



# District of Columbia Sentencing Commission

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## MINUTES OF FULL COMMISSION MEETING

May 23, 2017

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

### Voting Members in Attendance:

Frederick Weisberg  
David Rosenthal  
Laura Hankins  
Milton Lee  
Marvin Turner

Renata K. Cooper  
Julie Samuels  
Molly Gill  
Danya Dyson

### Non-Voting Members in Attendance:

Chanell Autrey  
Stephen Husk  
Judi Garrett

### Guest:

K. Semyonova

### Staff in Attendance:

Barbara Souvey  
Linden Fry

Mia Hebb  
Miatta Sesay

Mehmet Ergun  
Taylor Tarnalicki

- I. Chairman Weisberg called the meeting to order at 5:05 p.m.
- II. The minutes from March 28, 2017 were reviewed and approved.
- III. Introduction of new staff: Mehmet Ergun, Statistician and Taylor Tarnalicki, Research Analyst – Informational Item, Barbara Tombs-Souvey.

**Introduction of new staff:** Ms. Tombs-Souvey introduced the agency's new staff members: Mehmet Ergun, Statistician and Taylor Tarnalicki, Research Analyst to the Commission. Mr. Ergun and Ms. Tarnalicki briefly discussed their educational and professional background to the Commission. The Commission members introduced themselves and welcomed them both.

- IV. Proposed Modifications to the Sentencing Guideline Manual – Action Item, Linden Fry

**Proposed Modifications:** Mr. Fry gave an overview of proposed revisions to the 2017 Sentencing Guidelines outlined in the memorandum provided to Commission members. The proposal revisions are discretionary amendments intended to update, clarify, and/or streamline the information presented in the Manual. Mr. Fry stated that there were no new offenses the Commission needs to consider ranking and that the Guidelines Implementation Committee agreed to all the proposed changes with the exception of one. The change in question was whether the Guidelines should establish a general rule for scoring convictions/adjudications under a statute that was repealed and partially replaced/decriminalized, or a statute that was only partially repealed/decriminalized; or, should this issue be addressed on an individual

offense basis, similar to how marijuana was handled. After considerable discussion, Commission members decided to address this issue on an offense by offense basis.

There were several comments and recommendations from Commission members regarding how to revise the scoring for Assault on a Police Officer (APO). After lengthy discussion the Commission agreed on the following:

**Commission Action #1:** The Commission unanimously voted to approve the recommended revisions to the APO specific rule for scoring “A through E, omitting section “D” outlined in the proposed revisions in the memorandum, by a vote of 9-0.

**Commission Action #2:** The Commission voted to approve all the proposed revisions to the 2017 Guidelines Manual as set forth in the memorandum by a vote of 9-0.

V. Discussion on approach to address Evaluation Study Recommendations – Informational Item, Barbara Tombs-Souvey

***Evaluation Study Recommendations:*** Ms. Tombs-Souvey gave a brief overview of the Evaluation Study recommendations that were discussed during the March 28, 2017, Commission meeting. Ms. Tombs-Souvey informed the Commission that she was working with staff to determine the best approach to develop a research proposal for the top priority identified by the Commission: Seeking input from Judges, Prosecutors, Defense Attorneys and CSOSA, the primary users of the Guidelines.

This research will begin in October, 2017. Ms. Tombs-Souvey stated that the proposed plan will consist of a two main sections:

- (1) Development and distribution of a general survey to gain an understanding of respondents overall perception and use of the Sentencing Guidelines;
- (2) Information gained from the survey will be used to conduct focus groups composed of the primary guideline users to gather more detailed information

Ms. Tombs-Souvey asked the Commission members for comment and feedback on the proposed approach. Several concerns and suggestions were recommended from the Commission members on developing the survey and conducting the focus groups. In addition, Ms. Tombs-Souvey informed the Commission members that the research proposals will also include Criminal History Calculation and the sentencing trends for Sex Offenses.

Ms. Tombs-Souvey informed the Commission that a written project plan, cost and timeline will be forth coming at the September Commission meeting. Chairman Weisberg asked the Commission if there were any questions or concerns.

Meeting Adjourned at 6:25 p.m.

NEXT MEETING:

June 20, 2017

One Judiciary Square (441 4<sup>th</sup> St., NW), Room 430S.