



# District of Columbia Sentencing Commission

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## MINUTES OF FULL COMMISSION MEETING

February 19, 2019

One Judiciary Square, Suite 430S, Washington, DC 20001

### **Voting Members in Attendance:**

Milton Lee	Julie Samuels
Renata K. Cooper	Molly Gill
Katerina Semyonova	Frederick D. Cooke, Jr.
Danya Dyson	William Martin
Marvin Turner (via phone)	Cedric Hendricks

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

Stephen Husk  
James Wills for Judi Garrett

### **Staff in Attendance:**

Barbara Tombs-Souvey	Kara Dansky	Taylor Tarnalicki
Mia Hebb	Mehmet Ergun	

- I. Chairman Lee called the meeting to order at 5:10 p.m.
- II. Introduction and Welcome for new representative from Bureau of Prisons – Informational Item, Judge Lee.

*Welcome:* Judge Lee and the Commission members welcomed James Wills, Deputy General Counsel from the Bureau of Prisons to the Commission. Mr. Wills was representing Judi Garrett at the meeting.

- III. The minutes from December 11, 2018, were briefly discussed. The minutes were approved pending any changes submitted to Barbara Tombs-Souvey.
- IV. Annual Report Timeline - Informational Item, Barbara Tombs-Souvey.

*Annual Report Timeline:* Ms. Tombs-Souvey briefly discussed the timeline for upcoming annual report. She stated that a draft of the annual report will be distributed to Commission members for review and edits on March 5, 2019. Commission members were asked to provide their comments and edits by March 15, 2019 to allow sufficient time to incorporate any changes before the report is finalized and distributed.

- V. Overview of Agency Performance Hearing – Informational Item, Judge Lee and Barbara Tombs-Souvey.

**Overview of Agency Performance Hearing:** Judge Lee briefly discussed the February 8, 2019, Agency Performance Hearing that took place before the Council. Judge Lee reported that he and Ms. Tombs-Souvey attended the hearing and it went well, with no major issues or concerns raised by the Council. Judge Lee commended Ms. Tombs-Souvey and the staff for their efforts of preparing materials for the hearing.

Ms. Tombs-Souvey briefly discussed the FY2020 funding request submitted to the Mayor for the MPD Arrest Data Enhancement Project. Additionally, Commission members were informed of the progress made regarding the community outreach initiative. Ms. Tombs-Souvey was pleased to report that the agency completed its first Guideline information session with District youth (ages 14-24), which is one of the target populations of this initiative. Several additional youth presentations have been scheduled throughout March 2019. Ms. Tombs-Souvey stated that additional information sessions will be offered to the general public, community groups and returning citizens. Several Commission members offered suggestions on additional groups and populations that may be interested in Sentencing Guidelines information sessions. Commission members were encouraged to participate in the community presentations when possible.

Ms. Tombs-Souvey also informed Commission members that the staff will be developing Fast Facts Sheets for individual offenses and Issue Papers which will focus on highlighting a specific aspect of the Sentencing Guidelines in the upcoming months.

**VI. Overview of Felony In Possession Sentencing Trends - Informational Item, Judge Lee and Barbara Tombs-Souvey**

**Overview of Felony In Possession Sentencing Trends:** Judge Lee briefly discussed the memorandum provided to Commission member relating to the re-ranking of Felon in Possession. The memo provided Commission members with an overview of sentencing patterns for the six (6) months pre and post re-ranking of the offense. Judge Lee informed Commission members that this information was also presented to the Council during the recent performance hearing. Judge Lee asked Commission members if there were any comments or questions regarding the data provided and a brief discussion regarding the impact of the re-ranking followed.

**VII. Lapse and Revival Procedures in Other Jurisdiction – Informational Item, Kara Dansky**

**Survey of Lapse and Revival Procedures in Other Jurisdiction:** Ms. Dansky addressed the Commission members request for information related to the criminal history look-back period and how other jurisdictions handle the lapse and revival of prior offenses. Ms. Dansky presented an overview of the memorandum outlining how various states addressed these issues, which was followed by a lengthy discussion from Commission members.

**VIII. Presentation of Requested Research Findings: – Discussion Item, Mehmet Ergun**

**Presentation of Requested Research Findings:** This item Discussion was deferred until the next Commission meeting.

**IX. Discussion of Post Release Issue – Discussion Item – Kara Dansky**

**Discussion of Post Release Issue:** Ms. Dansky stated that the supervised release provision of the D.C. Code §24-403.01 addressed in the Voluntary Guidelines Manual creates some confusion and the Commission staff recommend that the Guideline Implementation Committee consider changing Appendices C and C-1 in the Manual to include a footnote clarifying the statute

requiring the court to impose up to three to five years of supervised release, depending on the severity of the offense, when it imposes a sentence of one year or less. Judge Lee asked for feedback from Commission members. Commission members agreed to have the Guideline Implementation Committee review this issue and recommends the appropriate language.

Meeting Adjourned at 6:40pm.

NEXT MEETING:

March 19, 2019  
One Judiciary Square (441 4<sup>th</sup> Street, NW) Suite 430S.