



# District of Columbia Sentencing Commission

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## **MINUTES OF VIRTUAL COMMISSION MEETING**

June 22, 2021

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

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

Milton Lee	William” Billy” Martin
Juliet McKenna	Dave Rosenthal
Danya Dyson	Katerina Semyonova
Cedric Hendricks	Renata Cooper
Molly Gill	Julie Samuels
Frederick Cooke	

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

Diane Strote for Sonya Thompson  
Leslie Parsons  
Steve Husk  
Kevin Whitfield for Charles Allen  
Eric Glover

### **Staff in Attendance:**

Barbara Tombs-Souvey	Basil Evans	Taylor Tarnalicki
Mia Hebb	Brittany Bunch	

Judge Lee called the meeting to order at 5:05 p.m.

**Review and Approval of the Minutes from the May 18, 2021 – Action Item, Judge Lee. Minutes approved without objection.**

**Presentation and Approval of Carjacking Fast Facts – Action Item, Taylor Tarnalicki, Research Analyst**

Ms. Tarnalicki gave a presentation of the Carjacking Fast Facts, which examines sentencing trends for Armed, Unarmed, and Attempted Carjacking sentences that were imposed between January 1, 2016 and December 31, 2020. Ms. Tarnalicki’s overview of the findings included:

- Sentencing Related Information
- Criminal History and Compliance
- Offender Demographics

Ms. Tarnalicki asked if there were any questions or suggestions. Commission members suggested that staff monitor Carjacking data for the foreseeable future to determine how these cases progress through D.C. Superior Court given the recent rise in carjacking offenses in the District.

**Presentation and Approval of Semi-Annual Newsletter “Commission Chronicle”–Action Item, Brittany Bunch, Outreach Specialist and Judge Lee**

Judge Lee briefly discussed the Summer 2021 edition of the Commission’s newsletter: “The Commission Chronicle” and then turned the floor over to Brittany Bunch, who provided a high-level overview of the contents of the newsletter. This edition contains articles on the 2021 Annual Report and other sentencing related information, ongoing work of the Commission, as well as Commission member highlights. Judge Lee and the Commission commended Ms. Bunch on her efforts.

**Continued Discussion on Commission’s Response to the Impact of Covid-19 on Sentencing–Action Item, Judge Lee, and Guideline Implementation Subcommittee**

Judge Lee continued the discussion related to: 1) Commission’s Response to the Impact of Covid-19 on Sentencing - Potential New Mitigating Departure Principle Factor, and 2) the review of the Modified Short Split Definition, which initially was discussed during the May Commission meeting. These discussions centered on how the Guidelines could potentially respond to unprecedented and emergency situations, such as the COVID-19 pandemic, which had a direct impact on court operations and sentencing proceedings. Judge Lee turned the floor over to the Guideline Implementation Sub-Committee for further discussion and recommendations. The Committee stated that they had reached an agreement on modifying the definition for short split sentences, which would be deemed Guidelines Compliant when the court invokes DC Code 11-947 due to unprecedented emergency. However, the Committee was unable to reach agreement on a new potential Mitigating Departure Factor due to disagreements relating to the proposed language. There was a lengthy discussion among the Committee and the Commission members. Judge Lee requested the subcommittee to work through the issues related to the proposed language for a new Mitigating Departure Factor and be prepared to discuss the language at the July Commission meeting.

**Commission Vote:** The Commission members unanimously voted in favor of modifying the definition of a Short Split sentence (Guideline Manual 3.4) when the court’s invokes DC Code 11-947. This modification becomes effective immediately.

**Continued Discussion of the Lapse and Revival Provision – Discussion Item, Judge Lee, Chairman**

Continued Discussion of the Lapse and Revival Provision: Judge Lee stated that the Lapse and Revival Provision discussion would be placed on the agenda for discussion at the next Commission meeting.

Judge Lee reminded Commission members that the next scheduled virtual Commission meeting will be held July 20, 2021.

Meeting Adjourned at 6:33pm.

NEXT MEETING:  
July 20, 2021  
Via ZOOM