

--These minutes were amended by vote during the Commission's May 20, 2025, meeting--



## District of Columbia Sentencing Commission

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March 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	Elana Suttentberg
Frederick Cooke, Jr.	Cedrick Hendricks	Ramey Kyle
Nazgol Ghandnoosh	Katerina Semyonova	

### **Non-Voting Members in Attendance:**

Andrew Mazzuchelli	Cristina Hillyer <i>for Sonya Thompson</i>
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### **Staff in Attendance:**

Linden Fry	Taylor Tarnalicki	Keelin Herbst
Ramleen Kaur	Mia Hebb	Brittany Bunch

### **Chairwoman Monthly Meeting Introduction – Action Item, Judge Danya Dayson, Chairwoman.**

Judge Dayson called the March monthly meeting to order at 5:05 p.m. A roll call was completed, and a quorum was established.

#### **1. Review and Approval of the Minutes from the February 18, 2025, Commission Meeting – Action Item, Judge Danya Dayson, Chairwoman.**

Members reviewed the draft minutes from the February 18, 2025 Commission meeting. A roll call vote was taken, resulting in the approval of the minutes (eight votes in favor, zero abstentions, and zero opposed).

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

Judge Dayson welcomed new Commission member Andrew Mazzuchelli, Esq. Mr. Mazzuchelli is the General Counsel for the District of Columbia Department of Corrections. The Director of the District of Columbia Department of Corrections, Thomas Faust, has designated Mr. Mazzuchelli as his representative to the Commission pursuant to D.C. Code § 3-102(a)(2)(A).

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

Director Fry began by expressing thanks to the Commission's staff for their recent hard work. The 2025 DC Voluntary Sentencing Guidelines Manual (2025 Manual), which goes into effect on April 1, 2025, has been sent out via e-mail and made available on the Commission's website.

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The Commission will send out hard copies of the 2025 Manual at the end of the week or the following week, depending on when the Commission receives them from the printers.

*a. Enterprise Justice Update*

The Commission has paused its Enterprise Justice - Phase II (Phase II) development activities while the Court evaluates the best course of action to proceed with. The Commission's actions follow the Criminal Justice Coordinating Council's March 11<sup>th</sup> decision to suspend their own internal and external Phase II development programs. While the future of Phase II is uncertain, the Commission's current data operations are not impacted by this pause because it continues to receive and utilize data from the Court's legacy case management system, known as CourtView.

*b. Statistician Job Posting*

The hiring for the Statistician position has temporarily been paused pending Congressional action on the District's fiscal year (FY) 2025. Mr. Fry expressed that it is imperative that the Commission fill this position as soon as it can due to the agency's current data and analysis needs. However, if the Commission needs to cut its approved FY 2025 budget, funding for the position may not exist.

*c. Participating in Guidelines Translation Committee*

The Commission has sent the 2025 Manual to a contractor to begin translating it into Spanish. In three to four weeks, the contractor will provide an initial translation. Director Fry reiterated the need for Commission members or their colleagues to assist staff in ensuring the translation is accurate. If available to participate in the Guidelines Translation Committee, Commission members should contact Director Fry.

Ms. Suttenger asked if the Spanish-translated Manual will contain a caveat that the English-version of the Manual controls if there are any discrepancies between the two versions. Director Fry confirmed that the Spanish-translated Manual will include such a caveat, similar to the provision in the 2025 Manual, which states the printed Manual's controls over online supplementary materials.

*d. 2026 Guidelines Manual – Request for Proposals*

Suggested amendments to the 2026 Manual are due to Maeghan Buckley by April 4, 2025. Once all suggestions have been received, the Guidelines Implementation Committee will begin convening to discuss the suggestions.

**3. 2024 Sentencing Commission Annual Report – Presentation and Discussion – Information Item, Taylor Tarnalicki (Research Director).**

The 2024 Annual Report includes a wealth of information on data and sentencing trends, as well as an overview of the Commission's recent projects and accomplishments in 2024. Ms.

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Tarnalicki expressed her gratitude to staff and Commission members for their work on the 2024 Annual Report. Any additional feedback is due to Director Fry or Ms. Tarnalicki by March 21<sup>st</sup>.

Ms. Tarnalicki presented key findings from the 2025 Annual Report:

- In 2024, there were a total of 1,477 individuals sentenced in 1,538 cases consisting of 2,213 felony counts, which is a dramatic increase from 2023 (about 50%). This increase closely aligns with numbers seen in 2018.
- The percentage of cases disposed of via jury trial in 2024 (7.3%) was the highest in the past nine years. The proportion of cases disposed of by Rule 11(c)(1)(C) plea agreements, however, saw the most dramatic decrease. The decrease in Rule 11(c)(1)(C) plea agreements was primarily offset by an increase in traditional plea agreements.
- Short Split sentences made up the lowest portion of all felony sentence types imposed that the Commission has ever observed. Historically, Short Split sentences represented about 20% of sentence types, however, in 2024 Short Split sentences represented only 13.6% of all sentence types.
- For defendants who fell in the light shaded boxes on the Grids (Probation, Short Split, and Prison permissible), 43% received Probation sentences, 20% received Short Split sentences, and 37% received Prison sentences. Therefore, the box color does not determine the sentence type imposed.
- A total of 1,235 Non-Violent<sup>1</sup> felony counts were sentenced in 2024, reflecting a 48% increase from 2023 and the greatest number ever recorded by the Commission. Sentences for Violent offenses also increased from 2023, largely due to an increase in Robbery and Assault with a Dangerous Weapon convictions.
- Drug offenses represented 9.4% of all felony counts sentenced in 2024, the highest percentage of all felony offenses sentenced since 2020.
- Consistent with previous years, Carrying a Pistol without a License (CPWL) and Unlawful Possession of a Firearm – Prior Conviction (FIP-1) constituted the majority (74%) of the 877 sentenced Weapon offenses.
- Similar to previous years, the overwhelming majority (98.4%) of felony counts sentenced in 2024 were Compliant with the D.C. Voluntary Sentencing Guidelines.
- In 2024, there were 5,761 adult felony arrests made in the District. Of those arrests, 72% were papered, generating a total of 4,319 non-fugitive cases filed in D.C. Superior Court. As of January 6, 2025, the disposition of 2024 papered cases broke down as follows: 20.1% were closed without conviction, 32% resulted in a conviction, and 48% are pending disposition.

At the conclusion of the presentation, Ms. Tarnalicki opened the floor for questions. Judge Dayson asked when the data snapshot for the arrest-to-sentencing analysis is taken each year. Ms. Tarnalicki stated that the snapshot, while not taken on the same day each year, is taken around the same time each year, typically within the first week in January. This year it was taken on January 6<sup>th</sup>.

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<sup>1</sup> The Commission classifies offenses into three broad categories for high-level analysis: Violent (Homicide, Sex, Violent offenses), Non-Violent (Weapon, Property, and Other offenses), and Drug.

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Dr. Ghandnoosh asked why the Commission's Violent offense category excludes Sex and Homicide offenses. Ms. Tarnalicki explained that the data analysis does not use the statutory definition of "Crime of Violence" when conducting the analysis. Instead, the Commission uniquely categorizes the offenses and separates out some offenses, such as Homicide and Sex offenses. The intent behind having separate and distinct categories was to provide a more granular view of the sentencing trends for these very specific offense categories. Dr. Ghandnoosh asked whether the phrase "Violent offenses" throughout the report excludes Sex and Homicide offenses, and Ms. Tarnalicki confirmed that the phrase Violent offenses, aside from the portion of the report on statutory Crimes of Violence, generally excludes Homicide and Sex crimes. Director Fry added that this was a decision made early on in the Commission's tenure, and staff have continued to use these categories to ensure an accurate year-to-year comparison and analysis.

Ms. Semyonova asked about the impact of citation release in the arrest-to-sentencing analysis. Director Fry clarified that the Commission only analyzes felony arrests, which he does not believe are eligible for citation release. As for pre-trial release generally, Director Fry clarified that the Commission's analysis is not affected by whether a defendant is detained or released pre-trial. Ms. Semyonova then asked if misdemeanors are included in the arrest-to-sentencing analysis. Ms. Tarnalicki explained that the agency does not have the resources to clean and review misdemeanor arrest data in the same way it cleans and reviews felony data. Therefore, misdemeanor arrests are not included; however, for felony arrests where the cases resulted in convictions, the analysis can be further broken down to examine whether the ultimate convictions were for felony or misdemeanor offenses. Judge Dayson asked whether cases that resulted in misdemeanor convictions are included as "conviction" or "closed without conviction." Ms. Tarnalicki explained that they are included in "conviction."

**Next Scheduled Meeting:** April 15, 2025\*

Judge Dayson noted that Commission staff do not have any agenda items for the April meeting. If any Commission members have agenda items for the April meeting, please let Judge Dayson or Director Fry know by March 25, 2025. If there are no items for discussion in April, the April meeting will be cancelled and the next meeting will be on May 20, 2025.

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The meeting adjourned at 5:48 p.m.

NEXT MEETING:  
April 15, 2025  
Via Zoom

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