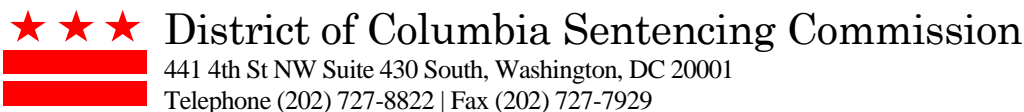


--These minutes were amended by vote during the Commission's February 18, 2025, meeting--



February 18, 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	Elana Suttentberg
Nazgol Ghandnoosh	Katerina Semyonova	Joel Castón
Ramey Kyle		

Non-Voting Members in Attendance:

Cristina Hillyer <i>for Sonya Thompson</i>	Amanda Urena	James Nance <i>for Councilmember Brooke Pinto</i>
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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 February 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 January 21, 2025, Commission Meeting – Action Item, Judge Danya Dayson, Chairwoman.

Members reviewed the draft minutes from the January 21, 2025 Commission meeting. A roll call vote was taken, resulting in the approval of the minutes (eight votes in favor, one abstention, and zero opposed).¹

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

Judge Dayson welcomed new Commission member Elana Suttentberg, Esq. Ms. Suttentberg is the Special Counsel at the United States Attorney Office for the District of Columbia. Acting United States Attorney, Ed Marting, Esq., appointed Ms. Suttentberg as his representative on the Commission pursuant to D.C. Code § 3-102(a)(1)(C) following the retirement of Renata Cooper, Esq.

¹ Ramey Kyle was not present for this vote.

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3. 2025 Guidelines Manual – Part Two – Discussion and Vote on Proposed Changes – Action Item, Judge Dayson and Maeghan Buckley, General Counsel.

Ms. Buckley began by providing Commission members with an overview of the key changes to the proposed 2025 Guidelines Manual (the Manual). These updates focus on the significant structural changes to the Manual, which organize topics more effectively, enhance the ability to cite to specific subsections or rules, use consistent language throughout the Manual, and improve the overall flow. Ms. Buckley's presentation highlighted:

- **Manual Structure:** Previous editions of the Manual combined various topics within a single chapter. The proposed 2025 Manual organizes rules and concepts into smaller, more manageable sections and divides chapters into distinct subsections.
- **Consistency:** Language throughout the proposed 2025 Manual has been updated for clarity and uniformity, ensuring terms are used consistently to prevent confusion.
- **Visuals:** The proposed 2025 Manual contains more visual aids, with all tables labeled for ease of reference. Additionally, the visuals and tables have been standardized for improved usability.
- **Grids:** The Grids have received their first major visual update since their creation in 2004. Changes include improved spacing, an updated color scheme for better visibility and accessibility—especially for those with color blindness—and renaming the “Master Grid” to the “Main Grid.” These changes are strictly stylistic and non-substantive.
- **Moving Materials to the Website:** Less used or repetitive materials from the Manual's appendices and examples will be moved to the Commission's website.

Additionally, Ms. Buckley discussed the minor substantive changes proposed which address unaddressed or under-addressed topics, in alignment with the current Guidelines policy. The minor substantive updates are:

- **Section 3.5.3: Partially Repealed or Replaced Offenses**
 - o The Manual did not previously explicitly address the scenario where an offense was repealed, but the conduct remains criminalized or partially criminalized under another statute that remains in effect.
- **Section 3.7.2: Scoring Contempt Convictions and Juvenile Adjudications**
 - o This section was updated to include juvenile contempt adjudications, a topic not explicitly discussed in previous versions of the Manual.
- **Section 5.4: Military/Territorial/Tribal/Foreign Convictions**
 - o Language regarding Tribal convictions was added as a substantive change, in line with the principles requiring Constitutional protections before a conviction may be scored.

The presentation concluded by discussing a slight non-substantive change made to the previously approved hypothetical in Example 19, “Scoring Out-of-District Offenses – Challenging.” This

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update included modifications to the referenced statute year and threshold dollar amount to improve the example's accuracy and to prevent confusion with the current Virginia Code.

Following the presentation, Judge Edelman raised a question regarding materials that will now be available exclusively on the Commission's website. The Supplemental Materials include Appendix C-I, Appendix D (Ranking Chart), Appendix E (Guide to Split Sentences), Chapter 8 (Frequently Asked Questions), and Chapter 9 (Hypotheticals) of the 2023 Guidelines Manual. These materials were shifted online based on the structural updates to the Manual, they would be redundant to include. Rather than being removed, these Supplemental Materials will be relocated to the Commission's website, where they will remain accessible – along with the PDF version of the 2025 Manual. Ms. Buckley emphasized that the PDF and printed versions of the 2025 Manual will be identical. Additionally, the Commission aims to continue utilizing the online space to amend the Manual, if necessary, allowing for updates and Guidelines Alerts without waiting for the next publication.

Following the presentation and discussion, a roll call vote was taken on the proposed 2025 Guidelines Manual. The Commission unanimously approved the 2025 Guidelines Manual (nine votes in favor, zero abstentions, and zero opposed).²

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

a. 2024 Annual Report - Update

The 2024 Annual Report remains on schedule. A draft will be sent to Commission members before the next Commission meeting. Feedback from members will be due on March 20, 2025. Ms. Tarnalicki will provide a presentation on the 2024 Annual Report to Commission members during the March 18, 2025 Commission meeting. Once feedback is incorporated, Commission staff will submit the finalized report to Judge Dayson on March 27, 2025. The 2024 Annual Report is scheduled for printing on April 10, 2025, and will be submitted to the D.C. Council on April 25, 2025.

b. Statistician Job Posting

The Commission's Statistician position is currently vacant. Mr. Fry noted that the position was left vacant for several months for budgetary reasons, however the Commission is now ready to fill the position. Mr. Fry is currently working with DCHR to begin recruiting for the position and hopes to have the position posted by the next Commission meeting.

c. Rule 11(c)(1)(C) FY 2025 Quarter 1 Report

The Commission will continue to create quarterly Rule 11(c)(1)(C) Plea reports that will be distributed to Commission members and will be published on the Commission's website. However, unless requested, staff will no longer present the quarterly Rule 11(c)(1)(C) Plea reports

² Ramey Kyle was not present for this vote.

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to the Commission during meetings. Commission staff will present a yearly Rule 11(c)(1)(C) Pleas report at the end of each fiscal year.

Mr. Fry also explained that in FY 2025 Quarter 1 (October 1, 2024 – December 31, 2024), six percent of all adult felony counts sentenced in D.C. Superior Court resulted from a Rule 11(c)(1)(C) plea. This marks the lowest percentage recorded by the Commission in the past five fiscal years. A copy of the full report is available on the Commission's website, found here: [Rule 11\(c\)\(1\)\(C\) Plea Quarterly Report – FY2025 Quarter One | scdc](#).

d. Participating in Guidelines Translation Committee

The Commission has contracted with a vendor to translate the 2025 Manual from English to Spanish. To ensure accuracy, the Commission is forming a committee to review the translated Manual once the initial translation is completed.

The Commission is seeking four to five individuals who are fluent in Spanish and familiar with the Guidelines to participate in the committee. Members who are interested in joining or know someone in their agency who may be able to assist, are encouraged to contact Director Fry.

e. 2026 Guidelines Manual – Request for Proposals

Mr. Fry announced that the Commission is accepting proposals for changes to the 2026 Manual. Members with proposals for the 2026 Manual should submit their proposals to Ms. Buckley by April 4, 2025. Mr. Fry requests that those submitting proposals attend the next Guidelines Implementation Committee (GIC) meeting to present their recommendations and explain the significance of the proposal to other GIC members.

Moving forward, the goal is to make the 2026 Manual – and all future editions – effective on January 1 of each year.

5. Next Scheduled Meeting: March 18th, 2025

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The meeting adjourned at 5:48 p.m.

NEXT MEETING:
March 18, 2025
Via Zoom

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