel for labor and employment matters to the U.S. Postal Service for six years. She also served as a special assistant for business liaison to the then U.S. Secretary of Commerce, Malcolm Baldrige.

A native of Carrolltown, Penn., where her late father was a teacher and long-serving mayor, Commissioner Lipnic earned a B.A. degree in Political Science and History from Allegheny College and a J.D. degree from George Mason University School of Law.

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**Peter N. Kirsanow**  
Member  
U.S. Commission on Civil Rights



Peter N. Kirsanow is a Member of the National Labor Relations Board, receiving a recess appointment from President George W. Bush on January 4, 2006. Prior to his appointment, he was a partner with the Cleveland, Ohio law firm of Benesch, Friedlander, Coplan, and Aronoff LLP in the Labor and Employment Practice Group. His practice focused on representing management in employment-related litigation as well as in contract negotiations, NLRB proceedings, EEO matters, and arbitration.

Mr. Kirsanow frequently testifies before and advises members of the U.S. Congress on various civil rights and labor related issues, appearing most recently before the Senate Judiciary Committee to support the nominations of Chief Justice John G. Roberts and Justice Samuel Alito to the United States Supreme Court. Previously, he served as senior labor counsel of Leaseway Transportation Corp. and labor counsel for the city of Cleveland. He has extensive experience in public sector employment matters as well as in industries such as heavy manufacturing, trucking, health care, radio and television, and employee leasing.

Chair of the board of directors of the Center for New Black Leadership, Mr. Kirsanow also serves on the advisory board of the National Center for Public Policy Research. He received his B.A. in 1976 from Cornell University and his J.D. with honors in 1979 from Cleveland State University, where he served as articles editor of the Cleveland State Law Review.

## Robert Belair

Partner

Arnall Golden Gregory, LLP

Robert R. Belair is a partner in the firm who serves as the Practice Leader of the Privacy Practice and Co-chair of the Government Relations Practice. He is an internationally recognized privacy lawyer with more than three decades of experience and is a frequent writer and speaker on privacy topics. He served as Deputy Counsel to the White House Privacy Committee in the Ford Administration and as a lawyer in the Federal Trade Commission's Bureau of Consumer Protection doing Fair Credit Reporting Act and other privacy-related work. Later, Mr. Belair served as General Counsel of the National Commission on the Confidentiality of Health Records.

In private practice, he was a founding partner of Oldaker, Belair & Wittie. Mr. Belair was also a partner at Kirkpatrick & Lockhart and later at Mullenholz, Brimsek & Belair. He has done work for numerous government entities on privacy matters including the National Science Foundation, the National Academy of Sciences, the Department of Transportation and the Social Security Administration. On the Hill, Mr. Belair has served on the Judiciary Committee Advisory Committee for Chairman Joe Biden (D-DE) and as an advisor to Senator Bob Bennett's (R-UT) Health Privacy Task Force. Together with Alan Westin, he was the editor of a preeminent privacy periodical for the business community, *Privacy & American Business*.

**Jeffrey Sedgwick**  
Managing Partner & Co-Founder  
Keswick Advisors

Jeffrey L. Sedgwick was appointed on January 2008 by President George W. Bush to serve as Assistant Attorney General for the Office of Justice Programs; he was confirmed by the Senate of the United States in October 2008 and served until January 2009. In this capacity, Mr. Sedgwick was responsible for providing overall management and oversight of OJP, whose mission is to enlarge the nation's capacity to prevent and control crime, improve the criminal and juvenile justice systems, increase knowledge about crime and related issues, and assist crime victims.

He also both guided the development of OJP policy and priorities and coordinated the activities of its bureaus and offices. As Attorney General, Sedgwick oversaw OJP activities related to major Bush Administration and Department of Justice initiatives, including Project Safe Neighborhoods, Project Safe Childhood, the President's DNA Initiative, the Prisoner Reentry Initiative, and Helping America's Youth.

Mr. Sedgwick also served until October 2008 as director of the Bureau of Justice Statistics, the statistical agency of the Department of Justice, a position to which he was appointed by President George W. Bush in January 2006. He was confirmed by the United States Senate in March 2006. In this capacity, Mr. Sedgwick guided the collection, analysis, publication, and dissemination of information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government.

He was responsible for approximately 48 distinct statistical collections together comprising the official national statistics on all aspects of the criminal justice system. These data are critical to federal, state, and local policymakers in combating crime and ensuring that justice is both efficient and evenhanded.

Prior to his appointment, Mr. Sedgwick taught for 30 years at the University of Massachusetts - Amherst. He is currently Professor Emeritus of Political Science at the University. In his academic career, Mr. Sedgwick has taught and written on a variety of aspects of American Government including public finance, policy analysis and evaluation, criminal justice policy, and executive leadership. He is the author of *Law Enforcement Planning: the Limits of an Economic Approach* and *Deterring Criminals: Policymaking and the American Political Tradition*.

Mr. Sedgwick has directed or participated in a wide variety of international programs in the past decade including lecturing or teaching in countries as diverse as Kyrgyzstan, Armenia, Romania, Ukraine, Russia, Belgium, Germany and Trinidad/Tobago.

Mr. Sedgwick earned his A.B. from Kenyon College (1973) and his M.A.P.A. and Ph.D. from the University of Virginia (1975 and 1978 respectively).

## Alfred Blumstein

J. Erik Jonsson University Professor of Urban Systems and Operations Research  
Carnegie Mellon University

Professor Blumstein has had extensive experience in both research and policy in the public sector. His interest in the criminal justice system began with his service on the President's Commission on Law Enforcement and Administration of Justice in 1966-67, as Director of its Task Force on Science and Technology. His research has covered many aspects of the operation of the criminal justice system, with special attention to prison populations and sentencing, and has involved extensive research of criminal careers.

Professor Blumstein was a member of the National Academy of Sciences Committee on Research on Law Enforcement and the Administration of Justice from its founding in 1975 until 1986. He served as Chairman of that committee between 1979 and 1984, and has chaired the committee's Panels on Research on Deterrent and Incapacitative Effects, on Sentencing Research, and on Research on Criminal Careers.

Professor Blumstein was President of the Operations Research Society of America in 1977-78, and was awarded its Kimball Medal "for service to the profession and the society" in 1985. He was President of The Institute of Management Sciences (TIMS) during 1987-88. In 1999, he became President-Elect of the Institute for Operations Research and the Management Sciences (INFORMS). Professor Blumstein is a Fellow of the American Society of Criminology, was the 1987 recipient of the Society's Sutherland Award for research contributions, and was President in 1991-92. Professor Blumstein is a member of the National Academy of Engineering.

**Kiminori Nakamura**

Assistant Professor of Criminology and Criminal Justice  
University of Maryland

Kiminori Nakamura is an Assistant Professor of Criminology and Criminal Justice at the University of Maryland. He received his Ph.D. in Public Policy and Management from Carnegie Mellon University's Heinz College in 2010. His research interests include corrections and reentry, criminal career, life-course criminology, collateral consequences of criminal justice interventions, and quantitative methods including social network analysis. His current research focuses on the issue of "redemption" for those with stale criminal-history records, which is when risk of recidivism declines to a level of appropriate benchmarks so that it is no longer necessary for an employer to be concerned about a criminal offense in a prospective employee's past.

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**Michael R. Klipper**  
Partner  
Meyer, Klipper & Mohr, PLLC

Mr. Klipper is a founding partner of Meyer, Klipper & Mohr, PLLC, (“MK&M”), a Washington, D.C. law firm where he focuses on copyright, constitutional and public record law issues. For seven years (1975-82), he served as Senator Charles McC. Mathias’ counsel to the Senate Judiciary Committee. From 1982-88, he was in-house counsel to the Motion Picture Association of America. Before founding Meyer & Klipper, PLLC, he was of counsel at Leventhal, Senter & Lerman, and vice president of legal and governmental affairs for the Association of American Publishers.

While at MK&M, in addition to continuing his work on copyright and constitutional matters, Mr. Klipper has devoted much time to issues of interest to aggregators of public record information, including proposed amendments to state open record laws. MK&M has been involved in a number of open records issues including claims of copyright in public record information by government entities, legislative efforts to curb access to public record information, and the implications and legal consequences of the delegating of public record responsibilities by government entities to private parties. Recently, his firm filed an amicus brief on behalf of public record aggregators in *NASA v. Nelson*, which the Supreme Court cited favorably in unanimously rejecting a claim that the federal government’s use of the type of open-ended questions that are common in the screening industry violated a candidate/employee’s right to privacy. In 2007-08, Mr. Klipper helped lead a successful effort to prevent the ABA from adopting a resolution that would have endorsed the widespread sealing of criminal history records, and prohibiting the dissemination and reporting of such records. More recently, he has been active on behalf of vendors of criminal background checks as they battle attempts to (1) limit their ability to make their products and services available to employers and volunteer organizations and (2) dissuade employers and volunteer groups from continuing to rely on criminal background checks. Mr. Klipper is a frequent speaker on copyright, constitutional law and public records issues.

Mr. Klipper is a graduate of the George Washington University Law School and holds a LLM from Harvard Law School. He is a member of the United States Supreme Court, District of Columbia, Massachusetts, and New York bars.