



District of Columbia Sentencing Commission

441 4th St, NW, Suite 430 South, Washington, DC 20001

Telephone (202) 727-8822 Fax (202) 727-7929

MINUTES OF FULL COMMISSION MEETING

September 17, 2019

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

Voting Members in Attendance:

Milton Lee	Julie Samuels
Renata K. Cooper	Molly Gill
Katerina Semyonova	Dave Rosenthal
Danya Dyson	Frederick Weisberg

Non-Voting Members in Attendance:

Robert Contee
Diane Strote for Judi Garrett

Staff in Attendance:

Barbara Tombs-Souvey	Kara Dansky	Taylor Tarnalicki
Mehmet Ergun	Miatta Sesay	

- I. Judge Lee called the meeting to order at 5:06 p.m.
- II. The minutes from June 18, 2019, were briefly discussed. Commission members proposed removing the “Guest in Attendance” section given that the individuals listed are members of the Commission, though they typically send a designee, rather than attend in person. It was suggested to refer to these individuals as members in attendance, with their designee included in parenthesis. Further, these individuals will be referred to as “members” rather than “guests” throughout the minutes. These changes will be incorporated into the approved minutes for the June 2019 meeting.
- III. Research Committee Recommendations Regarding Crimes of Violence – Action Item, Barbara Tombs-Souvey.

Research Committee Recommendations Regarding Crimes of Violence: Ms. Tombs-Souvey provided an overview of the issues surrounding the Commission’s current definition of “Violent” crime and possible approaches to redefining it. Ms. Tombs-Souvey explained that the Commission’s current definition does not perfectly align with the local statutory definition of “crime of violence” or the UCR Part 1 Index Offenses. The main differences are that: (1) the Commission classifies burglary as a property crime; and (2) the Commission includes homicide offenses and sex abuse offenses in their own unique categories (the statutory definition includes most versions of these offenses as “crimes of violence”).

Ms. Tombs-Souvey stated that the Research Committee met twice to discuss this issue. The Committee discussed the possibility of re-defining “Violent crime” to more closely align with either the statutory definition or the UCR Part 1 definition. However, the Committee noted that changing the current definition would have implications for anyone researching the history of crime and sentencing in D.C.

The Research Committee recommended that the Commission:

- 1) Not change the Commission's current definition of violent crime;
- 2) Explicitly state the Commission's current definition of violent crime, and the offenses included in the definition, in future versions of the Commission's Annual Report; and
- 3) Add a section to the Annual Report Appendix that provides additional data analyses on sentences imposed for "crimes of violence" as defined in the D.C. Code § 23-1331(4).

There was brief discussion among Commission members concerning these recommendations.

Commission Action #1: The Commission voted unanimously to accept the recommendations proposed by the Research Committee.

IV. Review and Approval of Fast Facts "Assault with Intent to Kill," – Action Item, Taylor Tarnalicki, Research Analyst.

Review and Approval of Fast Facts "Assault with Intent to Kill:" Ms. Tarnalicki provided an overview of the second Fast Facts sheet, which highlights sentencing trends for Assault with Intent to Kill (AWIK). Ms. Tarnalicki opened the floor for discussion, and welcomed suggestions/edits from Commission members. Among the suggested revisions were to:

- 1) Include a publication date, and adopt this into the Fast Facts template; and
- 2) Revise the definition of 11(c)(1)(C) pleas to match that used in the Annual Report.

These changes will be incorporated into the final version of the AWIK Fast Facts document before publication.

V. Discussion Regarding Commission Priorities for FY 2021 – Discussion Item, Judge Lee, Chairman.

Discussion Regarding Commission Priorities for FY 2020: Judge Lee opened up the floor for discussion regarding what issues the Commission should focus on in FY 2020. Among the suggestions proposed were to:

- 1) Consider the impact of the Guidelines on juveniles convicted of Title 16 offenses, and possibly incorporate a set of rules into the Guidelines to address this unique population;
- 2) Consider conducting research on the population of offenders housed in the Federal Bureau of Prisons who were sentenced by the D.C. Superior Court.
- 3) Identify the components necessary to conduct a study on recidivism, take preliminary steps to design the study, and explore the possibility of having an expert in the area of recidivism research address the Commission
- 4) Consider changing the look back period for calculating criminal history.

Meeting Adjourned at 6:23pm.

NEXT MEETING:

October 15, 2019
One Judiciary Square (441 4th Street, NW) Suite 430S.