



# 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 the Commission's General Counsel until 2018 when he joined the Superior Court's Criminal Justice Act defense panel. Last week he rejoined the Commission as the Interim Executive Director. Mr. Fry briefly introduced himself, discussed his professional background, and thanked Commission members for welcoming him back to the agency. Mr. Fry also praised the Commission staff's work while the agency transitioned roles.

### **December Mini Meeting – Action Item, Judge Lee**

Judge Lee announced that Commission would not hold a meeting in December. The Commission discussed holding a remote social event in December.

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

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

- Having the 10-year prior offense window begin at the time an individual is released from incarceration rather than when they finish community supervision (e.g. end of probation or supervised release). Commission members discussed changing when the prior adult offense ten-year window begins so that the rule operates in a similar manner to the juvenile adjudication scoring rule contained in Guidelines section 2.2.4.
- How individuals who were previously committed to a halfway house should be treated.
- 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 in January. He asked Commission staff to draft proposed language to amend the current provision. Mr. Fry told the Commission that the staff would prepare two or three proposals for modifying the rule for Commission members to consider and discuss at the January Commission meeting.

Judge Lee informed the Commission members that the Commission's December social event will be on December 7, 2021.

Meeting Adjourned at 6:00 pm.

NEXT MEETING:  
January 18, 2021  
Via ZOOM