

Rhys Hester, JD, PhD

CONTACT INFORMATION

Clemson University
132 Brackett Hall
Clemson, SC 29634

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EMPLOYMENT

Clemson University 2018-Present
Assistant Professor, Sociology, Anthropology and Criminal Justice

Penn State University 2017-2018
Associate Research Professor of Sociology and Criminology
Deputy Director, Pennsylvania Commission on Sentencing

University of Minnesota Law School 2014-2017
Robina Institute of Criminal Law and Criminal Justice
Research Fellow, Sentencing Law and Policy

Appalachian State University 2011-2014
Assistant Professor, Department of Government and Justice Studies

EDUCATION

University of South Carolina, PhD 2012
Department of Criminology and Criminal Justice

University of South Carolina School of Law, JD 2004
Cum laude; Order of the Wig and Robe

Charleston Southern University, cum laude 2001
BS, Social Sciences
BA, Humanities and Fine Arts

PUBLICATIONS

2020 **Hester, Rhys.** (In press.) Risk Assessment Savvy: The Imperative of Appreciating Accuracy and Outcome. *Behavioral Sciences & the Law*.

Hester, Rhys. (In press.) Punishing for the Past (Sometimes): Judicial Perspectives on Criminal History Enhancements. *The Prison Journal*.

Hester, Rhys. (In press.) Sentencing in American Jurisdictions. In Kai Ambos (Ed.), *Sentencing/Strafzumessung – Comparative Insights/Rechtsvergleichende Einblicke*.

*Translated into German by Eric Armbrrecht, *Verurteilung in Amerikanischen Gerichtsbarkeiten*.

2019 **Hester, Rhys.** Prior Record and Recidivism Risk. *American Journal of Criminal Justice*, 44(3): 353-375.

*Awarded **Springer Outstanding Article of the Year Award** (2019) for the *American Journal of Criminal Justice*.

Hester, Rhys. Risk Assessment at Sentencing: The Pennsylvania Experience. In Jan W. de Keijser, Julian V. Roberts, and Jesper Ryberg (Eds.), *Predictive Sentencing: Normative and Empirical Perspectives*. Oxford: Bloomsbury Publishing.

Hester, Rhys. Sentencing Disparity and Mass Incarceration. In Vanessa Edkins and Allison Redlich (Eds.), *A System of Pleas: Social Science's Contributions to the Real Legal System*. New York: Oxford University Press.

Hester, Rhys, Richard S. Frase, Julia Laskorunsky, and Kelly Lyn Mitchell. Rethinking the Role of Criminal History in Sentencing. In Cassia Spohn and Pauline Brennan (Eds.), *Sentencing Practices in the 21st Century*, Taylor & Francis.

Frase, Richard S. and **Rhys Hester.** “Chapter 5: The Effects of Prior Convictions on Sentence Severity”; “Chapter 6: Adverse Impacts on Offense-Based Proportionality and Prison-Use Priorities”; “Chapter 7: Disproportionate Impact on Minority Offenders”; and “Chapter 8: Impacts of Criminal History Enhancements on Prison Bed Needs and Costs.” In Richard S. Frase and Julian V. Roberts, *Paying for the Past: The Case Against Prior Record Sentence Enhancements*. New York: Oxford University Press.

2018 **Hester, Rhys,** Richard S. Frase, Julian V. Roberts, and Kelly Mitchell. Prior Record Enhancements at Sentencing: Exploring the Unsettled Justifications and Unsettling Consequences. [Crime & Justice: A Review of Research](#), 47: 209-254.

Hester, Rhys, Julian V. Roberts, Richard S. Frase, and Kelly Mitchell. A Measure of Tolerance: Public Attitudes on Sentencing Enhancements for

- Old and Juvenile Prior Records. *Corrections: Policy, Practice and Research*, 3(2): 137-151.
- 2017 **Hester, Rhys**. Judicial Rotation as Centripetal Force: Sentencing in the Court Communities of South Carolina. *Criminology*, 55(1): 205-235.
- Hester, Rhys**, and Todd Hartman. Conditional Race Disparities in Criminal Sentencing: A Test of the Liberation Hypothesis from a Non-Guidelines State. *Journal of Quantitative Criminology*, 33: 77-100.
- 2016 **Hester, Rhys**, and Eric L. Sevigny. Court Communities in Local Context: A Multilevel Analysis of Felony Sentencing in South Carolina. *Journal of Crime and Justice*, 39(1): 55-74.
- Reprinted in Jennifer H. Peck. (2017). *Race and Ethnicity in Juvenile and Criminal Justice Systems: Contemporary Issues of Offending Behavior and Judicial Responses*. New York: Routledge.
- Hester, Rhys**. Sentencing Policies and Practices in South Carolina, *Oxford Handbooks Online*, (New York: Oxford University Press).
<http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199935383.001.0001/oxfordhb-9780199935383-e-153>
- 2015 Frase, Richard S., Julian V. Roberts, **Rhys Hester**, and Kelly Mitchell. *Criminal History Enhancements Sourcebook*. Minneapolis: University of Minnesota, The Robina Institute of Criminal Law and Criminal Justice.
- Hester, Rhys**. How Race and Ethnicity Impact Criminal Sentencing. In M. Robinson (Ed.), *Race, Ethnicity, Crime, and Justice*. Durham: Carolina Academic Press.
- Hester, Rhys**. Criminal History. In Wesley G. Jennings, George E. Higgins, Dave N. Khey, and Mildred M. Maldonado-Molina (Eds.), *The Encyclopedia of Crime and Punishment*.
- 2014 Koons-Witt, Barbara, Eric Sevigny, John D. Burrow, and **Rhys Hester**. Gender and Sentencing Outcomes in South Carolina: Examining the Interactions with Race, Age, and Offense Type. *Criminal Justice Policy Review*, 25(3): 299-324.
- 2012 Steiner, Benjamin, **Rhys Hester**, Matthew Makarios, and Lawrence Travis. Examining the Link Between Parole Officers' Bases of Power and their Exercise of Power. *The Prison Journal*, 92: 435-459.

Hester, Rhys. Entries for: “*Arizona v. Gant*”; “*Chimel v. California*”; and “*New York v. Belton*”. In David Schultz (Ed.), *The Encyclopedia of American Law and Criminal Justice*.

Hester, Rhys. Entries for: “Three Strikes Laws” and “*Gregg v. Georgia*”. In Wilber Miller and J. Geoffrey Golson (Eds.), *The Social History of Crime and Punishment in America*.

2011 Smith, Michael, and **Rhys Hester**. *Arizona v. Gant* and Searches of Automobiles Incident to Arrest: Analysis and Recommendations for Policy and Practice. *Policing: An International Journal of Police Strategies and Management*, 34: 265-84.

2010 Burrow, John D., and **Rhys Hester**. Dazed and Confused: The Judiciary’s Role in Sell-ing Psychotropic Drugs to Inmates and Detainees. *New England Journal on Criminal and Civil Confinement*, 36: 3-37.

UNDER REVIEW

Hester, Rhys. (Under Review). Reading Rights and Respecting Decisions: An Experimental Test of Consent Warnings.

FUNDED RESEARCH ACTIVITY

Principle Investigator (\$9,732) (funded)

From *Clemson University*, *Support for Early Exploration and Development Grant*, for the project: Developing a Typology of Judicial Attitudes Towards Punishment Departures. February 2019-January 2020.

Subcontract Principle Investigator (\$21,466) (funded)

From *Oxford University*, *Wellcome Trust*, for the project: Pennsylvania OxRec Validation Project / Preventing Violent Crime and Suicide in Mental Illness. Submitted 2018.

Subcontract Principle Investigator (\$447,919) (not funded)

With *The Robina Institute of Criminal and Criminal Justice* (\$3,457,000 total) for the project: Multi-State Comparative Sentencing Guidelines Research. Submitted 2018.

Co-Investigator (\$1,000,000) (not selected)

Clemson University Federal Priorities for the project: Addressing the Opioid Crisis in SC: A Multi-Site Study of the Federal Bridge Court Program. (PI: Lori Dickes; co-PIs: Dave Barrett, Rhys Hester, Rachel Mayo). Submitted 2018.

INVITED TALKS AND PRESENTATIONS

Hester, Rhys. Risk Assessment Savvy. Risk Assessment Roundtable. Vanderbilt Law School, Nashville, TN (April, 2020). [via Zoom.]

Hester, Rhys. Validating the OxRec Risk Assessment Instrument on a U.S. Prison Population. Risk Assessment Master Class, Oxford University, Oxford, UK (May, 2020). [Cancelled.]

Criminal History Enhancements and Guidelines. National Association of Sentencing Commissions, Annual Meeting, Alexandria, VA (August, 2019) (with Richard Frase, Julia Laskorunsky, and Kelly Mitchell).

The American Approach to Sentencing and Guidelines. Institute for Criminal Science, Comparative Sentencing Colloquium, Georg-August-Universität Göttingen, Göttingen, Germany (July 2019).

Community Supervision: Probation and Parole (Panel Moderator). National Association of Sentencing Commissions, Annual Meeting, Columbus, OH (August, 2018).

Criminal History and Recidivism Risk: A Multi-Jurisdictional Comparison. The Robina Institute of Criminal Law and Criminal Justice, Annual Meeting, Minneapolis, MN (December, 2017).

The Justice Center for Research and Pennsylvania Commission on Sentencing: Missions and Initiatives. Penn State Department of Sociology and Criminology, Criminology Forum, State College, PA (October, 2017).

Punishing for the Past: Examining the Justifications and Current Practices of Enhancing Sentences on the Basis of Offender Criminal History. Lunch and Learn Seminar (CLE), Harrisburg, PA (September, 2017).

Paying (Again) for the Past: Criminal History Enhancements. The Robina Institute of Criminal Law and Criminal Justice, Annual Meeting, Minneapolis, MN (October, 2016) (with Julian V. Roberts).

Prior Record Enhancements: Where do the Public Stand?, National Association of Sentencing Commissions Annual Meeting, Salt Lake City, UT (August, 2016) (with Julian V. Roberts).

Racial Disparities in the Criminal Justice System, The Robina Institute's *In Conversation Series* (Panel Moderator), Minneapolis, MN (June, 2016).

Criminal History Enhancements: Recommendations for Kansas, The Kansas Sentencing Commission, Topeka, KS (November, 2015).

Criminal History Enhancements, The Robina Institute's Criminal History Enhancements Sourcebook Conference, Minneapolis, MN (October, 2015).

(Re)examining Criminal History Enhancements. National Association of Sentencing Commissions Annual Meeting, Girdwood, AK (August, 2015).

Evolving Standards of Democracy: The Supreme Court's Role in the Death Penalty Debate. ASU Constitution Day, Boone, NC (September, 2012).

Appellate Law Update. The Association of South Carolina Claimant Attorneys for Workers' Compensation, Asheville, NC (November, 2005).

CONFERENCE PAPERS AND PRESENTATIONS

Corda, Alessandro, and **Rhys Hester**. *Leaving the Shining City on a Hill: Comparative Lessons and Caveats for U.S. Criminal Justice Reform Policy*, Academy of Criminal Justice Sciences, San Antonio, TX (April, 2020—cancelled).

Hester, Rhys. *Breaking the Rules: Sentencing Guidelines Departures, Institutional Legitimacy, and Racial Disparities*, Southern Criminal Justice Association, Nashville, TN (September, 2019).

Hester, Rhys. *A Tripartite Approach to Criminal History Enhancements: First Offenders, Typical Criminals, and Persistent Threats*, American Society of Criminology, Atlanta, GA (November, 2018).

Hester, Rhys. *Misguided: The Unintended Consequences of Sentencing Guidelines*, Southern Criminal Justice Association, Pensacola, FL (September, 2018).

Frase, Richard S. (chair), **Rhys Hester**, Marc Mauer, Kevin R. Reitz, Julian V. Roberts, Cassia Spohn, Michael Tonry, and Jeffery T. Ulmer, *Prior Record Sentencing Enhancements and Prison Racial Disproportionalities*, Roundtable, American Society of Criminology, Philadelphia, PA (November, 2017).

Hester, Rhys. *Prior Record, Offender Age, and Recidivism Risk*, American Society of Criminology, Philadelphia, PA (November, 2017).

Hester, Rhys (chair), David P. Farrington, Richard S. Frase, Megan Kurlycheck, Michael Tonry, and Jeffery T. Ulmer, *Criminal History Enhancements and*

Criminal Careers, Roundtable, American Society of Criminology, New Orleans, LA (November, 2016).

Hester, Rhys. *Re-examining the Inevitable Influence of Prior Record in Sentencing*, Academy of Criminal Justice Sciences, Denver, CO (April, 2016).

Hester, Rhys. *On the Road Again: The Effects of Judicial Rotation on Plea Bargaining Practices, Sentencing Norms, and Local Legal Culture*, American Society of Criminology, Washington, DC (November, 2015).

Hester, Rhys, Julian V. Roberts, and Richard S. Frase. *Aging Out of Crime and Into Prison: A Multi-State Analysis of the Impact of Criminal History Scores on Aging Offenders*, American Society of Criminology, Washington, DC (November, 2015).

Hester, Rhys. *Opportunistic Pleas: Judge Shopping and Assembly Line Justice in South Carolina*, Research Coordination Network on Guilty Pleas, Guilty Pleas Symposium, Albany, NY (June, 2015).

Hester, Rhys and Richard S. Frase. *The Impact of Offender Criminal History on Racial Disparities in Sentencing*, American Society of Criminology, San Francisco, CA (November, 2014).

Marcum, Catherine, and **Rhys Hester.** *Investigating the Effects of the Financial Collapse on Sentencing Practices in North Carolina*, American Society of Criminology, San Francisco, CA (November, 2014).

Hester, Rhys. *Prosecutor Justices: Does Prosecutorial Experience Influence U.S. Supreme Court Justices' Voting Behaviors?* American Society of Criminology, Chicago, IL (November, 2012).

Hester, Rhys. *Sentencing Disparities and Interaction Effects in a Non-Guidelines State*, American Society of Criminology, Washington, DC: (November, 2011)

Hester, Rhys, Barbara Koons-Witt, Eric Sevigny, and John Burrow. *Gender and Sentencing Outcomes in South Carolina: Findings from a Non-Guidelines State*, American Society of Criminology, Washington, DC (November, 2011).

Hester, Rhys and Eric Sevigny. *A Cross-Classified Multilevel Model of Judge- and County-Level Effects on Sentencing in South Carolina*, American Society of Criminology, San Francisco, CA (November, 2010).

Hester, Rhys. *Contextual Effects on Sentencing Outcomes in a Non-Guidelines State*, Symposium on Crime and Justice: The Past and Future of Sentencing Research, Albany, NY (September, 2010).

Sevigny, Eric, Barbara Koons-Witt, John D. Burrow, Benjamin Steiner, and **Rhys Hester.** *Sentencing in South Carolina: Judge-Level Effects*, American Society of Criminology, Philadelphia, PA (November, 2009).

Sevigny, Eric, Barbara Koons-Witt, John D. Burrow, and **Rhys Hester.** *Race and Disparity in South Carolina: A Multilevel Model of Sentencing in a Failed Guideline State*, Academy of Criminal Justice Sciences, Boston, MA (March, 2009).

OTHER RESEARCH

Contributor, *Profiles in Probation Revocation: Examining the Legal Framework in 21 States.* (2014). The Robina Institute of Criminal Law and Criminal Justice, Probation Revocation Project Series. (Available at <http://www.robinainstitute.org/wp-content/uploads/Probation-Report-10-9.pdf>).

Research Assistant, “Developing the U.S. Drug Consequences Indices, 2000-2009,” funded by The Office of National Drug Control Policy, 2010-2011 (PI: Eric L. Sevigny). (Final report available at http://www.whitehouse.gov/sites/default/files/developing_the_us_drug_consequences_indices_2000-2009_august_2013.pdf.)

Research Assistant, “Lexington County Methamphetamine Initiative Evaluation,” funded by Lexington County Sheriff’s Department, 2009-2010 (Co-PIs: Michael Smith & Eric L. Sevigny).

COURSES TAUGHT

Clemson University:

Criminal Law

Justice Administration

Criminal Courts

University of Minnesota Law School:

Criminal Procedure

Appalachian State University:

The Judicial Process	Moot Court (honors)
Criminal Procedure	Introduction to Criminal Justice
Criminal Law	The Constitution (honors)

University of South Carolina:

The American Criminal Justice System
Criminal Courts

Charleston Southern University:

Introduction to Criminal Justice	Theories of Crime and Justice
Judicial Systems and Practices	Criminal Procedure
Current Legal Issues (graduate)	Criminal Investigations
Constitutional Law I	Constitutional Law II
Ethics in Criminal Justice	Research Methods

HONORS AND AWARDS

Recognition for Outstanding Research Publication, Assoc. Dean, College of Behavioral, Social and Health Sciences	2019-2020
Springer Outstanding Article of the Year Award, <i>American Journal of Criminal Justice</i>	2019
Outstanding Doctoral Student Award, USC	2011
Honorable Mention, Symposium on Crime and Justice Young Scholar Paper Competition for the paper "Contextual Effects on Sentencing Outcomes in a Non-Guidelines State"	2010
Dera D. Parkinson Fellowship (for Excellence in Graduate Study and Scholarship)	2009-2010
Order of the Whig and Robe (top 15% of class) University of South Carolina School of Law	2004
CALI Awards (highest grade in class), USC School of Law	
Evidence	Spring, 2003
Construction Law	Fall, 2003
Family Law	Fall, 2003
Gift and Estate Tax	Fall, 2003

SERVICE

Department of Sociology, Anthropology and Criminal Justice, Clemson University	
Department pre-law advisor	2018-present
Spring Lecture Series Committee	2018-2019
Academic Conference Session Chair	
Academy of Criminal Justice Sciences, Denver, CO	2016
Academy of Criminal Justice Sciences, Orlando, FL	2015
American Society of Criminology, San Francisco, CA	2014
Coach, ASU Moot Court Team, Appalachian State University	2012-2014
Faculty Advisor, International Justice Mission, Campus Chapter, Appalachian State University	2012-2014
Faculty Advisor, Phi Alpha Delta (Pre-law Society), Appalachian State University	2011-2014
Department Personnel Committee, Appalachian State University	2012-2013
Faculty Senate, Charleston Southern University	2006-2008
Faculty Advisor, South Carolina Student Legislature, Charleston Southern University Delegation	2007-2008
Mock Trial Coach, 8 th and 9 th Graders Columbia, South Carolina	2010

REVIEWER

American Journal of Criminal Justice
Corrections: Policy, Practice and Research
Crime and Delinquency
Crime and Justice: A Review of Research
Criminal Justice Policy Review
Criminology
Criminology & Public Policy
Journal of Community Psychology
Journal of Crime and Justice
Journal of Investigative Psychology and Offender Profiling

Journal of Quantitative Criminology
Journal of Research in Crime and Delinquency
Justice Quarterly
Police Practice & Research: An International Journal
Psychology, Public Policy, and Law
Punishment & Society
The American Journal of Comparative Law

Cengage Publishing
 Oxford University Press
 Public Policy Institute of California
 Wadsworth Publishing

PROFESSIONAL AFFILIATIONS

South Carolina Bar	2004-Present
American Society of Criminology	2009-Present
Academy of Criminal Justice Sciences	2009-Present
National Association of Sentencing Commissions	2014-Present
Southern Criminal Justice Association	2018-Present
John Belton O'Neill Inn of Court, student member	2003-2004

OTHER PROFESSIONAL EXPERIENCE

Charleston Southern University (criminal justice faculty)	2006-2008
South Carolina Court of Appeals (staff attorney)	2004-2006
South Carolina Senate Judiciary Committee (law clerk)	2004
South Carolina Centers for Equal Justice (law clerk)	2002