



District of Columbia Sentencing Commission

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MINUTES OF VIRTUAL COMMISSION MEETING

November 16, 2021

One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

| | |
|--------------------|----------------|
| Milton Lee | Dave Rosenthal |
| Katerina Semyonova | Renata Cooper |
| Juliet McKenna | |
| Cedric Hendricks | |
| Molly Gill | |
| Julie Samuels | |

Non-Voting Members in Attendance:

Diane Strote for Sonya Thompson
Leslie Parsons
Steve Husk
Kevin Whitfield for Charles Allen

Staff in Attendance:

| | | |
|----------------|-------------------|-----------------|
| Linden Fry | Taylor Tarnalicki | Maeghan Buckley |
| Brittany Bunch | Basil Evans | |

Judge Lee called the meeting to order at 5:05 p.m.

Review and Approval of the Minutes from the October 19, 2021 – Action Item, Judge Lee.

Minutes approved without objection.

Welcome Interim Director – Linden Fry - Informational Item, Judge Lee

Judge Lee introduced Linden Fry to the Commission. Mr. Fry was previously on the Commission staff as the General Counsel, though is now the agencies Interim Director. Mr. Fry briefly introduced himself, discussed his professional background and thanked Commission members for welcoming him back to the agency.

December Mini Meeting – Action Item, Judge Lee

Commission members discussed the possibility of hosting a December Commission meeting. It was agreed that a brief meeting will be held on December 7, 2021 at 5:15 PM via Zoom.

Continued Discussion of the Lapse and Revival Provision – Discussion Item, Judge Lee, Chairman

Judge Lee provided an overview of the discussion from the previous meeting regarding the current lapse and revival provision, and then opened up the floor so that Commission members could share any thoughts/ideas that they have in regard to a potential modification of the current provision. The discussion included:

- Changing the lapse and revival provision so that prior felony convictions that are beyond the 10-year window of the commission of the instant offense cannot be revived, and thus not counted in an individual's criminal history score.
- Having the 10-year window begin at the time an individual is released from incarceration. Commission members suggested that the revised provision mimic the language used to determine when/how to score juvenile adjudications, given that they are counted in a similar manner to this proposed modification.
- The implication of post supervised release and the beginning of the 10-year window.
- An interest in reviewing relevant recidivism research and studies which may help determine if the 10-year look back period is sufficient, or if this timeframe should be modified in anyway.

Judge Lee stated that the Lapse and Revival discussion will be continued at the next Commission meeting, and asked Commission staff to draft new language (two-three proposals) that modifies the current provision in preparation for the January meeting.

Judge Lee informed the Commission members that the next virtual Commission meeting will be December 7, 2021.

Meeting Adjourned at 6:00 pm.

NEXT MEETING:
December 7, 2021
Via ZOOM