



District of Columbia Sentencing Commission

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MINUTES OF VIRTUAL COMMISSION MEETING

November 17, 2020

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

Voting Members in Attendance:

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

Non-Voting Members in Attendance:

Diane Strote for Sonya Thompson
Robert Contee
Steve Husk

Staff in Attendance:

Barbara Tombs-Souvey	Basil Evans	Taylor Tarnalicki
Mia Hebb	Mehmet Ergun	Georgia Pham

Guest in Attendance:

Sheree DeBerry

- I. Judge Lee called the meeting to order at 5:05 p.m.
- II. Review and Approval of the Minutes from the October 20, 2020 – Action Item, Judge Lee. Minutes approved without objection.
- III. Presentation and Approval of All Robbery Offenses Fast Facts – Action Item, Taylor Tarnalicki, Research Analyst.

Presentation and Approval of All Robbery Offenses Fast Facts: Ms. Tarnalicki gave a presentation of the final Fast Facts in the four-part robbery series that focused on sentencing trends for all types of robbery offenses combined. Ms. Tarnalicki presented trends for robbery offenses that were sentenced between January 1, 2015 and December 31, 2019. The presentation identified key sentencing trends among robbery offenses, which included the average length of sentences imposed, most frequent sentence types imposed, and demographic information of the sentenced population.

Ms. Tarnalicki asked if there were any questions or concerns. A question was raised concerning the difference in sentencing when armed robbery is committed with firearm

vs committed with a different type of weapon. Ms. Tarnalicki responded that armed robbery involving a firearm is subject to a five-year mandatory minimum period of incarceration, whereas armed robbery involving other types of weapons is not subject to a mandatory minimum period of incarceration.

IV. Presentation on Guideline’s Lapse and Revival Provision – Informational Item – Georgia Pham, General Counsel

Presentation on Guideline’s Lapse and Revival Provision: Judge Lee briefly discussed the impact of Lapse and Revival on sentencing in the District. Ms. Pham continued the discussion with a presentation that explained in greater detail when a prior conviction counts for the purpose of criminal history scoring. The presentation addressed:

- Lapsed Convictions
- Revival of Convictions
- Lapse and Revival: Misdemeanors

Ms. Pham asked Commission members if there were any questions or comments. There were a few questions raised concerning stakeholders understanding the lapse and revival provision due to time periods involved. Judge Lee asked if there were any other comments or questions.

V. Discussion of Lapse and Revival Provision/Look Back Period—Discussion Item, Judge Lee, Chairman.

Discussion of Lapse and Revival Provision/Look Back Period: Judge Lee opened the floor for discussion of District’s Lapse and Revival Provision/Look Back Period. There were several comments and suggestions raised regarding the Guidelines overall goals of sentencing, and how criminal history factors into those goals. Questions centered on what specifically the Lapse and Revival Provision/Lookback Period was intended to accomplish and is that goal being achieved. Judge Lee suggested that the Commission members review the memorandum on Lapse Revival/ Other Jurisdictions and the Robina Institute’s publication on Criminal History Enhancements to examine the relationship between criminal history scores and recidivism which will be discussed at next Commission meeting.

VI. Next Commission Meeting –Judge Lee

Judge Lee reminded Commission members that the December meeting is cancelled, and the next scheduled virtual Commission meeting will be held January 19, 2021.

Meeting Adjourned at 6:10pm.

NEXT MEETING:
January 19, 2021
Via ZOOM