



# 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 VIRTUAL COMMISSION MEETING**

May 18, 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	Eric Glover
Julie Samuels	

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

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

### **Staff in Attendance:**

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

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

**Review and Approval of the Minutes from the April 20, 2021 – Action Item, Judge Lee. Minutes approved without objection.**

**Introduction of Agency's New Outreach and Education Specialist, Brittany Bunch – Information Item, Barbara Tombs-Souvey, Executive Director**

Introduction of Agency's New Outreach and Education Specialist: Ms. Tombs-Souvey introduced Brittany Bunch as the Agency's New Outreach and Education Specialist for the Commission. Ms. Bunch briefly discussed her educational and professional background and was welcomed by the Commission.

**Draft of Potential New Mitigating Departure Principle Discussion–Action Item, Judge Lee/Guidelines Implementation Committee**

Judge Lee gave a brief overview of the potential New Mitigating Departure Principle discussion that occurred during the May Commission meeting, which addressed how the Guidelines could potentially respond to unprecedented and emergency situations, such as the COVID-19 pandemic. Judge Lee turned the floor over to the Guideline Implementation Sub-Committee for further discussion and recommendations.

The Guideline Implementation Sub-Committee presented the draft proposal to the Commission members. The proposal would allow for a modified definition of a short-split sentence, which would be deemed Guidelines Compliant, if the court invokes DC Code 11-947 due to an unprecedented emergency. However, the Committee stated that they had not reached an agreement on the proposed departure principle due to broad language regarding the definition of “emergency” and “delay”. There were suggestions and concerns from OAG and USAO that the proposed language was too vague and did not properly identify the situations in which this departure principle could be cited. Additionally, there were concerns about the modified short split definition included in the proposal. The Committee and Commission members engaged in a lengthy discussion and decided to move forward with the proposed modified short split language, with further clarification from the subcommittee and the inclusion of explanatory notes and examples.

The issue of whether the modified short split language would prohibit the imposition of long split sentences was raised. Judge Lee asked the Committee to include in the proposal an explanatory note that would reference the issues surrounding long split sentences, to be distributed among Commission members for consideration. Judge Lee stated that upon approval of the modifications by the Commission members, they will become effective immediately. If an agreement is not reached, the discussion on this topic will resume at the next Commission meeting.

**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 June 22, 2021.

Meeting Adjourned at 6:31pm.

NEXT MEETING:  
June 22, 2021  
Via ZOOM