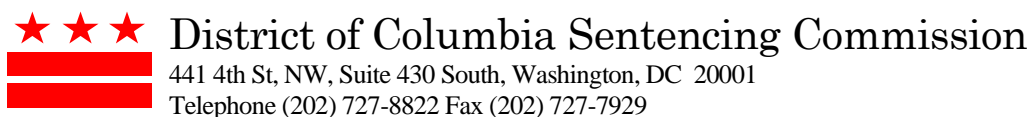


--These minutes were amended by vote during the Commission's April 18, 2023, meeting--



MINUTES OF VIRTUAL COMMISSION MEETING

February 27, 2023

Via WebEx

Voting Members in Attendance:

Hon. Milton Lee	Renata Cooper
Hon. Marisa Demeo	Katerina Semyonova
Hon. Rainey Brandt	Frederick Cooke
Dave Rosenthal	Molly Gill
Nazgol Ghandnoosh	

Non-Voting Members in Attendance:

Cristina Hillyer for Sonya Thompson	Leslie Parson
Michael Porcello for Councilwoman Brooke Pinto	Eric Glover
Stephen J. Husk	

Staff in Attendance:

Linden Fry	Basil Evans	Maeghan Buckley	Emily Blume
Brittany Bunch	Taylor Tarnalicki		

Chairman Monthly Meeting Introduction – Action Item, Judge Lee, Chairman

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

Review and approval of the minutes from January 17, 2022, Commission meeting – Action Item, Judge Lee, Chairman.

The Commission received the draft January meeting minutes for final review prior to the February meeting. The Commission voted by roll call to approve the minutes (eight votes in favor and one abstained).

Director's Report - Information Item, Linden Fry, Executive Director

Before Linden Fry greeted the Commission members and staff, Judge Lee welcomed the Commission's new member Nazgol Ghandnoosh, of the Sentencing Project. Ms. Ghandnoosh gave a brief introduction. It was announced that the Commission only had one more membership seat to fill which is the citizen member seat, which is appointed by the Mayor. The Commission will continue to work with the Mayor's Office of Talent Acquisition (MOTA) to get this seat filled. The meeting proceeded with a brief overview of the Commission's recent activities since the previous monthly meeting.

Mr. Fry provided a summary of the Commission's latest Agency Performance Hearing. Topics such as the potential Revised Criminal Code Act of 2022's (RCCA) transition as well the Commission handling of D.C. Superior Courts' transition in case management systems were discussed during the hearing.

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Next, an update was given regarding filling the positions the Commission acquired to assist with Commission's potential RCCA transition. It was noted that the first offer letter had been sent to a candidate who applied for the Commission's Policy Advisor position. It was noted that the Commission is open to adjusting the name of the position so that it can be more fitting to an individual with a law background. Mr. Fry is confident that the Attorney Advisor position will be filled by the later part of spring. Members will be kept abreast.

Before the monthly meeting, the Commission was sent a survey sourcing their ideas on whether the Commission should host a one-day retreat to foster ideas on the next steps the Commission should take in response to the potential RCCA passage. The results were shared, though mixed, the Commission will move forward with a September date at either the Martin Luther King Library or the City Conference Center. Members will be contacted in coming weeks to discuss dates of availability as well as additional feedback.

Following the discussion on the retreat, the Commission was briefed on the status of D.C. Superior Courts' transition in case management systems and the Commission's role. Though issues still persist, the staff has alerted the Chair of the Judiciary and Public Safety Committee, Councilmember Brooke Pinto, to the Commission's upcoming budget request submittal.

To close the Report, the next steps for the Annual Report Timeline were reiterated. It was announced that the first draft of the 2022 Annual Report was submitted to the Executive Director for review. Following the review, the Commission will be sent the Report on Tuesday, March 14th, 2023. Members will have 10 days to review and leave their comments and concerns.

Preparing for the Revised Criminal Code Act of 2022 –Presentation by Criminal Code Revision Commission Executive Director Jinwoo Park.

Jinwoo Park provided a synopsis of the RCCA and its changes compared to the current code. Before starting the presentation, he provided a brief update regarding the status of the proposed legislation. He noted that though there is some uncertainty surrounding the passage of the RCCA his agency will move forward as if it will be passed.

Afterwards, the members were given an outline of some of the changes made to the code. Some of the changes discussed included but were not limited to:

- The addition of more definitions outlining culpable mental states within offenses;
- The structure of various penalty classifications; and
- Updates regarding penalty enhancement rules.

Mr. Park suggested that members review the current Guidelines rules associated with enhancements to ensure that there is no discrepancy in relation to the proposed code.

The floor was opened for members to ask questions and voice concerns. Below are a few of the questions that were addressed such as:

- Clearness regarding the process for picking classifications and gradations;
- Access to public opinion polls associated with classifications of offenses;
- Clarity on the approach to addressing mandatory minimums; and
- The meaning of "reserved" in relation to offenses listed.

For more detail, view <https://scdc.dc.gov/page/commission-meetings>

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Resolving 2021 MPD Felony Arrest Data Discrepancies –Information Item, Taylor Tarnalicki, Statistician.

Taylor Tarnalicki gave a review of the recent Metropolitan Police Department (MPD) felony arrest data discrepancies and how they were resolved. Earlier in the year the Commission staff discovered that there was a subset of arrests that had not been processed into the analysis portion of the GRID data system. This is because there were competing values reported for value associated with the person's role in a given arrest (i.e., the witness, the victim...). These competing values caused the individual arrest records to be duplicated. For example, a single arrest would show up twice in the data; once where the value for Person Role was 'defendant', and a second time where the value was 'witness'. At the time the Commission's data system did not know which entry to process for analysis, and subsequently, this subset of arrests was missing from the analysis portion of the system.

The Commission fixed this issue by updating its GRID system to choose the entry where the Person Role value is 'defendant'. Following this update, there was a backlog of old arrests that were processed into the GRID system. Most of the backlogged arrest data was associated with 2021. These arrests were not available for analysis at the time of the data freeze for the 2021 Annual Report. This subsequently led to the backlogged data not being included in the arrest analysis presented in the 2021 Annual Report.

This issue has caused a discrepancy in the numbers of 2021 felony adult arrests reported in the 2021 Annual Report and the current 2022 Annual Report. The Commission will continue to work with MPD to ensure that processes are created to avoid this issue in the future.

Follow the overview, the floor was open for members to provides their thoughts and concerns.

Meeting Adjourned at 6:22 pm.

NEXT MEETING:
February 27, 2022
Via WebEx

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