



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

April 20, 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 | Frederick Cooke |
| Julie Samuels | Eric Glover |

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 | |

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

Review and Approval of the Minutes from the March 16, 2021 – Action Item, Judge Lee. Minutes approved without objection.

Revisions and Approval of Sentencing Enhancements Issue Paper – Action Item, Mehmet Ergun, Statistician.

Revisions and Approval of Sentencing Enhancements Issue Paper: Mr. Ergun gave an overview of the revisions to the Sentencing Enhancements Issue Paper, requested by the Commission. The revised Issue Paper now identifies the types of enhancements most frequently applied among specific age groups. Mr. Ergun opened the floor for any questions or comments. The Commission unanimously approved the revisions for the Sentencing Enhancements Issue Paper.

Presentation and Approval of Possession of Firearm During a Crime of Violence (PF-COV) Fast Facts – Action Item, Taylor Tarnalicki, Research Analyst

Presentation and Approval of Possession of Firearm During a Crime of Violence: Ms. Tarnalicki presented on the Possession of Firearm during a Crime of Violence (PF-COV) Fast Facts, which includes

an overview of sentencing trends for PF-COV sentences that were imposed between January 1, 2016 and December 31, 2020.

Ms. Tarnalicki then opened the floor for questions or comments. A suggestion was raised by Commission member to clarify the title of a chart included in the Fast Facts. Judge Lee commended Ms. Tarnalicki on her presentation to the Commission. The Commission unanimously approved of the Possession of Firearm During a Crime of Violence Fast Facts document.

Impact of COVID-19 Pandemic on Pre-Trial Population, - Discussion Item, Katya Semyonova, PDS

Impact of COVID-19 Pandemic on Pre-Trial Population: Judge Lee briefly discussed the articles and documents presented to the Commission which highlight the impact of Covid-19 Pandemic on pre-trial population. Judge Lee turned the floor over to Katya Semyonova for further discussion. Ms. Semyonova continued the discussion of the impact of Covid-19 on the pre-trial population and raised the following issues, including:

- Delay of pre-trials and other proceedings
- Conditions at the D.C. Corrections Facilities
- Impact of long-term pre-trial supervision on individuals

Judge Lee asked Commission member Eric Glover, General Counsel of DC Department of Corrections to address the concerns and issues raised by Ms. Semyonova. Mr. Glover addressed the concerns presented in the various newspaper articles referenced and provided an overview of the safety related policy procedures and visitation protocols currently in place for DC Correction Facilities, which follow the CDC Guidelines to help prevent the spread of Covid-19 among detainees. Judge Lee opened the floor for discussion and comments from Commission members. There were various comments from Commission members, which led to a discussion on the role the Commission could or should play given impact of Covid-19 on the pre-trial population.

After the Commission discussed various approaches, Judge Lee suggested that a potential Guideline departure principle be considered as part of the Commission's response to address unprecedented and emergency situations, such as the COVID pandemic. No member voiced an objection to this approach. The US Attorney Office suggested that a sub-committee be established to include USAO, OAG, PDS and US Parole Board to draft a written recommendation defining an additional departure principal to be considered by the full Commission. Judge Lee and Commission members agreed to the creation of a sub-committee and their recommendation will be discussed 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 will be continued at the next Commission meeting.

Judge Lee reminded Commission members that the next scheduled virtual Commission meeting will be held May 18, 2021.

Meeting Adjourned at 6:25pm.

NEXT MEETING:
May 18, 2021
Via ZOOM