



# District of Columbia Sentencing and Criminal Code Revision Commission

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## MINUTES OF FULL COMMISSION MEETING

February 10, 2015

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

### Members in Attendance:

Frederick Weisberg	Donald Braman	Harold Cushenberry
Paul Butler	Robert E. Morin	William Martin
Julie Samuels	Laura Hankins	Marvin Turner
Renata Cooper	Ronald Gainer	
Dave Rosenthal	Thomas Kane	

### Staff in Attendance:

Barbara Tombs-Souvey	Michael Serota	Bryson Nitta
Linden Fry	Jinwoo Park	LaToya Wesley
Richard Schmechel	Thurman Sanders	
Mia Hebb	Rachel Redfern	

- I. The meeting was called to order by Chairman Weisberg at 5:05 p.m.
- II. The minutes from the January 20, 2015, meeting were reviewed and approved.
- III. Chairman Weisberg introduced and welcomed the Commission's newest member, Mr. William Martin.
- IV. The Director's Report

The GRID Scoring System (GSS) is in preproduction. This system will allow CSOSA to enter criminal history score data directly into the GRID system. In turn, the Commission will send sentencing information and revised criminal history scores to CSOSA. The Commission will demonstrate GSS to CSOSA management on February 25, 2015. GSS marks the first direct electronic interface between the Commission and a Federal agency.

The Commission attended a meeting with the Mayor's Budget Review Team (BRT) on January 30, 2015. The agency's budget had initially been reduced by 2.5%, and the Director was tasked by the BRT to develop proposed budgets that include additional 6%, 7%, and 8% reductions. Chairman Weisberg and Ms. Tombs-Souvey also have a performance hearing and a budget hearing before the D.C. Council to discuss the agency's performance, and the expected agency budget approved by the Mayor's office. The performance hearing is scheduled for March 10, 2015; and the budget hearing is scheduled for April 15, 2015.

The \$33,322 in Capital funds that had previously been removed from the Commission's budget has been reinstated.

The Annual Report schedule has been finalized. A draft copy of the Annual Report will be sent to Commission members on March 17<sup>th</sup> for review. Commission members will have from March 17<sup>th</sup> through March 27<sup>th</sup> to provide comments and edits. The final draft will go to Judge Weisberg for final comments and edits. The final version of the Annual Report is due to the Council by April 30, 2015.

- V. Mr. Turner is very close to being reappointed. He should be officially reappointed by the March Commission meeting.
- VI. Mr. Kane announced that he has retired from the Bureau of Prison (BOP), and returned to BOP as a reemployed annuitant. However, he will transition off of the Commission over the next several months, and will assist in finding a well suited replacement representative from BOP.
- VII. Update and Discussion of Criminal Code Revision Project- Action Item, Richard Schmechel and Chairman Weisberg.

Project Director Richard Schmechel gave a brief historical overview of the Criminal Code Revision Project (the Project). He then discussed the current status of the Project, and the three proposed options for moving the Project forward that were presented at the January Commission meeting.

- Option #1: Determine the Appropriate Scope of Code Revision by a Majority Vote
- Option # 2: Prepare a Bill to Enact Title 22 of the D.C. Code
- Option # 3: Enactment Plus

Mr. Schmechel informed the Commission that USAO, OAG, and PDS had reached consensus on how to proceed with the Project in the short term, and that Commission action is required. The Project is expected to move forward under an expanded version of the third option: Enactment Plus. Mr. Schmechel provided an outline of the Committee's agreed upon package for proceeding with the Project. This would include the development of a new Project Management Plan Project that prioritizes the Enactment Plus work. Upon completion of that work, the project would return to developing recommendations for individual offenses, specifically person offenses. A few concerns were raised by Commission members regarding the development of a new Project Management Plan. However, the USAO, OAG, and PDS representatives noted that this option would allow for the project to make some progress and produce deliverables, while allowing for continued conversations that could lead to consensus in areas where there is disagreement. Chairman Weisberg noted that the classification of misdemeanors could be another issue addressed by the Project.

The new management plan will be circulated to the Commission. Judge Morin moved to vote for the development of a new Project Management Plan with an addendum of the classification of misdemeanors. The vote received unanimous support from the Commission.

Meeting Adjourned: 6:15 pm.

NEXT MEETING:

Tuesday, March 17, 2015,  
One Judiciary Square (441 4<sup>th</sup> St., NW), Room 430S.