

--These minutes were amended by vote during the Commission's February 18, 2025, meeting--



District of Columbia Sentencing Commission

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January 21, 2025
Hybrid Meeting Held at 441 4th St. NW, Suite 430S,
Washington, DC and via Zoom

Voting Members in Attendance:

Hon. Danya Dayson	Hon. Rainey Brandt	Hon. Todd Edelman
Frederick Cooke, Jr.	Cedrick Hendricks	Renata Cooper
Nazgol Ghandnoosh	Katerina Semyonova	Ramey Kyle

Non-Voting Members in Attendance:

Cristina Hillyer <i>for Sonya Thompson</i>	James Nance <i>for</i>
Erika McJimpsey	<i>Councilmember Brooke Pinto</i>

Staff in Attendance:

Linden Fry	Taylor Tarnalicki	Keelin Herbst
Maeghan Buckley	Mia Hebb	Brittany Bunch
Emily Blume	Ramleen Kaur	

Chairwoman Monthly Meeting Introduction – Action Item, Judge Danya Dayson, Chairwoman

Judge Dayson called the January monthly meeting to order at 5:02 p.m. A roll call was completed, and a quorum was established.

1. Review and Approval of the Minutes from the November 19, 2024, Commission Meeting – Action Item, Judge Danya Dayson, Chairwoman.

Members reviewed the draft minutes from the November 19, 2024, meeting. A roll call vote was taken, resulting in the approval of the minutes (eight votes in favor, zero abstentions, and zero opposed).¹

2. New Member Welcome – Information Item, Judge Dayson, Chairwoman

Judge Dayson welcomed two new Commission members: Judge Todd Edelman and Amanda Urena. Judge Edelman is an Associate Judge at the D.C. Superior Court and was appointed by the Chief Judge pursuant to D.C. Code § 3-102(a)(1)(A). Amanda Urena is the Case Operations Administrator at the United States Parole Commission and will serve as the designee of the United States Parole Commission Chairperson pursuant to D.C. Code § 3-102(a)(2)(d). Judge Dayson also noted that the Office of Attorney General has yet to designate a new representative to fill the vacancy left by long-time Commission member Dave Rosenthal, who has retired.

¹ Renata Cooper was not present for the vote approving the November 19, 2024, Meeting Minutes.

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3. Director's Report – Information Item, Linden Fry, Executive Director

a. 2025 Guidelines Manual and 2024 Annual Report Schedule

i. Manual

The 2025 Guidelines Manual has been submitted to the Commission for review. Director Fry explained that the January meeting will cover the changes and additions to the hypotheticals, and the February meeting will discuss the changes to the Manual's structure. The Commission is scheduled to vote on the 2025 Guidelines Manual at its February meeting.

ii. Annual Report

Staff have begun working on the 2024 Annual Report. The 2024 Annual Report will be sent to Commission members on March 6, 2025, for review. Staff will present the 2024 Annual Report to Commission members during the March 18, 2025 Commission meeting. Feedback from the Commission will be due on March 20, 2025. Once feedback is received, staff plan to incorporate any feedback and send the 2024 Annual Report to Judge Dayson on March 27, 2025. The 2024 Annual Report will go to the printers on April 10, 2025. The Commission will submit the 2024 Annual Report to the D.C. Council on April 25, 2025.

b. Updated Judicial Departure Form

Staff have updated the Judicial Departure Form, which is a form letter sent to a judge if a sentence they imposed appears to be non-compliant with the Guidelines. The form ensures the Commission's data is accurate and gives judges the opportunity to provide more details on why the sentence was imposed. The new Departure Form is easier to use and includes more user guidance. Staff also updated the format and language of the form to ensure clarity and consistency with other Commission materials.

c. New Misdemeanor Data Request Policy

The Commission will implement a new data request policy regarding misdemeanor data. Going forward, the Commission will only share misdemeanor data with agency partners. Further, all shared misdemeanor data will contain a disclaimer that the data has not been cleaned and reviewed in the same manner as felony data.

d. Sentencing Commission Annual Judiciary and Public Safety Committee Performance Hearing

The Commission's Annual Judiciary and Public Safety Committee Performance Hearing is scheduled for February 3, 2025 at 9:30 A.M. Staff have been diligently working on providing answers to the Council's pre-hearing performance questions and will submit the written answers on January 27, 2025. Judge Dayson and Director Fry will testify at the hearing. If any other Commission members would like to testify, they may sign up to do so either in-person or remotely.

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e. Participating in Guidelines Translation Committee

As discussed at prior meetings, the Commission is in the process of obtaining a vendor to translate the Guidelines Manual from English to Spanish. The Guidelines Translation Committee will review the translated Manual for accuracy. If any members would like to participate in the Guidelines Translation Committee, please reach out to Director Fry.

4. 2025 Guidelines Manual – Part One – New/Revised Examples and Hypotheticals – Action Item, Judge Dayson, Chairwoman and Maeghan Buckley, General Counsel

Ms. Buckley began by providing Commission members with an overview of the proposed changes to the 2025 Manual. The majority of changes were made to the overall structure of the Manual in an effort to organize topics, increase ease of citation, and improve the flow. After making the structural changes, the examples throughout the Manual were examined to discern if new examples were necessary or if existing examples needed to be updated. The changes also involved adding more visuals and color, as well as reformatting the tables and Grids, to improve readability and understanding. The changes are mostly non-substantive.

Ms. Buckley then summarized the changes made to the examples in the Manual. There were no substantive changes made to the examples. Generally, the examples were updated for language consistency and to conform with the structural changes made to the Manual. The examples in the 2025 Manual now address individual topics that coincide with topics covered in the chapter or subchapter in which they are located. Examples addressing multiple topics can be found at the end of some sections or chapters to illustrate how different rules interact with each other. Some examples were moved from the text of the Manual into an example box and all examples were numbered and titled so they are easy to identify and reference. Visuals and color were used throughout the examples to illustrate topics.

Ms. Buckley highlighted the changes by presenting Commission members with the following examples from the 2025 Manual:

- Example 8: Criminal History Scoring – Juvenile Adjudications;
- Example 9: Criminal History Scoring;
- Example 12: Criminal History Scoring - Lapsed Felony Convictions;
- Example 13: Criminal History Scoring - Lapse and Revival
- Example 14: Criminal History Scoring - Order of Sentencing
- Example 15: Criminal History Scoring - Misdemeanor Lapse
- Example 17: Scoring Out-of-District Offenses
- Examples 21-26 (Sentence Types)

At the conclusion of her presentation, Ms. Buckley gave an opportunity for Commission members to ask questions and stated that Commission members can also reach out to Ms. Buckley or Director Fry with any questions or suggestions. If Commission members would like to submit written feedback on the examples or on other changes contained in the 2025 Manual, Ms. Buckley asked that the feedback be submitted no later than February 11, 2025, to ensure adequate time to incorporate any feedback prior to the Commission's February 18th meeting and vote. Director Fry

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noted that the 2025 Manual was unanimously voted on by the Guidelines Implementation Committee, which consisted of representatives from US Attorney's Office, DC Office of the Attorney General, and the DC Public Defender's Office.

5. Next Scheduled Meeting: February 18th, 2025

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The meeting adjourned at 6:01 p.m.

NEXT MEETING:
February 18, 2025
Via Zoom

To view the video recording of the full discussion, visit <https://scdc.dc.gov/page/commission-meetings>.