District of Columbia Sentencing Commission

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Honorable Milton E. Lee, Chairman   Barbara Tombs-Souvey, Executive Director

February 18, 2021

Honorable Charles Allen, Chairman
Committee on Judiciary and Public Safety
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Chairman Allen:

Respectfully provided below, please find the D.C. Sentencing Commission's responses to your
Performance Oversight Hearing Questions of February 2, 2021.

General Questions

1. Please provide a current organizational chart for the agency, including the number of vacant,
   frozen, and filled positions in each division or subdivision. Include the names and titles of
   all senior personnel and note the date that the information was collected on the chart.

D.C. SENTENCING COMMISSION ORGANIZATIONAL CHART
February 1, 2021
Senior Personnel: Barbara Tombs-Souvey, Executive Director
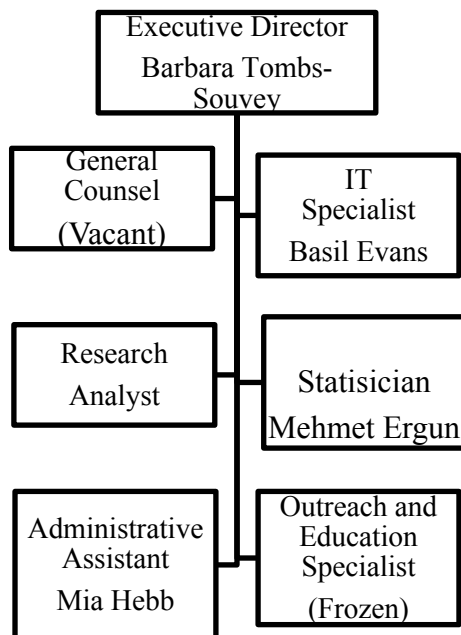
a. Please provide an explanation of the roles and responsibilities of each division and subdivision.

The D.C. Sentencing Commission is a single division agency, consisting of only the Sentencing Guideline Division. The Sentencing Guidelines Division oversees the development, monitoring, and application of the District's Voluntary Sentencing Guidelines, which apply to all felony sentences imposed by the D.C. Superior Court. Specific responsibilities include: (1) computing judicial compliance with the Guidelines; (2) collecting, analyzing, and reporting data related to sentencing trends and policy impact; (3) conducting sentencing policy related research; (4) responding to sentencing related data requests; and (5) providing assistance and training to judges and criminal justice professional regarding the use of the Guidelines.

b. Please provide a narrative explanation of any changes to the organizational chart made during the previous year.

In May 2020, the Commission's Outreach and Education Specialist left the agency for a position within the Federal government. Given the budget shortfalls facing the District at that time, all vacant positions were frozen by order of the Mayor and this vacancy was not filled. For the agency to comply with the Mayor's proposed FY 21 mid-year budget reduction this position remained frozen. The FY22 budget required the agency to permanently eliminate this position to achieve the budget MARC designated by the Mayor. The agency has requested in its FY22 budget submission that funding for this position be restored, given its importance to the agency's community outreach and education activities. The agency is awaiting a final decision in the Mayor's proposed FY22 budget.
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2. Please provide a current Schedule A for the agency which identifies each filled, vacant, unfunded, and funded position by program and activity, with the employee's name (if filled), title/position, salary, fringe benefits, and length of time with the agency (if filled). Please note the date the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.

Please see Attachment 1 for the agency's Schedule A.

No agency position is required to be filled by federal or local law.

3. Please list all employees detailed to or from your agency during FY20 and FY21 to date. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.

The agency does not have any employees detailed to or from another agency.

4. Please provide the Committee with:

    a.   A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle collisions involving the agency's vehicles in FY20 and FY21 to date; and

            The agency does not own, lease, or have assigned any vehicles during FY20 or FY21 to date.

    b.   A list of travel expenses, arranged by employee for FY20 and FY21, to date, including the justification for travel.

            The agency has paid no travel expenses for employees in either FY20 or FY21 to date.

5. Please list all memoranda of understanding ("MOU") entered by the agency during FY20 and FY21, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.

Ongoing Agency MOU's			
		Start Date	End Date
#1	Data Access IJIS 12.1 DC Superior Court	9/5/2006	No End Date
#2	Data Viewing Access via JUSTIS – DC Jail, USAO, Pre-Trial, MPD, CSOSA, and DC Superior Court	5/15/2012	No End Date
#3	Arrest Feed Data Access with MPD	10/26/2016	No End Date
#4	Amended Data Access MOU - CJCC	12/22/2016	No End Date
#5	BOP – DC Offender Yearly Snapshot Data	3/12/2018	No End Date
#6	JSAT Participation MOU - CJCC	10/7/2020	No End Date

6. Please list the ways, other than MOU, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY20 and FY21, to date.

The primary way the agency collaborates and works with agencies from other jurisdictions, federal agencies and non-governmental agencies is through information and data sharing. The agency is often contacted by groups or individuals who have a sentencing policy concern or policy question which, when possible, the agency provides data to respond to the specific concern/question. For instance, if another jurisdiction is considering enacting a split sentence provision, the agency would provide a definition of split sentences in the District, along with the frequency of split sentences imposed for specific offenses. If a community group is concerned about an increase in a specific offense in their neighborhood, the agency may be contacted to provide sentencing trends for that offense. The agency tries to serve as an information resource to help agencies and organizations understand any contributing factors surrounding their issue and to assist in promoting sound data driven policy.

7. For FY20 and FY21, to date, please list all intra-District transfers to or from the agency and include a narrative description of the purpose of each transfer.

FY 2020 List of Intra District Transfer – FZ0 as Buyer (Transfer to Other Agencies)					
Agency Name: DC Sentencing Commission (FZ0)					
Selling Agency	Project Code	Description	Amount	Start Date	End Date
OFRM	Various	Purchase/Travel Card – FZ0	28,550.00	10/1/2019	9/30/2020
T00	Various	Agency Shared IT Assessment - OCTO	$41,875.66	10/1/2019	9/30/2020
Total			$ 70,425.66		

FY 2021 to date List of Intra District Transfer – FZ0 as Buyer (Transfer to other agencies)					
Agency Name: DC Sentencing Commission (FZ0)					
Selling Agency	Project Code	Description	Amount	Start Date	End Date
OFRM	Various	Purchase/Travel Card – FZ0	$23,279.92	10/1/2020	9/30/2021
T00	Various	Agency Shared IT Assessment - OCTO	$57,816.00	10/1/2020	9/30/2021
T00	Various	Agency RTS, DC-Net, Data Services	$3,576.00	10/1/2020	9/30/2021
Total			$84,671.92		

The agency has received no intra-District transfers in either FY20 or FY21 to date.

8. For FY20 and FY21 to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:

   a. The revenue source name and code;
   b. The source of funding;
   c. A description of the program that generates the funds;
   d. The amount of funds generated by each source or program;
   e. Expenditures of funds, including the purpose of each expenditure;
   f. Whether expenditures from the fund are regulated by statute or policy; and
   g. The current fund balance.

   The agency did not have any special purpose revenue funds maintained, used, or available for use in FY20 or FY21 to date.

9. For FY20 and FY21, to date, please list all purchase card spending by the agency, the employee making each expenditure, and the general purpose of each expenditure.

FY 2020 (10/1/2019-9/30/20)

Cardholder	Purchase Purpose				Total Spent
Mia Hebb	Office Supplies/Serv				$ 3,191.79
Mia Hebb	Printing				$ 3,762.00
Mia Hebb	Software Serv				$ 4,062.92
Mia Hebb	Westlaw				$ 3,360.00
Agency Total Spent for FY 2020:					**$ 14,376.71**

Cardholder	Purchase Purpose				Total Spent
Mia Hebb	Computers				$ 6,752.15
Agency Total Spent for FY 2020:					**$ 6,752.15**

Cardholder	Purchase Purpose				Total Spent
Taylor Tarnalicki					$0
Agency Total Spent for FY 2020:					**$21,128.86**

FY 2021 (10/1/2020-9/30/21)
To date: January 21, 2020

Cardholder	Purchase Purpose				Total Spent
Mia Hebb	Office Supplies/Serv				$ -
					$ -
					$ -
Agency Total Spent for FY 2021 to date					**$ -**

Cardholder	Purchase Purpose				Total Spent
Taylor Tarnalicki					$ -
Agency Total FY 2021 to date					**$0**

10. Please list all capital projects in the financial plan for the agency or under the agency's purview in FY20 and FY21 to date, and provide an update on each project, including the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide:

   a. An update on all capital projects begun, in progress, or concluded in FY18, FY19, and FY20, to date, including the amount budgeted, actual dollars spent, and any remaining balances.

Distribution of Capital Funds					
Fiscal Year	Project Name	Project Start Date	Project Budget	Project Expenditures	Balance to Date
FY 20	MPD Arrest Data Feed Enhancement Project – FZ00389C Contract #CW77255	11/17/2019	$ 765,254	$672,689.04	$92,564.96
FY 21	MPD Arrest Data Feed Enhancement Project – FZ003890 Contract #CW77255 Modification	12/20/2020	$92,564.96	$67,155.00	$25,409.96

b. An update on all capital projects begun, in progress, or concluded in FY19, FY20, and FY21, to date, including the amount budgeted, actual dollars spent, and any remaining balances.

At the beginning of FY20, the agency completed the contract procurement process through OCP and awarded a Firm Fixed Price Contract in the amount of $480,315.04 to Mindcubed, LLC on November 18, 2019 to develop and implement the MPD Arrest Data Feed Enhancement Project. A contract was initiated through OCTO's Pipeline program for the services of a Senior Master Project Director for 1,300 hours at $147.98 per hour for a total contract price of $192,374. Project funds expended at the end of the contract period was $672,689.04 – leaving a project balance of $92,564.96 to cover additional information technology related needs or unintended system development issues.

Upon the completion of the MPD Arrest Data Feed Enhancement Project in November 2020, the agency determined that to fully utilize the analysis capabilities of MPD Arrest Data feed that it would be necessary to obtain historical arrest data prior to January 16, 2020, when the agency began receiving live arrest data from MPD through the new XML feed. The agency worked with MPD to develop a one-time data transfer of all arrest records from November 2, 2017, through January 15, 2020, which involves 264,052 historical arrests. This arrest data will be processed and integrated with IJIS 12.1 Court and CSOSA criminal history data in GRID containing felony case prosecution, disposition, and sentencing information enabling the analysis of the criminal justice life cycle of a specific case. The projected completion date of this enhancement is March 15, 2021.

The second enhancement currently underway is the development of a Victim Related Analysis Table which will contain specific victim related demographic information, prior domestic violence involvement, victim residency(District resident, home state or country), relationship to defendant, and victim injury or death information. By developing a specific Victim Related Table, a more in-depth analysis of the impact of specific offense on victims can be identified and analyzed. The projected completion date for this task is April 23, 2021.

c.   An update on all capital projects planned for the four-year financial plan.

The MPD Arrest Data Feed Enhancement Project was a one-year capital funded project with completion date of November 17, 2020. Two enhancements related to this project have been identified and are projected to be completed by the end of April 2021. Given the limited time since the completion of this capital project in November 2020, there is the potential the agency may identify additional enhancements that may be necessary but any future enhancements would be completed by September 30, 2021 and should not require any additional capital funds at this time.

d.   A description of whether the capital projects begun, in progress, or concluded in FY 19, FY20, and FY21, to date, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact; and

In my response to last year's Performance Questions, the MPD Arrest Data Feed Enhancement Project has had an impact on the agency's operating budget due to an increase in the yearly Operations and Maintenance Contract for the GRID system. and the agency's yearly OCTO assessment fee.

The industry standard for projecting operations and maintenance costs of a new system build is typically 15% to 20% of the build cost. For the MPD Arrest Data Feed, the build cost is $480,315.04. At 16% of the build cost It was estimated there would be a yearly O&M increase of approximately $76,850. The agency was able to negotiate with the vendor for a reduced O&M cost increase of $47,000 resulting in an increase of yearly O&M costs from $278,090 to $325,090. The annual O&M cost increase was not included in the agency's FY21 operating budget and the agency was required to absorb this NPS increase within its current funding.

The agency's FY21 OCTO assessment was $57,816 representing increase of $15,941 from FY20. However, the OCTO assessment fee is decreased to $35,501 in the Mayor's proposed FY22 budget. If that reduction remains, then the agency will not need any additional funds for this assessment fee.

e.   A description and the fund balance for each existing allotment in each capital project under the agency's purview.

The agency has only the single capital budget allotment described above.

11.   Please provide a list of all budget enhancement requests (including capital improvement needs) for FY20 and FY21, to date. For each, include a description of the need and the amount of funding requested.

FY 2020 Budget Enhancement Requests		
FTE - IT Specialist	To assume expanded database tasks and control O&M costs	Salary and Benefits - $108,027

MPD Arrest Data Feed Enhancement Project (Capital)	To integrate MPD arrest date into the GRID system to develop complete offender/case record	$765,254
Increase in Non-Personnel Operating Costs	For increased printing, copying, and other operational related costs	$35,000
FY 2020 Total		**$908,281**
FY 2021 Budget Enhancement Requests		
Increase in GRID Annual O&M Contract	O&M annual contract costs increased due to the additional of the MPD arrest data feed project	$75,000
Increase in Agency's Annual OCTO IT Assessment Costs	For increased server and data storage costs resulting from implementing the MPD arrest data feed.	$15,000
FY 2021 Total		**$90,000**

12. Please list, in chronological order, each reprogramming in FY20 and FY21, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, or within the agency. Include known, anticipated reprograming, as well as the revised, final budget for your agency after the reprogramming. For each reprogramming, list the date, amount, rationale, and reprogramming number.

The agency did not request any reprogramming's in FY20, but due to the budget freeze imposed during FY20, a total of $93,592 of the agency's local funds were transferred from the Sentencing Commission to other agencies,

DISTRICT OF COLUMBIA SENTENCING COMMISSION (FZ0)							
FY 2020 REPROGRAMMING LIST							
	LOCAL					Starting Budget	$1,267,332
FISCAL YEAR	FUND	DATE	SOAR DOC #	Program	Activity	DESCRIPTION	AMOUNT
2020	0100	8/5/2020	BJSUPPLI	Various	Various	FY20 Supplemental	($65,592)
2020	0100	9/30/2020	BJFBFR20	Various	Various	Year-End reprogramming to FB0 and FR0	($28,000)
						Final Budget	$1,173,740

The agency has not had any reprogramming requests in FY21 to date.

13. Please list each grant or sub-grant **received by** your agency in FY20 and FY21, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.

The agency did not receive any grants for sub-grants in FY20 or FY21 to date.

(a) How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs?

The agency does not have any FTEs that are dependent on grant funding.

14. Please list each grant or sub-grant **granted by** your agency in FY20 and FY21, to date. List the date, amount, source, and purpose of the grant or sub-grant granted.

The agency did provide any grants or sub-grants in FY20 or FY21.

15. Please list each contract, procurement, and lease, entered into or extended and option years exercised by your agency during FY20 and FY21, to date. For each contract, procurement, or lease, please provide the following information, where applicable:
    a. The name of the party;
    b. The nature of the contract, procurement, or lease, including the end product or service;
    c. The dollar amount of the contract, procurement, or lease, including amount budgeted and amount actually spent;
    d. The term of the contract, procurement, or lease;
    e. Whether it was competitively bid;
    f. The name of the agency's contract monitor(s) and the results of any monitoring activity; and
    g. The funding source.

DC Sentencing Commission - Contracts and Leases FY20 and FY21 To Date								
FY 2020 Contracts and Leases								
Vendor	Product/ Service	Amount Budgeted	Amount Spent	FY	Term of Contract	Competitively Bid? Sole Source	Contract Monitor/ Any Issues	Funding Source
Mindcubed	Data System Maintenance (FY 20 Remainder Base Year)	$69,523	$69,523	20	10/1/19 to 12/20/19	Sole Source	Barb Tombs-Souvey/ No Issues to Date	Local Funds
MVS	Copy Machine Lease and Usage	$5,837	$5,837	20	11/20/19 to 11/19/20	DC Supply Schedule	Barb Tombs-Souvey/ No Issues to Date	Local Funds
CAI Pipeline	Contract Program Manager Master for MPD Arrest Data Feed Enhancement Project Development	$192,374	$192,374	20	10/1/19 to 11/17/20	DC City Wide Contract	Barb Tombs-Souvey/ No Issues to Date	Capital Funds
Mindcubed LLC.	Data System Maintenance – Option Year 1	$208,568	$208,568	20	12/21/19 to 9/30/20	Sole Source	Barb Tombs-Souvey/ No Issues to Date	Local Funds

Mindcubed, LLC	MPD Arrest Data Feed Enhancement	$480,315	$480,315	20	11/18/19 To 11/17/20	Sole Source	Barb Tombs-Souvey/No Issues to Date	Capital Funds
FY 2021 Contracts and Leases to Date								
Mindcubed LLC	Data System Maintenance (FY 20 Remainder of Option Year 1	$69,523	$69,523	21	10/1/20 to 12/20/20	Sole Source	Barb Tombs-Souvey/ No Issues to Date	Local Funds
MVS	Copy Machine Lease and Usage	$5,837.04	$5,837.04	21	11/20/20 To 11/19/21	DC Supply Schedule	Barb Tombs-Souvey/ No Issues to Date	Local Funds
Mindcubed LLC	Data System Maintenance – Option Year 2	$243,817.50	$243,817.50	21	12/21/20 to 9/30/21	Sole Source	Barb Tombs-Souvey/ No Issues to Date	Local Funds
Mindcubed LCC	MPD Arrest Data Feed Enhancement	$67,155	$67,155	21	12/20/20 to 4/30/21	Sole Source	Barb Tombs-Souvey/ No Issues to Date	Capital Funds

16. Please list all pending lawsuits that name the agency as a party in FY20 and FY21, to date, and include an explanation about the issues involved in each case. Identify which cases on the list are lawsuits that potentially expose the District to significant financial liability or could result in a change to agency practices, and describe the current status of the litigation

    The agency is not named as a party in any pending lawsuits.

17. Please list all judgements against and settlements executed by the agency or by the District on behalf of the agency in FY20 or FY21, to date, and provide the parties' names, the date on which the judgement was issued or settlement was executed, the amount of the judgement or settlement, and if related to litigation, the case name, docket number, and a brief description of the case. Include non-monetary costs such as backpay and leave restoration. If unrelated to litigation, please describe the underlying issue or reason for the judgement of settlement (e.g. excessive use of force, wrongful termination, sexual harassment etc.). Please also describe any matters which are currently in settlement negotiations or for which a judgment is imminent.

    The agency has not been involved in any settlements in FY20 or FY21 to date.

18. Did the agency use outside counsel in FY20 and FY21, to date? If so, for what matter(s) and in what amount(s)?

    The agency did use outside counsel in FY20 or FY 21 to date.

19. Please list the administrative complaints or grievances that the agency received in FY20 and FY21, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY20 or FY21 to date, describe the resolution.

The agency has not had any administrative complaints or grievances filed or resolved in FY20 or FY21 to date.

20. Please describe the agency's procedures for investigating allegations of sexual harassment, sexual misconduct, or discrimination committed by or against agency employees. List and describe any allegations relating to the agency or its employees in FY20 and FY21, to date, and whether and how those allegations were resolved (e.g. a specific disciplinary action, such as re-training, employee transfer, suspension, or termination).

The Sentencing Commission has not been the subject of any investigation into allegations of sexual harassment, sexual misconduct, or discrimination. If it were to become the subject of such an investigation, the Commission would follow the policies and procedures outlined by the D.C. Office of Human Rights (https://ohr.dc.gov/publication/dc-sexual-harassment-policy) and the procedures set forth in the Mayor's 2017-313 Order on Sexual Harassment and employees are protected under the Human Rights Act of 1977. Agency employees are required to complete mandatory training and are kept informed on their rights, responsibilities, and available resources by the agency's General Counsel.

    a. Please also identify whether the agency became aware of any similar matters in FY20 or FY21, to date, through means other than an allegation, and if so, how the matter was resolved (e.g. sexual harassment was reported to the agency, but not by the victim).

The agency did not become aware of any similar matters or incidents in FY20 or FY21 to date.

21. Please provide the Committee with a list of the total workers' compensation payments paid by the agency or on the agency's behalf in FY20 and FY21, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

The agency has had no workers' compensation claims or payment in FY20 or FY21 to date.

22. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during FY20 and FY21, to date.

Neither the agency nor any employee of the agency is involved in any ongoing or completed investigations, audits, or reports during FY20 or FY21 to date.

23. Please describe any spending pressures the agency experienced in FY20 and any anticipated spending pressures for the remainder of FY21. Include a description of the pressure and the estimated amount. If the spending pressure was in FY20, describe how it was resolved, and if the spending pressure is in FY21, describe any proposed solutions.

The agency did not experience any spending pressures in FY 2020.

There is a potential for spending pressure in FY21 given that funds were not provided for the $47,000 increase in the agency's annual Operations and Maintenance contract for the

GRID system that resulted from the completion of the MPD Arrest Data Feed Enhancement Project. The agency absorbed this increase within its current NPS funds by eliminating training, travel, equipment, and printing costs. In addition, there are no NPS contractual funds available for any unplanned or emergency changes or modifications to the GRID system if an issue or problem is identified or for any additional server capacity costs that may be necessary to accommodate increased data storage related the additional historical MPD arrest data requested.

24. Please provide a copy of the agency's FY20 performance plan. Please explain which performance plan objectives were completed in FY20, and whether they were completed on time and within budget. If they were not, please provide an explanation.

The agency achieved four of the five stated objectives in its FY 2020 Performance Plan objectives, which include:

a.) Development and Distribution four Fast Fact Sheets   Completed
b.) Completion and Distribution of two Issue Papers   Completed
c.) Development of Data Quality Assurance Reports   Completed
d.) MPD Arrest Data Enhancement to the GRID System   Completed
e.) Sentencing Guidelines Outreach and Education Strategy   Partially Completed

The agency did not completely achieve the Sentencing Guidelines Outreach and Education Strategy implementation. The Commission developed and approved the strategy in December 2019. In January 2020, the agency began meeting with community organizations and scheduling presentations. However, when the District's health emergency occurred in March 2020, all community presentations and meetings were put on hold. The agency did continue its outreach and educational efforts using printed and social media, which included Fast Facts, Issue Papers, Brochures, Newsletters, Facebook, and Twitter postings. The agency was not able to move to virtual community presentations due to staffing limitations, thus this objective was not fully completed.

Please see Attachment 2 for a copy of the agency's FY20 Performance Plan.

25. Please provide a copy of your agency's FY21 performance plan as submitted to the Office of the City Administrator.

Please see Attachment 3 for a copy of the agency's FY21 Performance Plan.

26. Please describe any regulations promulgated by the agency in FY20 or FY21, to date, and the status of each.

The agency did not promulgate any regulations in FY20 or FY21 to date.

27. Please provide the number of FOIA requests for FY20 and FY21, to date, that were submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.

The agency did not receive any FOIA requests in FY20 or FY21 to date.

28. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or contracted for during FY20 and FY21, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

    a. 2019 Sentencing Commission Annual Report – Completed. Provides an overview of felony sentencing trends and practices under the Sentencing Guidelines in 2018.

    b. 2020 Sentencing Commission Annual Report – In progress. The report will be completed in April 2021. Provides an overview of felony sentencing trends and practices under the Sentencing Guidelines in 2019.

    c. Issue Paper – Guideline Compliant Sentences in DC – Completed. The Issue Paper examines the various ways in which a sentenced can be deemed a compliant sentence under the DC Sentencing Guidelines

    d. Issue Paper – Role of Misdemeanor Prior Convictions in the DC Voluntary Sentencing Guidelines - Completed. The paper describes when and how prior misdemeanor convictions count in criminal history scores under the Sentencing Guidelines.

    e. Issue Paper – Guideline Sentencing Enhancements - In progress. This paper examines the various types of sentencing enhance under the Guidelines, as well as, the impact of the various enhancements on the sentences imposed.

    f. Four Part Fast Facts Series on Robbery Offenses – Completed. This series examines sentencing trends for the three type of robbery in the District: Robbery, Attempted Robbery and Armed Robbery to demonstrate the various types and lengths of sentences imposed. The final Issue Paper provides an overall analysis of all robbery offenses sentenced in the District.

        a. Robbery   Completed
        b. Attempted Robbery   Completed
        c. Armed Robbery   Completed
        d. All Robbery offenses   Completed

    g. Assault with a Dangerous Weapon (ADW) Fast Facts – Completed. This paper examines the frequency and sentencing trends, along with offender demographics for sentences imposed for ADW under the Sentencing Guidelines.

    h. Possession of a Firearm During a Crime of Violence (PFCOV) Fast Facts – In Progress. This paper examines the frequency and sentencing trends, along with offender demographics for sentences imposed for PFCOV under the Sentencing Guidelines.

    i. Data Quality Reports – Completed. The agency developed two semi-annual data quality (DQA) reports that identifies significant data quality issues within the GRID system. The report presents the nature of the data quality issue, the agency who

owns the data, action taken to resolve the issue and the outcome. These two reports help ensure that the data used by the agency for analysis purposes is accurate and reliable.

29. Please list in descending order the top 25 overtime earners in your agency in FY20 and FY21 to date, if applicable. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned. Please describe the process the agency uses to determine which employees are granted overtime.

    No employee of the agency has received overtime in either FY20 or FY21 to date.

30. For FY20 and FY21, to date, please provide a list of employee bonuses or special pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

    In FY 2020, the following employees received a one-time bonus for exemplary work on assigned projects:

FY 2020 One Time Employee Bonuses			
Employee	Position	Amount	Reason
Mehmet Ergun	Statistician	$1,500	Automated Annual Portions of Annual Report
Taylor Tarnalicki	Research Analyst	$1,000	Responded to an 61% increase in Data Requests
Miatta Sesay	Outreach Specialist	$ 500	Assumed the Outreach Initiative
Mia Hebb	Staff Assistance	$ 500	Assumed Responsibility for processing Sealed Cases
Total Agency Amount		$3,500	

    In FY21, to date, no employees have received a bonus or had special pay granted.

31. For FY20 and FY21, to date, please list each employee separated from the agency with separation pay. State the amount and number of weeks of pay. Also, for each, state the reason for the separation.

    No employee received separation pay from the agency in FY20 or FY21 to date.

32. Please provide the name of each employee who was or is on administrative leave in FY20 and FY21, to date. In addition, for each employee identified, please provide: (1) their position; (2) a brief description of the reason they were placed on leave; (3) the dates they were/are on administrative leave; (4) whether the leave was/is paid or unpaid; and (5) their current status.

    No employee was placed on administrative leave in FY20 or FY21 to date.

33. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.

The agency is not subject to any collective bargaining agreement. All agency employees are classified as non-union Excepted Service employees.

34. If there are any boards, commissions, or task forces associated with your agency, please provide a chart listing the names, number of years served, agency affiliation, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board, commission, or task force meeting in FY20 or FY21, to date, if minutes were prepared. Please inform the Committee if the board, commission, or task force did not convene during any month.

Commission Member	Agency Affiliation	# Years' Service	Meeting Attendance FY 20	Meeting Attendance FY 21*
Hon. Milton C. Lee (Chairperson)	DC Superior Court	4 years	100%	100%
Hon. Danya Dayson	DC Superior Court	3 years	85%	100%
Hon. Juliet McKenna**	DC Superior Court	1Year	100%	100%
Katerina Semyonova, Esq.	Public Defenders Service	4 years	100%	100%
Cedric Hendricks	Court Services and Offender Supervision	15 Years	85%	100%
Renata Cooper, Esq.	United States Attorney's Office	8.5 Years	75%	85%
Dave Rosenthal, Esq.	DC Attorney General	17 Years	75%	100%
William R. Martin, Esq.	Defense Attorney	6.5 Years	67%	85%
Frederick D. Cooke, Jr. Esq.	Private Attorney	3 Years	50%	85%
Julie Samuels	Researcher	10 Years	100%	100%
Molly Gill, Esq.	Citizen Member	9 Years	75%	85%
Marvin Turner***	Community Representative	7 Years	85%	N/A
Eric Glover, Esq.	DC Department of Corrections	1Year	85%	75%
Robert Conti***	DC Metropolitan Police Department	3 Years	75%	100%
Leslie Parson**	DC Metropolitan Police Department	0 Years	N/A	N/A
Stephen Husk	US Parole Commission	9 Years	85%	100%
Sonya D, Thompson	Federal Bureau of Prisons	1 Year	100%	100%
Hon. Charles Allen	DC Council – Chairman of Committee on Judiciary	5 Years	75%	85%

*FY 21 indicates as of January 2021
**New Member as of January 2020
***Left Commission in June 2020

(a) The DC Sentencing Commission has one vacancy at this time which is a public member to be appointed by the Mayor. This position has been vacant since June 2020.

(b) The Sentencing Commission held eight meetings in FY20 and two meeting to date in FY21. The Commission did not meet during December, March, April, May, and August of FY20. During FY21 to date, the Commission did not meet in December or January.

(c) **Meeting agenda and minutes are included in Attachment 4 and 5.**

35. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Provide a description of whether the agency is in compliance with these requirements, and if not, why not (e.g. the purpose behind the requirement is moot, etc.).

    The Sentencing Commission is in compliance with the reporting requirements listed below:
    (a) Required by Statute:
    D.C. Sentencing Commission Annual Report
    D.C. Voluntary Sentencing Guideline Manual

36. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained.

    All employees are encouraged to take full advantage of both technical and professional trainings offered by DCHR or through Skill Port to improve their individual skill sets. To date employees have taken the following classes:

o Time Management	3 Employees
o PASS	3 Employees
o QuickBase	2 Employees
o OCTO Cybersecurity	6 Employees
o Sexual Harassment	6 Employees
o Effective Communication	4 Employees
o Using and Managing the P-Card	3 Employees
o Effective Teleworking	6 Employees.

    Over the past year, employees have taken specific training related the District health emergency including provided by DCHR:

o The Basics of Coronavirus	6 Employees
o The Basics of Contract Tracings	5 Employees
o Facing Virtual Team Challenges.	6 Employees
o Case Monitoring and Resources	5 Employees

    Finally given the travel restrictions related to the ongoing health emergency, staff has taken several technical data and analysis online trainings including:

    o Introduction to SQL, and Joining Data in SQL by Data Camp - 3 Employees
    o Octo Python - 2 Employees
    o Octo Tableau Data Scientist Training – 3 Employees
    o Software Testing for DevOps – 2 Employees
    o Octo DevOps Test Tool – 2 Employees

o Exploring CI: Continuous Integration and CI Tools – I Employee
o Unit Testing in DevOps: Software Development. – 3 Employees

In February 2020, the agency held a financial education training for employees provided by The Foundation for Financial Education, a 501(C)(3) Nonprofit Organization, at no cost to the agency. The training examined topics such as financial fitness, planning for retirement, financial pitfalls, and social security 101. The training provided employees with the skills required for a financially sound life.

37. Please describe any initiatives that the agency implemented in FY20 or FY21 to date, to improve the internal operations of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.

The agency implemented the following new initiatives during the past two fiscal years to improve internal operations/efficiencies and collaboration with outside parties. A brief description of those initiatives is provided below:

a. In FY20, the agency developed a Quarterly Data Quality Assurance (DQA) Report that tracks the type, frequency, owner agency, and resolution time for data quality issues discovered in the GRID system. This report will allow the agency to identify re-occurring data quality issues and collaborate with the owner agency to correct the data in a timely manner to ensure analyses completed by the Commission are accurate.

b. In FY20, the agency expanded the number of public data sets available to include seven specific offense category data sets that included: Violent offenses, Weapon offenses, Drug offenses, Property offenses, Sex offenses, Homicides, and Other offenses. By providing individual offense category data sets, individuals will be able to easily access and analyze specific types of offenses sentenced under the Guidelines.

c. In FY 2021, the agency developed a daily report prepared by the agency database manager each morning that summarizes the previous evening's GRID data transactions to ensue the agency is receiving all data transferred through the IJIS and MPD Interfaces. The report is intended to alert staff to any issues that may need to be addressed with either our vendor or OCTO to ensure the data contained in the GRID system is timely, accurate and represents any updates provided. This report includes
    1. Connectivity Errors
    2. MPD Data Received Notification
    3. IJIS 12.1 Data Received Notification
    4. Data Requested from each source
    5. Data Received from each source
    6. Any Variance
    7. Errors Received
    8. Job Failures
    9. Data Processing Delays

d. In FY21, when the MPD Data Arrest Feed Enhancement project was completed, the agency determined that historical arrest data would be needed beyond the point when the agency began receiving arrest data in January 2020. IT representatives from MPD and the agency collaborated and identified the most efficient way to transfer two years of historical arrest data in a format that would be able to be merged with the current MPD data structure utilized by GRID. Using secure and encrypted data transfer protocols, the data was provided to the agency, then verified and stored in a separate database. The final step was to process each of the individual arrest records into the GRID system and the analysis tables so the data would be available for tracking and analysis purposes.

38. What are the agency's top five priorities? Please explain how the agency expects to address these priorities in FY21. How did the agency address its top priorities listed for this question last year?

A. The agency has identified the following top five priorities for FY21:

1. Obtain historical arrest records from MPD and successfully integrate this data into the GRID system to expand the criminal justice life cycle analysis capabilities of the GRID system.

The agency successfully completed the MPD Arrest Data Feed Enhancement Project on November 17, 2021. The project was completed on time and within its original budget. The project allows the agency to consume live arrest data from MPD and integrate it into the agency's current GRID system to analyze felony cases from arrest through sentencing.

The agency began receiving live MPD arrest data in January 2020. However, given the lag time between arrest and court disposition can be lengthy at times and given the limited court operations due to the District health emergency in 2020, it became apparent that to fully utilize the analysis capabilities of the completed MPD Arrest Data Feed Enhancement project, it would be necessary to obtain historical arrest data prior to the January 2020 date when the agency initially began receiving MPD arrest data.

It is a priority for the agency to obtain the two years of historical arrest data from MPD that will be transferred, stored, validated, processed, and integrated into the GRID data system. A total of 264,052 additional arrest records from between September 2, 2017 and January 15, 2020 will be added to the GRID system by March 15, 2021 to expand the GRID system's analysis capabilities.

2. Develop a Victim Analysis Table Utilizing MPD Arrest Data.

The agency is currently implementing a second enhancement to the MPD Arrest Data Feed that will develop a Victim Analysis Table. This table will contain specific victim related demographic information, prior domestic violence involvement, victim residency (District resident, home state or country), relationship to defendant, victim injury or death information, and other specific victim related data obtained from the MPD Arrest Data feed. Victim related data is not available through the IJIS 12.1 data feed provided by the court.

By developing a separate victim Analysis Table, a more in-depth analysis of the impact of specific offense on victims can be identified and analyzed to identify any specific victimization trends. The projected completion date for this enhancement is April 23, 2021.

3. Review the Sentencing Guidelines current Lapse and Revival policies.

Early in FY21, Commission members identified the Guidelines current lapse and revival policy as an issue to re-examine, given the direct impact it has on an individual's criminal history score. The District's Sentencing Guidelines are the only Guidelines in the country that contains such a broad revival provision that every prior convictions an individual has ever had can be revived and scored under certain circumstances regardless of the age of the prior conviction – thus there is no permanent lapsing provision.

Preliminary discussions have focused on what is or should be the role of prior convictions in predicting recidivism or the threat to public safety that an individual may pose. The conclusions reached in during these discussions may impact any proposed policy changes. The Commission is also reviewing lapse and revival polices from other jurisdictions, along with the various lookback periods that are incorporated into other sentencing guidelines.

In addition, the Commission will analyze data available on the types and frequency of criminal history scores by offense type, age, sentences imposed, and other variables to try and obtain a clearer understanding of whether individuals with higher criminal history scores, in fact, do pose a significant threat to public safety. If the Commission's research and analysis indicates that a policy change may be appropriate, a modification to the current Sentencing Guidelines will be considered.

4. **Develop a four-part series of Fast Facts focused on Weapon Offenses.**

Throughout FY20 and into FY21, the increase in gun related offenses have been an area of concern for the District. There is an interest expressed from residents, policy makers and researchers in the District's regarding sentencing trends for these offenses. This series of Fast Facts will serve an educational role in helping to increase the understanding of sentencing patterns under the Guidelines.

In FY20, the Commission developed its first Fast Facts series on robbery offenses. Given the high interest in the Fast Facts, in FY21, the Commission will undertake a four-part Fast Facts series focused on weapon related offenses to include: Assault with a Deadly Weapon (ADW); Possession of a Firearm During a Crime of Violence (PFCOV); Felon in Possession (FIP); and Carjacking (armed and unarmed). This series will provide residents with an overview of the frequency and the sentences imposed for these types of weapon offenses, as well as, offender demographics.

5. Continue the Commission's review sentencing polices and patterns for Title 16 offenses.

In 2020, the Commission undertook an extensive data driven review of sentencing trends for juveniles convicted of Title 16 offenses. Title 16 statutory provisions apply to juveniles 15 to 18 years of age who are convicted and sentenced in adult court for specific charged offenses including: murder, first degree sexual abuse, burglary in the first degree, robbery

while armed, or assault with intent to commit any such offense, and any other offense properly joinable with such an offense or traffic offense. It should be noted that the District does not have any 15-year old sentenced under Title 16.

The Commission reviewed Title 16 sentencing patterns by age, sentence type, sentence year, specific offense, and criminal history classification to analyze whether any special Guideline Sentencing provisions should be enacted for this specific population. In addition, Title 16 sentences were compared to sentences imposed for the same offenses committed by youthful offenders (YRA) and adult offenders to determine if there is any unwarranted disparity or inconsistency in sentences imposed for Title 16 offenders. Although, only about 3.5% of all offenders sentenced since 2013 have received a Title 16 sentence, the Commission believes this is an important issue to examine given that fairness, consistency, and adequacy of punishments are identified as objectives of the Guidelines. After a review of the data and findings, the Public Defender's Service indicated that it will be bringing forth three proposals related to Title 16 sentencing provisions for the Commission to review and consider. The Commission will review these proposals when they are submitted and take any appropriate action,

FY 2020 Priorities

1. Complete the development and implementation of the MPD Arrest Data Feed

The completion of the MPD Arrest Data Feed Project was a significant accomplishment for the Commission given the one-year contract period combined with the unexpected and completely virtual relationship with the vendor. Virtual collaboration on very technical development and testing issues proved to be very challenging at times, however, persistence and the dedication of all parties involved (staff, vendor, and project director) enabled the agency to successfully complete this project on schedule.

The agency entered a 12-month Firm Fixed Price contract with Mindcubed, LLC on November 18, 2019, to develop and implement the MPD arrest data interface that allows for the XML transfer of live arrest data into the agency's GRID system. Arrest data is then stored, validated, and integrated with court and offender criminal history data, which is currently available within the GRID system. This enhancement allows the Commission to capture, track, and analyze the life cycle of a felony case, from the arrest, through indictment, court phase, disposition, and sentencing. The MPD arrest data feed contains approximately 700+ individual data fields, which vastly expands the agency's analysis capabilities to be able to look at arrests by offense type, time, location, offender demographics etc.

The agency contracted with an IT Project Director to oversee this project and ensure the agency's priorities were addressed. The development of the XML interface for the transfer of arrest data was completed by January 16, 2020, at which time the agency began receiving live arrest data. The agency receives on average 417 arrests per day. As of February 10, 2021, the agency has received unique 122,144 arrests and processed over 285,000 arrest related transactions. The integration of arrest data into the GRID system required substantial modifications to current system databases, systemic data processing algorithms, analytical data queries, screen displays, and reporting capabilities. The felony arrest data feed enhancement classifies the disposition of arrest charges into three categories: (1) charges

filed in DC Superior Court, (2) post and forfeiture, or (3) other - which includes no papered or dismissed arrest charges.

The project development and integration schedule included three major releases which were all completed on schedule:

(1) Release One included arrest data capture, database and system design and testing was completed on February 27, 2020;

(2) Release Two included development and testing of enhanced GRID design, data query, and user interfaces completed on May 7, 2020; and

(3) Release Three included completion of the GRID integration with system and integration testing completed on September 15, 2020.

Final user testing included testing of typical data queries, business rules verification, final user acceptance testing, system pre-production and go-live testing scenarios was completed in October 2020. The system went into full production on November 3, 2020, which allowed for a period of post go-live performance monitoring and adjustments through the end of the contract on November 17, 2020. This project was completed within the stated contract period and within the funding provided.

Over the past three months, the agency has been closely monitoring the integration of MPD data into the GRID system to identify any system issues, such as duplicate arrest or null data fields, which are common with the implementation of a new data source. The agency has encountered several data quality issues, which it is currently working to resolve. However, to date, the agency has not encountered any significant system operational issues but will continue monitoring closely over the next six months.

2. Review sentencing polices and patterns for Title 16 offenses.

In FY20 the Commission completed a very comprehensive review of sentencing trends for juveniles convicted of Title 16 offenses. Title 16 statutory provisions apply to juveniles 15 to 18 years of age who are convicted and sentenced in adult court for specific charged offenses including: murder, first degree sexual abuse, burglary in the first degree, robbery while armed, or assault with intent to commit any such offense, and any other offense properly joinable with such an offense or traffic offense. The data indicated that the District did not have any 15-year-old sentenced under Title 16.

The Commission reviewed Title 16 sentencing patterns by age, sentence type, sentence year, specific offense, and criminal history classification to analyze whether any special Guideline Sentencing provisions should be enacted for this specific population. In addition, Title 16 sentences were compared to sentences imposed for the same offenses committed by youthful offenders (YRA) and adult offenders (25+) to determine if there is any unwarranted disparity or inconsistency in sentences imposed for Title 16 offenders. This comparison showed that for some specific offenses such as carjacking and voluntary manslaughter, the average sentence to serve was longer for individuals sentenced under Title 16.

The data suggest there may be a couple of factors contributing to this finding. First, there was a higher rate of 11(c)(1)(C) pleas among Title 16 convictions, which appear to have resulted in more severe sentences than traditional pleas. Frequently these juveniles are also initially charged with a more serious offense than the actual offense of conviction. The Commission acknowledges that any findings are based on a limited number of Title 16 convictions which not only makes it difficult to generalize the findings, but also to reach any meaningful conclusions. However, this research combined with widely accepted existing research regarding developmental differences between juveniles and adults has opened the door for a conversation about creating special rules/caveats to use when sentencing juveniles.

At the close of a year-long Title 16 discussion, the Public Defender Service (PDS) requested time to develop three proposals that will outline potential Guideline policy changes for sentences imposed under Title 16 for the Commission's consideration. The Commission is currently awaiting the submission of those proposals.

3. Identify and review additional offenses that may be subject to "double counting" provisions.

Prior to FY20, the Commission spent a considerable amount of time reviewing data and discussing the various aspects of good sentencing policy before arriving at the decision to re-rank the offenses of Felon in Possession and Felon in Possession-Prior Crime of Violence. The primary underlying principle on which the Commission based its decision was one of equity and fairness given that an individual's prior criminal conviction was counting twice for these specific offenses – once to increase the Offense Severity Group of the offense and then a second time to increase the individual's criminal history score. Given that this situation only applied to specific offenses, there was an equity issue the Commission believed needed to be addressed.

In FY20 the Commission reviewed additional offenses in which the elevation from a misdemeanor to a felony offense that may involve a similar double counting and equity issue. However, given the considerable infrequency that sentences were imposed for these offenses, the Commission decided not to make any sentencing policy changes at this time.

4. Develop and implement a comprehensive multi-year Sentencing Guideline outreach and educational strategy.

In early FY20, the Commission developed and approved a very comprehensive public outreach and education strategy that included an educational outreach curriculum, focused on improving upward and downward communication, and included outreach activities that focused on sharing the work of the Commission. The strategy contained clearly defined goals and objectives, identified specific activities, incorporated various delivery mechanisms, and included a timeline for implementation

In January 2020, the agency began to work with community organizations to develop a community presentation schedule; then the District's health emergency occurred. The agency shifted from developing in-person activities to developing virtual presentations and expanding its outreach efforts through social media platforms. However, in May the agency's Outreach and Educational specialist left the agency and the position was frozen due to budget

constraints. For the remainder of FY20, the Commission concentrated its outreach and education activities on social media platforms, webpage postings and printed materials.

5. **Develop a four-part series Fast Facts related to Robbery Offenses.**

In FY19, the Commission piloted its Fast Facts as a public education initiative focused on providing the DC residents with a quick and easy-to-read overview of sentencing related information for a single felony offense. Fast Facts is a one-page document that presents sentencing trends, offender related information and other pertinent offense related information using a combination of graphics, charts, and accompanying text. The initial response to the Fast Facts was very positive.

In FY20, the Commission developed its first Fast Facts Series focused on robbery offenses. The series included four quarterly Fast Facts sheets for each type of robbery offense – Attempted Robbery, Robbery, Armed Robbery offenses, and an overall comparison all three types of Robbery. Given that robbery is one of the most frequently sentenced felony offenses sentenced in the District, this series provided the public with a very solid overview of the frequency and sentences imposed for the various types of robbery.

39. Please list each new program implemented by the agency during FY20 and FY21, to date. For each initiative, please provide:

1. Comprehensive Outreach and Sentencing Guideline Education Program – FY20

In FY20, the agency adopted a strategic outreach and education strategy that will focus on public education regarding the purpose and function of the District's Voluntary Sentencing Guidelines. The goal is help citizens understand the sentencing trends in their neighborhood and what factors are taken into consideration in determining the recommended Guideline sentence. The agency intends to use various outreach tools including social media, printed materials, and presentations to ensure all residents will have access to the information, especially in Wards 7 and 8 where criminal activity is the highest. This program will also provide the Commission the opportunity to receive direct feedback and input from the public as to their greatest areas of concern. This program will allow for two-way dialogue with residents who are faced with real life public safety issues and situations.

(a) The funding required to implement to the initiative; and

The additional funding required to implement this initiative is limited to printing costs and equipment costs related to delivering presentations – estimated to be between $7,000 and $10,000.

(b) Any documented results of the initiative.

This initiative began in January 2020 and was directly impacted by the District's health emergency. Outreach activities over the past year have been confined to print, webpage, and social media activities. The results the agency has experienced to date include an 8.8% increase in overall webpage hits and a 17% increase in hits relating to outreach and education material that has been posted.

40. How does the agency measure programmatic success? Please discuss any changes to outcomes measurement in FY20 and FY21, to date.

    The agency utilizes three primary measures to determine programmatic success. The first measure focuses on whether the participants have increased their understanding or knowledge about the Sentencing Guidelines. Whether the delivery of information is through trainings, presentations, webpage postings, or use of social media, the intent is to increase an individual's understanding of the purpose of the Guidelines and how they impact felony sentencing in the District.

    The second measure is judicial compliance rates with the Guidelines. Compliance rates demonstrate the degree to which the recommend Guidelines sentence is viewed by the court and practitioners as a just and appropriate sentence. Given that the Guidelines in the District are voluntary, imposition of the recommended sentence is not mandated. However, the high compliance rate of approximately 98% and higher over the past several years is a strong indicator of their acceptance by both the court and practitioners. In FY21, the agency will be measuring compliance rates by specific offense categories to determine if the overall compliance rate varies by specific offense categories. The Guidelines allow for discretion in cases where it is warranted while providing for consistency in sentencing.

    The final measure of programmatic success is the ability to be responsive to our criminal justice partners and the public at large. The Commission has developed an extensive amount of sentencing data over the past ten years. It now has the capability to examine sentencing data and trends when considering enacting sentencing policy changes. This allows the Commission to use data to inform the public of realities versus speculation on sentencing activities in the District, and to address inaccurate information when necessary. The ability to be able to respond to inquiries in a timely and accurate manner is one of the Commission's most valuable measures of success.

41. What are the top metrics and KPIs regularly used by the agency to evaluate its operations? Please be specific about which data points are monitored by the agency.
    The agency utilizes the following data points to evaluate its operations:

    a. Number of felony cases, counts, and offenders sentenced
    b. Percentage of Guideline compliant sentences imposed
    c. Percentage of Guideline compliant "in-the-box" sentences imposed
    d. Percentage of Guideline compliant sentences imposed for weapon offenses
    e. Percentage of Guideline compliant sentences imposed for violent offenses
    f. Percentage of Compliant Departures
    g. Percentage of "in-the-box" sentences imposed
    h. Percentage of 11(c)(1)(c) pleas
    i. Percentage of effective Guideline Trainings
    j. Number of Guideline Questions answered within 24 hours
    k. Percentage of GRID/GSS tickets resolved within 14 days
    l. Percentage of responses to data requests provided within 20 days
    m. Number of data sets provided
    n. Number of social media postings completed
    o. Number of agency website updates completed
    p. Number of agency website hits

42. Please identify whether, and if so, in what way, the agency engaged The Lab @ DC in FY20 or FY21, to date.
    The agency has not engaged with The Lab @ DC in either FY20 or FY21 to date.

43. Please list the task forces and organizations of which the agency is a member.

a.	NASC	National Association of Sentencing Commissions
b.	NAJIS	National Association for Justice Information Systems
c.	IWG	Inter-agency Information Work Group
d.	ITAC	Information Technology Advisory Committee
e.	ISW	Inter-agency Security Work Group
f.	IDQ	Inter-agency Data Quality Work Group
g.	MPD	Gun STAT
h.	OCTO	Data Science Work Group
i.	OCTO	Interagency Data Team
j.	OCTO	Information Security Officer Team
k.	SES	Sealings, Expungements and Set Asides Working Group

44. Please explain the impact on your agency of any legislation passed at the federal level during FY20 and FY21 to date, which significantly affected agency operations.

    There was no legislation passed at the federal level during FY20 or FY21 to date that has significantly affected the agency's operations.

45. Please describe any steps the agency took in FY20 and FY21, to date, to improve the transparency of agency operations, including any website upgrades or major revisions.

    In FY20, the agency increase transparency by adding seven additional public data sets to the agency's webpage to allow policy makers, researchers, and District residents direct access to sentencing data. In addition, the agency fulfilled 18 requests for specific types of data sets over the past year.

    The agency focused on utilizing its website and social media platforms as a major information sharing tool during the District's health emergency. There was a total of 72 website updates in FY20, representing a 67% increase from FY19. Agency website hits also increased from 19,451 in FY19 to 21,153 in FY20, representing an 8.8% yearly increase.

    In FY20, the agency expanded the number of publications provided on its website to include Fast Facts, Issue Papers, Brochures, and a Commission Newsletter highlighting issues before the Commission. These publications were made available with the goal of ensuring sentencing related information is easily accessible to any interested party in the District.

46. Please identify all electronic databases maintained by your agency, including the following:

    (a) A detailed description of the information tracked within each system.

1. The GRID System is an independent web-based application platform, with an electronic database system backend. It enables the Commission to capture sentencing information, analyze Guidelines compliance, and perform numerous types of data analysis. Its core capabilities include receiving and processing information storing, displaying, and exporting data; calculating compliance; and performing analytics/analysis. It utilizes data from four sources: Superior Court, CSOSA, MPD, and individual judges.

The Superior Court provides the Commission with all offense, conviction, and sentencing-related data. This data is transmitted from the Superior Court to the Commission electronically through the CJCC's Integrated Justice Information System Outbound Data Feed (IJIS 12.1). This data is transferred nightly and includes data on any felony case filed and updates to any felony case previously filed. This data feed contains approximately 500 data elements.

Criminal history related information is provided by CSOSA. CSOSA officers directly input offender criminal history and demographic information into the GRID system via an interface called the GRID Scoring System (GSS) module. Using the criminal history information provided, the GSS module apply multiple business rules calculates a criminal history score which is displayed in the GRID system and provided to the DC Superior Court. Typically, the GSS system calculates on average about 2,500 criminal history scores per year.

Through the MPD arrest data feed, the agency receives real time arrest information every 30 minutes. That data is validated, processed, and stored in a MPD arrest database. Arrest data is transferred and integrated into the GRID system once an arrest results in a case filing in Superior Court, allowing for the analysis of a felony case from arrest through sentencing. The MPD arrest data feed contains approximately 700 arrest related data variables and the agency receives on average data on 417 arrests per day.

Finally, individual judges provide specific case information in response to Commission staff inquiries through Departure Letters regarding perceived non-compliant departures from the Guidelines.

Using the data received from the Superior Court and CSOSA, the GRID system can determine judicial compliance with the sentencing Guidelines for felony convictions sentenced in Superior Court, identify sentencing trends, and perform numerous sentencing related data analyses to evaluate sentencing policy and respond to data requests. GSS also provides a bi-direction exchange of sentencing information between the Commission and CSOSA. After a judge sentences an offender, GSS electronically informs CSOSA if the judge imposed the CSOSA recommended sentence and notes any changes made to the offender's criminal history score.

When data is available from the MPD, Superior Court, and CSOSA, sentencing trend analysis can be completed by specific offense, case, offender, and sentence imposed to identity emerging trends or sentencing issues.

(b) The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and

The GRID system was fully implemented in December 2013. Commission staff and CSOSA officers began to fully utilize the GSS module in March 2015. Since implementation, modifications have been made to both the GRID system and the GSS module to better capture data, improve usability, add new functionality, ensure correct Guidelines compliance calculations, and improve system reliability and security. The agency updated the GRID system archival procedures in FY19 to ensure that all transferred data was received and processed even when a server connectivity issue arises.

In FY20 the agency undertook a substantial upgrade to the GRID system that enabled the Commission to access, consume and analyze MPD arrest data. The upgrade allows the Commission to conduct "entry to exit" analysis of felony offenses, offenders, and cases in the District. This project included the development of an XML interface to consume the arrest data, data base development, integration of arrest data into the current GRID system, including business rules, algorithms, analysis tables, and user screens. The additional 700+ arrest related data elements will significantly enhance the agency's analytic capabilities.

(c) Whether the public can be granted access to all or part of each system.

The public does not have direct access to the GRID system due to the personal identifying information (PII) contained in data system. The agency does make available several sentencing related data sets with all PII information removed to the public via the agency's website and provides information through its data request process.

47. Please provide a detailed description of any new technology acquired in FY20 and FY21, to date, including the cost, where it is used, and what it does. Please explain if there have there been any issues with implementation.

The agency had not acquired any other new technology other than the technology that has been described above.

Agency Operations

48. Please discuss how the public health emergency related to COVID-19 affected agency operations during FY20 and FY21 to date.

The early months of the District's public health emergency represented a period of re-adjustment for the agency. The agency had to quickly shift its normal in-office operations to a virtual teleworking environment, which it had never done previously. This shift in operating structure required the purchasing of additional laptop computers and obtaining VPN capabilities for all employees. In addition, the agency was required to learn and utilize several virtual meeting platforms, such as WebEx, Microsoft Teams, and Zoom to communicate with government agencies, criminal justice partners, and each other. It was a bit chaotic the first three months but by the end of May, the agency had adjusted, and normal business operations had resumed.

The Sentencing Commission did not hold meetings in March, April, and May of 2020 due to the need to identify a virtual communication platform that all Commission members had access to and were able to navigate. In June, the Commission resumed meetings using Zoom and all members were able to participate in discussions. Meeting have been held using Zoom since that date.

The agency is currently able to fulfill all its business functions from answering Guideline questions, responding to data requests, conducting Commission meetings, participating in various task forces/workgroups and undertaking any research and data analysis required. The agency's outreach and education activities were impacted significantly by the health emergency and required a targeted shift from in-person activities to webpage and social media related activities.

49. What is the status of the MPD Arrest Data Feed Project?

In FY20, the DC Council awarded $765,254 to the Sentencing Commission for the MPD Arrest Data Feed Enhancement Project. On October 1, 2019, the agency hired an IT Project Manager through CIA to develop the statement of work and to oversee the OCP procurement process and development of the MPD Arrest Data Feed project. On November 18, 2019, a firm fixed price 12-month contract in the amount of $480,315 was awarded to Mindcubed to undertake the project.

The MPD Arrest Data Feed Project was successfully completed on November 17, 2020, within the one-year contract period and the funding provided. The goal of this one-year capital funded IT project was to receive MPD arrest data and integrate arrest data with court and criminal history data within the GRID system to enable analysis of a felony conviction from arrest through sentencing.

The project has three major components which included:
1. Develop an XML interface to receive, store and validate live arrest data from MPD.
2. Process data and develop query capabilities and user interfaces within GRID system.
3. Integrate arrest data with IJIS 12.1 court data and CSOSA criminal history data and design analysis capability.

The agency began receiving arrest data on January 16, 2020 and currently receives an average of 417 arrests per day, for an approximate total of 120,140 unique arrests, including over 235,000 arrest transactions to date. The MPD data feed contains 700+ individual data fields related to an individual arrest record.

The agency is currently implementing two enhancements to the system. The first enchantment involves obtaining two years of historical MPD arrest data (September 2, 2017 to January 15, 2020 to expand the GRID system's analytic capabilities. This will result in 264,052 additional arrest records being added to the GRID system. This enhancement is scheduled to be completed by March 15, 2021.

The second enhancement currently underway involves developing and implementing a Victim Analysis Table. This table will contain specific victim related demographic information, prior domestic violence involvement, victim residency (District resident, home

state or country), relationship to defendant, victim injury or death information, and other specific victim related data obtained from the MPD Arrest Data feed. By developing a specific Victim Analysis Table, a more in-depth analysis of the impact of specific offense on victims can be identified and analyzed to identify any specific victimization trends. The projected completion date for this enhancement is April 23, 2021.

50. How many data requests did the agency receive in FY20 and FY21, to date? Please provide a detailed explanation of the data requested, whether it was approved or denied, and the average response time.
    a. Provided below is an overview of types of data requests received by the Commission along with the source of the request, approval status, and response time for FY20 and FY21 to date. The agency denied two data requests given one request focused on indeterminate sentences imposed and the second request pertained to juvenile sentencing information which the agency does keep. In FY20, the agency had an average data request response time of 18.5 days.

Summary of Data Request Submitted to Sentencing Commission				
FY 2020				
# Data Requests Received	# Data Requests Approved	# Data Request Denied	# Hours Required to Complete Requests	% of Data Requests Completed in 20 Days or Less
49	47	2	657	80%
FY 2021 to Date				
8	8	0	89	100%
Totals				
57	55	2	746	90%

Overview of Data Requests for FY20 and FY21 (to date)		
Type of Request	# of Requests	Requestor
Drug Offenses	4	Criminal Justice Agency, Citizen, Council, Academic, Sentencing Commission
Weapon Offense	9	Criminal Justice Agency, Community Group, Academic, Research Agency, Policy Makers
Title 16 Offenders	4	Criminal Justice Agency, CJ Policy Agency Academic
Felon In Possession	6	Press, Council, Criminal Justice Agency, Research Agency, Policy Makers
Rioting Offenses/ Wearing Face Masks	5	Council, Academia, CJ Policy Agency
Violent Offenses	9	Sentencing Commission, Criminal Justice Agency Community Group, Policy Makers, Research Agency
IRA Related Legislation	4	Criminal Justice Agency, Council, Policy Maker
Pornography/Sex Trafficking	3	Council, Research Agency, Sentencing Commission
Property Offenses	3	Community Group, Citizen

Bias Related Crimes	3	Council, CJ Policy Agency, Academia
Armed Violent Offenses	3	Academic, Community Group, Criminal Justice Agency
MPD Arrest Related Data	6	Community Group, Council, Criminal Justice Agency
Total	**55**	

51. What was the compliance rate with the Voluntary Sentencing Guidelines in FY20 and FY21 to date?

In FY20, the overall compliance rate with the Voluntary Sentencing Guidelines was 99%, representing a slight increase over the 98.1% compliance rate reported in the previous year. The overall compliance rate for FY21 to date is 98.4%. The compliance "in-the-box" rate for FY20 was 90.6% and 86.6% in FY21 to date.

a. For which offense was the compliance rate the highest?

In both FY20 and FY21 to date, Burglary II, Assault with Significant Bodily Injury, and Unlawful Possession of Liquid PCP had the highest compliance rate at 100%

b. For which offense was the compliance rate the lowest?

In FY20, Distribution of a Controlled Substance had the lowest compliance rate of 97%. In FY21 to date, Attempt to Commit Robbery and PWID both had the lowest compliance rate at 88%.

52. What was the departure letter response rate in FY20 and FY21 to date?

In FY16, the Commission only had a departure letter response rate of 71.7%, which meant that over 25% of request for departure clarifications were going unanswered by the court. To improve the departure letter response rate, in FY18, the agency implemented a structured manual review process for any sentence initially designated as "non-compliant" by the GRID system that checks for data quality issues and the sentence imposed is also verified using JUSTIS. The new six-week timeline starts the day that the original Departure Letter is sent which is within 30 days of sentencing. The second notice letter is sent two weeks later, and the third letter sent two weeks after the second notice. By week six, the Executive Director contacts the judge's chambers directly if no response has been received. If no response is received after contact from the Executive Director, the case status is changed from Non-compliant to Confirmed Non-compliant with a justification of "No response from court" entered in the GRID system.

The goal of this initiative is to improve the response rates from the court by at least 10%. Listed below are the departure letter response rates from FY18 through FY21to date:
- FY18 - 85.1%
- FY19 - 86.2%
- FY20 - 82.1%
- FY21 - 100% (to date)

It should be noted that departure letter response rates are potentially impacted by the limited operations of the court due to the District's current health emergency, specially the actual number of sentencing that occurred in both FY20 and FY21.

53. Please discuss any modifications made to the Voluntary Sentencing Guidelines in FY20 and FY21, to date.

The Sentencing Commission did not make any modifications to the Voluntary Sentencing Guidelines during FY20.

   a. What modifications to the Voluntary Sentencing Guidelines does the Commission anticipate making in the remainder of FY21?

The Sentencing Commission is currently reviewing the Guidelines Lapse and Revival policy to determine if it is achieving its intended goals and/or if may need to be revised. Lapse and revival is an important Guideline issue since it directly impacts an individual's criminal history score, which is one of the key factors that determine the recommended Guideline sentence. The Commission is reviewing research related to this issue, seeking input from other Sentencing Commissions as to their policies and practices, and will examine sentencing data to assist in determining whether the policy should be modified.

In addition, the Commission is awaiting proposals from the Public Defenders Service related to potential sentencing revisions related to Title 16 sentences. Once those proposals are submitted, they will be reviewed and evaluated by the Commission and any appropriate modifications to sentencing policy may be enacted.

54. How much training did the Sentencing Commission conduct on the Voluntary Sentencing Guidelines in FY20 and FY21, to date, and to which organizations or entities?

Sentencing Guideline Trainings (FY20 and FY21 to date by Quarter)			
Quarter	Number of Trainings	Number of Individuals Trained	Agency
FY20 Q1 (Oct.-Dec.)	5	118	US Probation, CSOSA, Clerks
FY20 Q2 (Jan.-March)	4	86	Court, Defense Bar, DOC, Judges
FY20 Q3 (April-June)	2	2	Attorneys
FY20 Q4 (July-Sept.)	2	6	Defense Bar, Clerks
FY 20 Total	**13**	**212**	
FY21Q1 (Oct.-Dec.)	1	10	Defense Bar
FY21 Q2(Jan-March)	1	6	Court Clerks
FY 21 Total to Date	**2**	**16**	

55. Please list any reports or analyses that the Sentencing Commission plans to release in the remainder of FY21.

a. 2020 D.C. Sentencing Commission Annual Report
b. 2021 Voluntary Sentencing Guideline Manual
c. Issue Paper (2)
d. Quick Facts (4)
e. Annual 11(c)(1)(C) Report

56. Describe the Sentencing Commission's implementation of its three-year outreach and educational strategy.

In December 2019, the Commission developed and approved a comprehensive multi-year Sentencing Guidelines public outreach and educational strategy. A multi-dimensional approach was adopted to successfully convey various sentencing related topics to different types of audiences. The strategy contained clearly defined goals and objectives, identified specific activities, incorporated various delivery mechanisms, and included a timeline for implementation. The strategy focused on developing an appropriate outreach curriculum, improving upward and downward communication, and sharing the work of the Commission with the public.

With the unexpected District health emergency declared in March 2020, presenting information through traditional means such as public meetings and roundtables became impossible. As a result, the agency decided to switch its outreach and education activities to virtual and social media platforms. Shortly after this shift was implemented, the Outreach and Educational Specialist left the agency and the position was frozen due to budget adjustments requested by the Mayor. The position remains frozen currently.

The agency, with the use of current staff, has been able to shift the focus of outreach and educational activities to more virtual activities and printed media such as twitter postings, fast facts sheets, agency newsletters, and issue papers. Agency website hits increased from 19,451 in FY19 to 21,153 in FY20. Websites updates increased from 46 in FY19 to 72 in FY20 and 118 in the first quarter alone of FY21. The agency also completed 52 social media posting in FY20 and 16 posting in the first quarter of FY21.

However, virtual presentations and trainings have not been undertaken due to staffing limitations. The agency is hopeful that the Outreach and Educational Specialist position will be restored, enabling the agency to move forward with developing virtual trainings and presentations for District residents and criminal justice professionals.

DISTRICT OF COLUMBIA SENTENCING COMMISSION (FZO)
FY 2021 SCHEDULE A (as of January 31, 2021)

Vacant Status	FTE
Filled	5
Vacant	2
Total	7

Agency Code	Fiscal Year	Position#	Program Code	Activity Code	Filled, Vacant or Frozen	Position Title	Employee Name	Hire Date	Grade	Step	Salary	Fringe Benefits	FTE	Reg/Temp/ Term	Hiring Status	Filled By Law Y/N
FZO	2021	00004048	2000	2010	Filled	Statistician	Ergun,Mehmet A	4/10/2017	7	0	111,535	23,088	1	Reg		N
FZO	2021	00005771	2000	2050	Vacant	Gen Counsel			8	0	120,000	24,840	1	Reg	Recruiting	N
FZO	2021	00013485	2000	2040	Filled	Executive Director	Souvey,Barbara S	12/7/2009	9	0	166,516	34,469	1	Reg		N
FZO	2021	00027231	1000	1010	Filled	Staff Assistant	Hebb,Mia A	3/15/2010	3	0	65,814	13,623	1	Reg		N
FZO	2021	00035394	2000	2060	Frozen	Outreach and Education Speciali			5	0	66,492	13,764	1	Reg	Frozen	N
FZO	2021	00087491	2000	2010	Filled	Research Analyst	Tarnalicki,Taylor A	4/3/2017	6	0	79,396	16,435	1	Reg		N
FZO	2021	00100091	2000	2010	Filled	IT Specialist (Data Mgmt)	Evans,Basil D.	12/23/2019	7	0	90,000	18,630	1	Reg		N
Agency Grand Total											699,753	144,849	7			

District of Columbia Sentencing Commission FY2020

Agency	District of Columbia Sentencing Commission	Agency Code FZ0	Fiscal Year 2020

Mission The mission of the District of Columbia Sentencing Commission is to implement, monitor, and support the District's voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research.

Summary of Services The Commission advises the District of Columbia on policy matters related to criminal law, sentencing and corrections policy. The Sentencing and Criminal Code Revision Commission Amendment Act of 2007 established a permanent voluntary felony sentencing guidelines and requires the Commission to monitor and make adjustments as needed to promote sentencing policies that limit unwarranted disparity while allowing adequate judicial discretion and proportionality. The sentencing guidelines provide recommended sentences that enhance fairness so that offenders, victims, the community, and all parties will understand the sentence, and sentences will be both more predictable and consistent. The commission provides analysis of sentencing trends and guideline compliance to the public and its representatives to assist in identifying sentencing patterns for felony convictions.

▾ 2020 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
Development of Fast Facts Sheets	Enables the agency to use its current data system to provide information to both residents and criminal justice partners that highlights sentencing trends for felony offenses.	Fast Facts are intended to serve as an educational tool for District residents by providing an overview of the frequency, the types of sentences imposed and basic defendant demographics for a specific felony offense
MPD Arrest Data Enhancement Project	Expanded the data analysis capabilities of the agency to include the life cycle of a felony offense from arrest through sentencing.	The completion of this project enables District residents to view the life cycle of an arrest for an offense through sentencing, increasing their understanding of the criminal justice process.
Sentencing Guidelines Issue Papers	Since Issue Papers address the more confusing and difficult aspects of the Sentencing Guidelines, a projected decease in the number of Guideline related questions and errors at sentencing is projected.	By increasing resident's and practitioners understanding of sentencing practices in the District, there is increased transparency regarding the types and lengths of felony sentences imposed under the Guidelines and reduced errors related to the application of the Sentencing Guidelines.

▾ 2020 Key Performance Indicators

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
1 - Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences. (5 Measures)												
Compliant Departures	Quarterly	91.1%	94.1%	93.8%	93%	85.7%	94.7%	100%	100%	94.3%	Met	
Percent of compliant sentences that represent 11(C)(1)(c) pleas	Quarterly	New in 2019	New in 2019	13.9%	12%	13.6%	15.8%	14.9%	18.3%	15%	Met	
Percent of Compliant Guideline Sentences	Quarterly	96.4%	96.8%	97.1%	96.5%	95.2%	91.4%	95.9%	97.9%	94%	Nearly Met	Given the District's Health Emergency and the limited operating status of the DC Superior Court, the number of cases sentenced decreased drastically. A slightly higher number of non-compliant sentences were imposed given concerns regarding health issues related to incarceration. The overall impact was marginal.
Compliant In-The-Box Sentences Imposed	Quarterly	87.8%	89.9%	90.1%	87.5%	88.9%	91.2%	91.5%	97%	90.6%	Met	
Percent of judicial departure letter responses received	Quarterly	New in 2020	New in 2020	New in 2020	New in 2020	80.6%	82.4%	100%	100%	82.1%	New in 2020	
2 - Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process. (2 Measures)												
Effective Guideline Trainings	Quarterly	90.6%	90.7%	92.9%	83%	80%	90.4%	100%	100%	90.2%	Met	

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
Guideline Questions Answered	Quarterly	98.2%	99.5%	98.6%	98.5%	99.1%	98%	100%	100%	98.9%	Met	

3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarranted disparity in sentences. (2 Measures)

Measure	Frequency	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020 Actual	KPI Status	Explanation for Unmet FY 2020 Target
GRID/GSS tickets resolved within 14 days	Quarterly	74.4%	75.8%	69.6%	68%	75%	66.7%	75%	87.5%	76.3%	Met	
Data Request Response Time	Quarterly	95%	90.9%	91%	76%	88.9%	90.9%	100%	92.3%	92.5%	Met	

2020 Workload Measures

Measure	FY 2018 Actual	FY 2019 Actual	FY 2020 Quarter 1	FY 2020 Quarter 2	FY 2020 Quarter 3	FY 2020 Quarter 4	FY 2020
1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed (2 Measures)							
Number of Sealed Cases	3026	2485	356	455	275	224	1310
Number of DQA's Identified and Submitted	New in 2020	New in 2020	Annual Measure	Annual Measure	Annual Measure	Annual Measure	97
1 - Review and Verify all Criminal History Scores (1 Measure)							
Requests for Missing Criminal History Scores	New in 2020	New in 2020	48	85	5	6	144
1 - Review and Verify All Felony Sentences (6 Measures)							
Number of CSOSA Criminal History Scores Submitted	2833	2319	335	330	47	82	794
Number of Felony Cases Sentenced	1813	1587	323	263	44	76	706
Number of Felony Counts Sentenced	2316	2070	397	352	49	112	910
Number of Departure Letters Sent	114	165	36	17	1	1	55
Number of Probation Revocations Sentenced	355	375	123	128	78	34	363
Number of sentences imposed as the result of 11(C)(1)(c) pleas	New in 2019	277	Annual Measure	Annual Measure	Annual Measure	Annual Measure	122
2 - Maintain and Update Agency Website (1 Measure)							
Number of Agency Website Hits	19,151	19,451	4268	5047	5628	6210	21,153
2 - Provide Sentencing Guideline Training (3 Measures)							
Number of Sentencing Guideline Trainings Provided	19	15	5	4	3	1	13
Agency Website Updates Completed	43	46	11	20	18	23	72
Number of individuals receiving Sentencing Guideline Training	New in 2019	96	27	54	25	15	121
3 - Monitor and Maintain the Guideline Reporting Information Data (GRID) System (4 Measures)							
Number of GRID Tickets Entered	69	66	9	6	8	6	29
Number of new charge codes mapped in GRID	21	165	19	3	5	7	34
Number Hours required to complete data requests	971	1455	Semi-Annual Measure	Semi-Annual Measure	Semi-Annual Measure	Semi-Annual Measure	657
Number of Critical GRID Tickets Submitted	New in 2020	New in 2020	Annual Measure	Annual Measure	Annual Measure	Annual Measure	14
3 - Respond to Data Requests (2 Measures)							
Number of Data Requests Received	47	67	16	11	7	13	47
Data Sets Provided	New in 2020	New in 2020	3	4	4	7	18

2020 Operations

Operations Header	Operations Title	Operations Description	Type of Operations

1 - Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences. (3 Activities)

Operations Header	Operations Title	Operations Description	Type of Operations
SENTENCING GUIDELINE MONITORING	Identify Irregularities and Inconsistencies in Felony Sentences Imposed	Review sentencing data received from the D.C. Superior Court to identify data quality issues to be resolved; identify sentences that are outside the recommended guideline sentence; and identify emerging sentencing trends that may require review by the Commission and potential policy modifications.	Daily Service
SENTENCING GUIDELINE MONITORING	Review and Verify All Felony Sentences	Review and verify each felony sentence imposed by the D.C. Superior Court is accurate, legal; and complete. Once the verification process is completed, calculate whether the sentence imposed matches the recommended guideline sentence in an accurate and timely manner.	Daily Service
SENTENCING GUIDELINE MONITORING	Review and Verify all Criminal History Scores	A individual's prior convictions are provided by CSOSA and used to calculate a defendant's criminal history scores. If criminal history information is missing or inaccurate, CSOSA is contacted to provide the accurate information so that compliance can be calculated for each felony count sentenced.	Daily Service

2 - Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process. (5 Activities)

Operations Header	Operations Title	Operations Description	Type of Operations
SENTENCING GUIDELINES TRAINING	Provide Sentencing Guideline Training	Provide Sentencing Guideline training to criminal justice professional that will increase their understanding of sentencing practices under the Guidelines and ensure proper application of the Guidelines thus reducing potential sentencing errors.	Daily Service
SENTENCING GUIDELINES TRAINING	Maintain and Update Agency Website	Update the agency's website with "Guideline Alerts" to ensure the public and criminal justice community are notified of changes to sentencing policy or practices under the sentencing guidelines. Monthly update training and other guideline related materials to ensure public access to accurate and timely information about sentencing in the District of Columbia.	Daily Service
SENTENCING GUIDELINES TRAINING	Respond to Guideline Questions	On an ongoing basis the agency responds to questions from a number of sources including, Court Services and Offender Supervision Agency, judges, attorneys, and the public regarding criminal history scoring, sentence options, and offense rankings. Responding to these questions in an accurate and timely manner avoids procedural delays and ensure that the parties understand the sentencing options available under the Sentencing Guidelines.	Daily Service
SENTENCING GUIDELINE MONITORING	Public Access to Sentencing Data	Provide a yearly data set on the agency's website to allow researchers and the public direct access to felony sentencing related data in the District.	Key Project
SENTENCING GUIDELINES TRAINING	Increase public outreach and education regarding the Sentencing Guidelines	Prior Guideline training and outreach has previously been focused on criminal justice partners and professionals. An Guideline outreach and education strategy will be developed and implement targeting residents and community based organization to increase their understanding of the purpose, function, and impact of the Guidelines on felony sentences imposed in the District.	Key Project

3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarrented disparity in sentences. (3 Activities)

Operations Header	Operations Title	Operations Description	Type of Operations
POLICY REPORTS AND PROPOSALS	Respond to Data Requests	Effectively and efficiently respond to data requests from legislators, criminal justice professionals, and the public by providing accurate and timely sentencing information.	Daily Service
SENTENCING GUIDELINE MONITORING	Monitor and Maintain the Guideline Reporting Information Data (GRID) System	Monitor and maintain the data analysis module of the agency's GRID system used to identify and evaluate sentencing trends throughout the year to inform the development of effective sentencing policy for the District. Technical and operational issues identified will be reported to the vendor for resolution within 14 days.	Daily Service
Sentencing Guideline Monitoring	MPD Arrest Data Enhancement Project	GRID, the agency's data system, will be enhanced to consume MPD arrest data in addition to the court and criminal history data for all felony offenders sentenced in the District. With the inclusion of electronically transferred arrest data, the agency will be able to follow an individual from time of arrest through sentencing. This enhancement will expand analysis capabilities related to sentencing trends by geographic areas, offense type, and other variables.	Key Project

▾ 2020 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
Increase public outreach and education regarding the Sentencing Guidelines (2 Strategic initiatives)				
Fast Facts - DC Felony Offenses	The agency will develop quarterly Fast Fact sheets focused on a single felony offense. The Fast Fact sheets will be one page in length and provide an overview of the frequency of sentences imposed, types and lengths of sentences, offender demographic information, and any significant sentencing trends indicated for a specific offense. By developing a very concise and quickly reviewed offense analysis, the public is able to learn about the how frequently certain offenses are sentenced in the District; the types of sentence imposed, and any emerging trends. Issue papers will be completed in December, March, June, and September of FY 2020	Complete	During FY20, the agency developed and released four Fast Facts sheets for the following felony offenses: Assault with Intent to Kill' Adult Sex Offenses, Robbery, and Armed Robbery.	
Guideline Outreach and Educational Strategy	Information regarding the purpose, structure, and outcome of felony sentences imposed has previously been provided to criminal justice practitioners. This initiative will develop a specific strategy to inform the general public about how the Sentencing Guidelines operate and the factors impacting sentences imposed to create a better understanding of why sentences can vary for single offense. The Commission will identify the key objectives of the strategy by December 1, 2019. A strategy utilizing a multi faceted approach including print, social media, and presentations will be developed and approved by the Commission by February 1, 2020, focusing on sentencing for violent and gun-related offenses. Implementation of the strategy to citizens and community organizations will occur between February 15, 2020 and September 30, 2020 and will include at a minimum two public presentations about the Sentencing Guidelines. One of the presentation will be in Ward 7 or Ward 8.	50-74%	Due to the District's Health Emergency and competing agency priorities, this initiative was not completed.	Due to the District's Health Emergency, the agency was unable to undertake the two community presentations initially planned. Given competing agency priorities, the virtual community presentation were started but have not been completed. It is the agency's intention to complete those presentations within the first two quarters of FY 2021

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
MPD Arrest Data Enhancement Project (1 Strategic Initiative)				
MPD Arrest Data Feed Enhancement Project	The agency will enhance the current GRID system by developing an XML arrest data interface that will transfer arrest data from the Metropolitan Police Department to the Commission, which will be then integrated with felony case information provided by the DC Superior Court and CSOSA to create a complete comprehensive felony case record from arrest through sentencing. This multi-stage project will include: (1) identifying the data system technical requirements and business needs to be completed by December 1, 2019; (2) developing and implementing an XML interface to transfer arrest data into GRID by January 30, 2020; (3) integrating arrest data into the GRID system by July 1, 2020; and (4) testing and move to full production by September 20, 2020.	Complete	Although there was a slight delay to the beginning of this project, all development was completed by the end of the fiscal year. The MPD arrest data project is currently in final pre-production testing and verification with a scheduled Go Live date of November 17, 2020.	
Provide Sentencing Guideline Training (1 Strategic Initiative)				
Sentencing Guideline Issue Papers	Issue Papers will focus on identifying, explaining or clarifying a single complex or confusing aspect of the Sentencing Guidelines for professionals and practitioners. Issue paper topics will be selected from Guideline questions which the Commission are asked to address most frequently. In a three -four page document, the issue will be identified and explained in detail, using examples to help the reader better understand the complexity of the issue. Issue papers are aimed at reducing errors in the application of the Guidelines and can also serve as a quick reference to practitioners, reducing staff resources required to answer questions. Issue papers will be completed semi-annually in March and September and posted on the agency's website	Complete	The final Issue Paper released focused on the role Misdemeanor Offenses play in the calculation of a defendant's criminal history score. The criminal history score is one of the two key variables in determining the sentence length and time under the Sentencing Guidelines	
Review and Verify All Felony Sentences (1 Strategic Initiative)				
Quarterly Data Quality Assurance Report	Develop a Data Quality Assurance (DQA) quarterly report that includes the (1) the type of data quality issue; (2) the frequency of the data quality error; (3) the data owner agency; (4) date DQA was submitted, and (5) the date the DQA was resolved. The DQA report will enable the agency to identify re-occurring data quality issues and work with the data owner agency to correct the data in a timely manner to ensure analysis completed by the Commission is accurate. The report format will be completed and approved by November 1, 2019. DQA reports will be completed at the end of each quarter of the fiscal year, with a cumulative yearly report completed by September 30, 2020.	Complete	The agency receives sentencing and offender criminal history information from the DC Superior Court and CSOSA. This data is used to make policy decisions regarding the Guidelines, as well as for numerous analysis and reports. Ensuring the data received is both accurate and reliable is critical to the validity of these analyses. By identifying and resolving data quality issues the accuracy of all analysis is improved.	

District of Columbia Sentencing Commission FY2021

Agency   District of Columbia Sentencing Commission   Agency Code FZO   Fiscal Year 2021

Mission The mission of the District of Columbia Sentencing Commission is to implement, monitor, and support the District's voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research.

▾ Strategic Objectives

Objective Number	Strategic Objective
1	Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences.
2	Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process.
3	Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarrented disparity in sentences.

▾ Key Performance Indicators

Measure	Directionality	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Target
1 - Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences. (7 Measures)					
Compliant Departures	Up is Better	94.1%	93.8%	94.3%	93.5%
Percent of Compliant Guideline Sentences	Up is Better	96.8%	97.1%	94%	96.5%
Compliant In-The-Box Sentences Imposed	Up is Better	89.9%	90.1%	90.6%	89%
Percent of compliant sentences that represent 11(C)(1)(c) pleas	Up is Better	New in 2019	13.9%	15%	12.5%
Percent of judicial departure letter responses received	Up is Better	New in 2020	New in 2020	82.1%	75%
Percentage of Sentences for Violent offenses that are compliant with the Guidelines	Up is Better	New in 2021	New in 2021	New in 2021	New in 2021
Percentage of Sentences for Weapon Offenses Compliant with Guidelines	Up is Better	New in 2021	New in 2021	New in 2021	New in 2021
2 - Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process. (4 Measures)					
Guideline Questions Answered	Up is Better	99.5%	98.6%	98.9%	98.5%
Effective Guideline Trainings	Up is Better	90.7%	92.9%	90.2%	85%
Number of Social Media Postings	Up is Better	New in 2021	New in 2021	New in 2021	New in 2021
Percentage of Website Hits Related to Outreach and Education Material	Up is Better	New in 2021	New in 2021	New in 2021	New in 2021
3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarrented disparity in sentences. (4 Measures)					
Data Request Response Time	Up is Better	90.9%	91%	92.5%	80%
GRID/GSS tickets resolved within 14 days	Up is Better	75.8%	69.6%	76.3%	68.5%
Percentage of Unique Arrests from MPD that are verified and processed in the GRID system	Up is Better	New in 2021	New in 2021	New in 2021	New in 2021
Percentage of MPD Arrest Charges received that are Verified and Processed in GRID System	Up is Better	New in 2021	New in 2021	New in 2021	New in 2021

▾ Operations

Operations Header	Operations Title	Operations Description	Type of Operations
1 - Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences. (3 Activities)			
SENTENCING GUIDELINE MONITORING	Identify Irregularities and Inconsistencies in Felony Sentences Imposed	Review sentencing data received from the D.C. Superior Court to identify data quality issues to be resolved; identify sentences that are outside the recommended guideline sentence; and identify emerging sentencing trends that may require review by the Commission and potential policy modifications.	Daily Service
SENTENCING GUIDELINE MONITORING	Review and Verify All Felony Sentences	Review and verify each felony sentence imposed by the D.C. Superior Court is accurate, legal; and complete. Once the verification process is completed, calculate whether the sentence imposed matches the recommended guideline sentence in an accurate and timely manner.	Daily Service

Operations Header	Operations Title	Operations Description	Type of Operations
SENTENCING GUIDELINE MONITORING	Review and Verify all Criminal History Scores	A individual's prior convictions are provided by CSOSA and used to calculate a defendant's criminal history scores. If criminal history information is missing or inaccurate, CSOSA is contacted to provide the accurate information so that compliance can be calculated for each felony count sentenced.	Daily Service

2 - Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process. (5 Activities)

SENTENCING GUIDELINES TRAINING	Provide Sentencing Guideline Training	Provide Sentencing Guideline training to criminal justice professional that will increase their understanding of sentencing practices under the Guidelines and ensure proper application of the Guidelines thus reducing potential sentencing errors.	Daily Service
SENTENCING GUIDELINES TRAINING	Maintain and Update Agency Website	Update the agency's website with "Guideline Alerts" to ensure the public and criminal justice community are notified of changes to sentencing policy or practices under the sentencing guidelines. Monthly update training and other guideline related materials to ensure public access to accurate and timely information about sentencing in the District of Columbia.	Daily Service
SENTENCING GUIDELINES TRAINING	Respond to Guideline Questions	On an ongoing basis the agency responds to questions from a number of sources including, Court Services and Offender Supervision Agency, judges, attorneys, and the public regarding criminal history scoring, sentence options, and offense rankings. Responding to these questions in an accurate and timely manner avoids procedural delays and ensure that the parties understand the sentencing options available under the Sentencing Guidelines.	Daily Service
SENTENCING GUIDELINE MONITORING	Public Access to Sentencing Data	In addition to providing a comprehensive yearly data set of all felony sentences imposed, multiple data sets will be placed on the agency's website to provide residents and researcher more detailed overview and a clearer understanding of felony sentencing trends for specific offense types in the District.	Daily Service
SENTENCING GUIDELINES TRAINING	Increase public outreach and education regarding the Sentencing Guidelines	Prior Guideline training and outreach has previously been focused on criminal justice partners and professionals. An Guideline outreach and education strategy will be developed and implement targeting residents and community based organization to increase their understanding of the purpose, function, and impact of the Guidelines on felony sentences imposed in the District.	Daily Service

3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarrented disparity in sentences. (3 Activities)

POLICY REPORTS AND PROPOSALS	Respond to Data Requests	Effectively and efficiently respond to data requests from legislators, criminal justice professionals, and the public by providing accurate and timely sentencing information.	Daily Service
SENTENCING GUIDELINE MONITORING	Monitor and Maintain the Guideline Reporting Information Data (GRID) System	Monitor and maintain the data analysis module of the agency's GRID system used to identify and evaluate sentencing trends throughout the year to inform the development of effective sentencing policy for the District. Technical and operational issues identified will be reported to the vendor for resolution within 14 days.	Daily Service
Sentencing Guideline Monitoring	MPD Arrest Data Processing	In FY2021, the agency will begin receiving and integrating MPD arrest data into the agency's Guideline Information Reporting Data (GRID) system. On an hourly basis arrest data will be transferred to the GRID system where data will be stored, processed and integrated, allowing for analysis of felony cases from arrest through sentencing. Processing will include data validation and reliability checks to ensure the accuracy of the data for analysis purposes.	Daily Service

▾ Workload Measures

Measure	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual
1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed (2 Measures)			
Number of Sealed Cases	3026	2485	1310
Number of DQA's Identified and Submitted	New in 2020	New in 2020	97
1 - Review and Verify all Criminal History Scores (1 Measure)			
Requests for Missing Criminal History Scores	New in 2020	New in 2020	144
1 - Review and Verify All Felony Sentences (6 Measures)			
Number of CSOSA Criminal History Scores Submitted	2833	2319	794
Number of Felony Cases Sentenced	1813	1587	706
Number of Felony Counts Sentenced	2316	2070	910
Number of Departure Letters Sent	114	165	55
Number of Probation Revocations Sentenced	355	375	363
Number of sentences imposed as the result of 11(C)(1)(c) pleas	New in 2019	277	122
2 - Maintain and Update Agency Website (1 Measure)			
Number of Agency Website Hits	19,151	19,451	21,153
2 - Provide Sentencing Guideline Training (3 Measures)			
Number of Sentencing Guideline Trainings Provided	19	15	13

Measure	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual
Agency Website Updates Completed	43	46	72
Number of individuals receiving Sentencing Guideline Training	New in 2019	96	121

3 - Monitor and Maintain the Guideline Reporting Information Data (GRID) System (4 Measures)

Number of GRID Tickets Entered	69	66	29
Number Hours required to complete data requests	971	1455	657
Number of new charge codes mapped in GRID	21	165	34
Number of Critical GRID Tickets Submitted	New in 2020	New in 2020	14

3 - MPD Arrest Data Processing (2 Measures)

Total Number of MPD Arrest Charges Received	New in 2021	New in 2021	New in 2021
Number of Unique MPD Arrests Received	New in 2021	New in 2021	New in 2021

3 - Respond to Data Requests (2 Measures)

Number of Data Requests Received	47	67	47
Data Sets Provided	New in 2020	New in 2020	18

▼ Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date

Identify Irregularities and Inconsistencies in Felony Sentences Imposed (1 Strategic Initiative)

Rule 11(c)1(C) Sentences Quarterly Report	Rule 11(c)1(C) Sentences are the result of an agreed upon sentence among the prosecution, defense, and the court. These sentences are considered compliant under the Guidelines, regardless of whether the actual sentences imposed complies with the Guideline recommended sentence. This report will provide data on the frequency, type of sentence imposed, offense type involved the number of Rule 11(c)1(C) pleas to other pleas, as well as the percentage they represent of all sentences imposed. The report will be completed on December 30th, March30th , June 30th and September 30th.	09-30-2021

Increase public outreach and education regarding the Sentencing Guidelines (2 Strategic initiatives)

Fast Facts Series for Weapon Offenses	The agency has created Fast Facts sheets to provide sentencing information and trends for a single felony offense, which allows the reader to have a snap shot of how often an offense is sentenced and what types of sentences are imposed for a specific felony offense, with the intend of improving transparency of sentencing practices in the District. In FY 21, a Fast Fact Series will be developed that focuses on weapon offenses, including ADW, Carjacking, Felon in Possession, and Possession of Firearm During a Crime of Violence. For these four violent weapon offenses, the analysis and data provided will include frequency and sentencing trends, along with offender demographics . The Fast Fast will be completed on quarterly (December 30th, March 30th, June 30th, and September and posted on the agency's website.	09-30-2021
Virtual Sentencing Guideline Educational Presentations for District Residents	Given the restrictions regarding public gatherings, in-person community based Guideline educational training is difficult. To compensate, the agency will develop two virtual YouTube educational presentations. The first will focus on how the Guidelines operate and factors that are taken into consideration at sentencing. The second YouTube presentation will focus on the impact of using a weapon during a criminal activity to highlight the impact the use of a weapon has on both on the type and length of sentence imposed. The first YouTube video will be completed by January 15, 2021 and the second by August 2,2021. They will be posted on the website and agency social media accounts.	08-02-2021

Public Access to Sentencing Data (1 Strategic Initiative)

Public Data Sets By Offense Category	Four new public access data sets will be developed and posted on the agency's website. Theses data sets will be offense category based and include: Drug Offenses, Property Offenses, Violent Offenses, and Weapon Offenses. Providing sentencing related data by offense categories will inform District residents and researches of the types and lengths of sentences imposed under the Sentencing Guidelines. This initiative will be completed by April 30, 2021.	04-30-2021

★★★ District of Columbia
Sentencing Commission

441 Fourth Street, NW, Suite 430 South, Washington, D.C. 20001
(202) 727-8822 – Fax (202) 727-7929

Hon. Milton C. Lee
Chairperson

Barbara S. Tombs-Souvey
Executive Director

Frederick D. Cooke Jr., Esq.
Renata Cooper, Esq.
Hon. Danya A. Dayson
Molly Gill, Esq.
Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner
Hon. Frederick H. Weisberg

Non-voting members:
Hon. Charles Allen
Maria Amato, Esq.
Robert Contee
Judi Simon-Garrett, Esq.
Stephen J. Husk

D.C. Sentencing Commission Meeting
October 15, 2019
5:00 to 6:30 PM
One Judiciary Square - 441 Fourth Street, N.W.
Room 430S
Washington, DC 20001

Agenda

1. Review and Approval of the Minutes from the September 17, 2019 Meeting - Action Item, Judge Lee.

2. Review and Approval of Issue Paper "Long Split Sentences," - Action Item, Mehmet Ergun, Statistician.

3. Three-Year Outreach Strategy– Discussion Item, Miatta Sesay, Outreach Specialist, Barbara Tombs-Souvey, and Judge Lee.

4. Presentation and Discussion of Title 16 Sentences:

    a. Overview of court cases related to Title 16 Offenders – Kara Dansky, General Council.
    b. Presentation of Title 16 Sentencing Data – Taylor Tarnalicki, Research Analyst.

5. Schedule Next Meeting – November 19, 2019

6. Adjourn.

★ ★ ★ District of Columbia
Sentencing Commission

441 Fourth Street, NW, Suite 430 South, Washington, D.C. 20001
(202) 727-8822 – Fax (202) 727-7929

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Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner
Hon. Frederick H. Weisberg

Non-voting members:
Hon. Charles Allen
Maria Amato, Esq.
Robert Contee
Judi Simon-Garrett, Esq.
Stephen J. Husk

D.C. Sentencing Commission Meeting
November 19, 2019
5:00 to 6:30 PM
One Judiciary Square - 441 Fourth Street, N.W.
Room 430S
Washington, DC 20001

Agenda

1. Review and Approval of the Minutes from the October 15, 2019 Meeting - Action Item, Judge Lee.

2. Three-Year Outreach Strategy Initiatives – Discussion Item, Miatta Sesay, Outreach Specialist, Barbara Tombs-Souvey, and Judge Lee.

3. Continued Discussion of Title 16 Sentences:

    a. Overview of court cases related to Title 16 Offenders – Kara Dansky, General Council.
    b. Presentation of Title 16 Sentencing Data – Taylor Tarnalicki, Research Analyst.

4. December 17th Meeting is cancelled.
    Next Scheduled Meeting – January 21, 2020.

5. Adjourn.

★ ★ ★ District of Columbia
        Sentencing Commission

Hon. Milton C. Lee
Chairperson

Barbara S. Tombs-Souvey
Executive Director

Frederick D. Cooke Jr., Esq.
Renata Cooper, Esq.
Hon. Danya A. Dayson
Molly Gill, Esq.
Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Honorable Juliet J. McKenna
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner

Non-voting members:
Hon. Charles Allen
Maria Amato, Esq.
Robert Contee
Judi Simon-Garrett, Esq.
Stephen J. Husk

D.C. Sentencing Commission Meeting
January 21, 2020
5:00 to 6:30 PM
One Judiciary Square - 441 Fourth Street, N.W.
Room 430S
Washington, DC 20001

Agenda

1. Review and Approval of the Minutes from the November 19, 2019 Meeting - Action Item, Judge Lee.

2. Director's Report - Information Item, Barbara Tombs-Souvey, Executive Director.
   a. Introduction of New Commission Member, Judge Juliet McKenna.
   b. Introduction of IT Specialist, Basil Evans.
   c. Agency Performance Hearing – February 13, 2020.

3. MPD Data Feed Enhancement Project- Informational Item, Barbara Tombs-Souvey, Executive Director.

4. DC Social Media Policy – Action Item, Miatta Sesay, Outreach Specialist.

5. Fast Facts – Adult Sex Offenses – Action Item, Taylor Tarnalicki, Research Analyst.

6. Continued Discussion of Title 16 Sentences, Informational Item:
   a. Grid Box Analysis – Mehmet Ergun, Statistician.
   b. Follow-Up from Prior Title 16 Sentencing Data – Taylor Tarnalicki, Research Analyst.

7. Next Scheduled Meeting – February 18, 2020.

8. Adjourn.

★★★ District of Columbia
Sentencing Commission

441 Fourth Street, NW, Suite 430 South, Washington, D.C. 20001
(202) 727-8822 – Fax (202) 727-7929

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Chairperson

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Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Honorable Juliet J. McKenna
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner

Non-voting members:
Hon. Charles Allen
Eric S. Glover, Esq.
Robert Contee
Sonya D. Thompson
Stephen J. Husk

D.C. Sentencing Commission Meeting
February 18, 2020
5:00 to 6:30 PM
One Judiciary Square - 441 Fourth Street, N.W.
Room 430S
Washington, DC 20001

Agenda

1. Review and Approval of the Minutes from the January 21, 2020 Meeting - Action Item, Judge Lee.

2. Overview of Agency Performance Hearing - Informational Item, Judge Lee, Chairman and Barbara Tombs-Souvey, Executive Director.

3. Sentencing Commission Annual Report – Informational Item, Barbara Tombs-Souvey, Executive Director
   • March 3, 2020 – Distributed to Commission Members
   • March 16, 2020 – Deadline for Feedback and/or Edits

4. Title 16 Sentencing Data Follow-up – Taylor Tarnalicki, Research Analyst.

5. DC Social Media Policy Follow–Up - Action Item, Miatta Sesay, Outreach Specialist.

6. Revised Fast Facts – Adult Sex Offenses – Action Item, Taylor Tarnalicki, Research Analyst.

7. Next Scheduled Meeting – March 17, 2020.

8. Adjourn.

★ ★ ★ **District of Columbia**
Sentencing Commission

441 Fourth Street, NW, Suite 430 South, Washington, D.C. 20001
(202) 727-8822 – Fax (202) 727-7929

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Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Honorable Juliet J. McKenna
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner

Non-voting members:
Hon. Charles Allen
Eric S. Glover, Esq.
Robert Contee
Sonya D. Thompson
Stephen J. Husk

D.C. Sentencing Commission Meeting
June16, 2020
5:00 to 6:00 PM
Virtual Meeting Held via Zoom

Agenda

1. Review and Approval of the Minutes from the February 18, 2020
   Meeting - Action Item, Judge Lee, Chairman.

2. Welcome Commission's New General Counsel, Georgia Pham –
   Informational Item, Judge Lee and Barbara Tombs-Souvey.

3. Agency FY2020 and FY2021 Budget Overview – Informational
   Item, Barbara Tombs-Souvey, Executive Director.

4. Overview of Sentencing Commission's 2019 Annual Report –
   Informational Item, Barbara Tombs-Souvey, Executive Director.

5. Proposed Modifications to the approved Community Outreach and
   Education Strategy – Action Item, Barbara Tombs-Souvey, and
   Executive Director.

6. Schedule Next Meeting

7. Adjourn.

★ ★ ★ District of Columbia
Sentencing Commission

Hon. Milton C. Lee
Chairperson

Barbara S. Tombs-Souvey
Executive Director

Frederick D. Cooke Jr., Esq.
Renata Cooper, Esq.
Hon. Danya A. Dayson
Molly Gill, Esq.
Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Honorable Juliet J. McKenna
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner

Non-voting members:
Hon. Charles Allen
Eric S. Glover, Esq.
Robert Contee
Sonya D. Thompson
Stephen J. Husk

D.C. Sentencing Commission Meeting
July 21, 2020
5:00 to 6:30 PM
Virtual Meeting Held via Zoom

Agenda

1. Review and Approval of the Minutes from the June 16, 2020 Meeting - Action Item, Judge Lee, Chairman.

2. Review and Approval of the 2020 Sentencing Guideline Manual – Acton Item, Georgia Pham, General Counsel.

3. Overview of Title 16 Analysis to Date and Analysis of Indicted Title 16 Offenses – Discussion Item, Taylor Tarnalicki, Research Analyst.

4. Overview of Title 16 Analysis to Date and Placement of Title 16 Sentences within Specific GRID boxes –Discussion Item, Mehmet Ergun, Statistician.

5. Schedule Next Meeting

6. Adjourn.

★ ★ ★ **District of Columbia Sentencing Commission**

Hon. Milton C. Lee
Chairperson

Barbara S. Tombs-Souvey
Executive Director

Frederick D. Cooke Jr., Esq.
Renata Cooper, Esq.
Hon. Danya A. Dayson
Molly Gill, Esq.
Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Honorable Juliet J. McKenna
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner

Non-voting members:
Hon. Charles Allen
Eric S. Glover, Esq.
Robert Contee
Sonya D. Thompson
Stephen J. Husk

D.C. Sentencing Commission Meeting
September 15, 2020
5:00 to 6:30 PM
Virtual Meeting Held via Zoom

Agenda

1. Review and Approval of the Minutes from the July 21, 2020 Meeting – Action Item, Judge Lee, Chairman.

2. Director Report and Update – Informational Item, Barbara Tombs-Souvey, Executive Director.

    a. Commission's Participation/Contribution CJCC's Justice Statistical Analysis Tool (JSAT)
    b. Agency Return to Work Plan
    c. MPD Arrest Data Enhancement Project Update

3. Overview of Community Outreach Activities – Informational Item, Barbara Tombs-Souvey, Executive Director.
    a. Summary of FY 2020 Activities
    b. Outreach Activities Planned for FY 2021.

4. Update and Overview of Title 16 Sentences Resulting from 11(c)1(C) pleas –Discussion Item, Taylor Tarnalicki, Research Analyst.

5. Discussion of any Proposals from Members Related to Title 16 Sentences – Judge Lee, Chairman.

6. Schedule Next Meeting – October 20, 2020.

7. Adjourn.

★ ★ ★ **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 COMMISSION MEETING
October 15, 2019
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Milton Lee   Molly Gill
Frederick Weisberg   Dave Rosenthal
Katerina Semyonova
Cedric Hendricks

Non-Voting Members in Attendance:

Diane Strote
Robert Contee
Stephen Husk

Staff in Attendance:

Barbara Tombs-Souvey   Kara Dansky   Taylor Tarnalicki
Mia Hebb   Mehmet Ergun   Miatta Sesay

I.   Judge Lee called the meeting to order at 5:10 p.m.

II.   The minutes from September 17, 2019 were approved, pending any changes submitted to Barbara Tombs-Souvey.

III.   Review and Approval of Issue Paper "Long Split Sentences" – Action Item, Mehmet Ergun, Statistician

        Review and Approval of Issue Paper: Mr. Ergun provided an overview of issue paper #2 "Long Split Sentences" to the Commission members. This paper explains felony long split sentencing practices, in an effort to increase the public's understanding and application of the Voluntary Sentencing Guidelines. Mr. Ergun opened the floor for discussion, suggestions, and edits from Commission members. There were some suggestions:

        1) Include examples of long split sentences – both compliant in the box and compliant out of the box.
        2) Possibly do an additional issue paper on what compliance means, generally.

        Ms. Tombs-Souvey asked Commission members to provide their edits or additional feedback.

IV.   Three -Year Outreach Strategy – Discussion Item, Miatta Sesay-Wood, Outreach Specialist, Barbara Tombs-Souvey, and Judge Lee.

Three – Year Outreach Strategy: Ms. Tombs-Souvey gave an overview of the Council's recommendations to increase community outreach and Guideline educational activities provided by the Commission in FY20. Ms. Sesay-Wood provided an overview of preliminary goals and strategic objectives to serve as the initial step in developing a comprehensive Outreach and Education Strategy.

To achieve this goal, Ms. Sesay-Wood discussed the following three proposed objectives:

- Develop an educational outreach curriculum related to the Sentencing Guidelines.
- Improve upward and downward communication.
- Develop informative outreach related to work of the DC Sentencing Commission.

Ms. Sesay-Wood opened the floor for questions or suggestions. Commission members raised some questions and gave suggestive feedback. Judge Lee suggested that Commission members participate with some of the outreach activities and provide points of contact of specific groups that may express interest in Guideline Outreach and forward them to Ms. Sesay-Wood. Ms. Tombs-Sesay stated that the next steps will be to take the feedback from the Commission members and develop a set of initiatives to implement the plan for final approval from the Commission.

V.   Presentation and Discussion of Title 16 Sentences:

a: Overview of court cases related to Title 16 Offenders – Kara Dansky, General Counsel: Ms. Dansky gave an brief overview of court cases related to the sentencing of juveniles convicted as adults. Ms. Dansky highlighted relevant cases, to provide the Commission members with a legal background to inform its consideration of its approach to sentencing juveniles who were convicted and sentenced in D.C. Superior court.

b: Presentation of Title 16 Sentencing Data – Taylor Tarnalicki, Research Analyst: Ms. Tarnalicki gave a presentation on the sentencing trends of original felony sentences imposed for 15-17 year-old offenders. There were no 15 year olds sentenced during this time period. The presentation included an examination of sentencing trends for 16-7 year olds by the offender's age, the convicted offense, the average sentence imposed for each offense, by age, and by criminal history information.

Ms. Tarnalicki opened the floor for questions or comments from the Commission members. Commission members discussed the key findings included in the memo on sentencing trends for juveniles convicted of Title 16 offenses, and requested that Commission staff compare the sentencing trends of Title 16 offenders to those of adult offenders. The Commission will continue the discussion further at the next meeting.

Meeting Adjourned at 6:25pm.

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NEXT MEETING:

November 19, 2019

One Judiciary Square (441 4th Street, NW) Suite 430S.

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★ ★ ★ 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 COMMISSION MEETING
November 19, 2019
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Milton Lee   Molly Gill
Frederick Weisberg   Dave Rosenthal
Katerina Semyonova   Renata K. Cooper
Danya Dyson   Julie Samuels

Non-Voting Members in Attendance:
Diane Strote
Robert Contee
Kevin Whitfield

Staff in Attendance:

Barbara Tombs-Souvey   Kara Dansky   Taylor Tarnalicki
Mia Hebb   Mehmet Ergun   Miatta Sesay-Wood

I.   Judge Lee called the meeting to order at 5:10 p.m.

II.   The minutes from October 15, 2019 were approved pending any changes submitted to Barbara
        Tombs-Souvey.

III.   Three -Year Outreach and Education Strategy – Discussion Item, Miatta Sesay-Wood, Outreach
        Specialist, Barbara Tombs-Souvey, and Judge Lee.

        Three-Year Outreach Initiatives: Ms. Sesay-Wood gave an overview of the strategic objectives
        outlined in the Commission's three-year Comprehensive Outreach and Education Strategy, which aims
        to inform and educate the public about the factors impacting sentencing under the DC Sentencing
        Guidelines. Ms. Sesay-Wood presented the following strategic objectives:

        - Develop educational outreach curriculum related to the Sentencing Guidelines
        - Improve upward and downward communication
        - Develop informative outreach related to work of the D.C. Sentencing Commission

        Each objective was followed by a discussion of the strategic initiatives that would be under taken to
        achieve these goals. Ms. Sesay-Wood opened the floor for questions, comments, or edits from the
        Commission members. Commission members discussed specific audiences to target, as well as the
        various methods of disseminating the information to increase public awareness of the Sentencing

Commission and its work. Commission members recommended that staff develop a Social Media policy for creating/using any social media platforms.

IV.   Continued Discussion of Title 16 Sentences:

a: ***Presentation of Title 16 Sentencing Data – Taylor Tarnalicki, Research Analyst:*** Ms. Tarnalicki continued the discussion from October 2019 Commission meeting on Title 16 sentencing trends. Ms. Tarnalicki presented additional information on sentencing trends for juveniles sentenced under Title 16, and compared these trends to that of youthful and adult offenders who were sentenced for the same offenses, and who had similar criminal histories. The data included in the presentation reflected sentences imposed between January 1, 2012 and September 30, 2019.

Ms. Tarnalicki opened the floor for questions and comments from the Commission members. Commission members discussed key findings from the analysis set forth in the memorandum on 1) Juveniles convicted of Title 16 offenses, and 2) a Comparison of Juvenile, Youthful, and Adult Offenders. The Commission members suggested further analysis on sentencing trends related to juvenile offenders.

b: ***Grid Box Analysis – Mehmet Ergun, Statistician*** – Will be discussed at the next Commission meeting.

V.   The December 17, 2019 Commission Meeting is cancelled due to upcoming holidays.

Meeting Adjourned at 6:25pm.

NEXT MEETING:

January 21, 2020

One Judiciary Square (441 4th Street, NW) Suite 430S.

★ ★ ★ **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 COMMISSION MEETING
January 21, 2020
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Milton Lee   Frederick Cooke, Jr.
Juliet McKenna   Dave Rosenthal
Katerina Semyonova   Cedric Hendricks
Danya Dyson   Julie Samuels
Marvin Turner   William Martin

Non-Voting Members in Attendance:
Diane Strote
Robert Contee
Kevin Whitfield

Staff in Attendance:
Barbara Tombs-Souvey   Basil Evans   Taylor Tarnalicki
Mia Hebb   Mehmet Ergun   Miatta Sesay

I.   Judge Lee called the meeting to order at 5:10 p.m.

II.   The minutes from November 19, 2019 were approved pending any changes submitted to Barbara Tombs-Souvey.

III. Director's Report – Informational Items, Barbara Tombs-Souvey, Executive Director

      Director's Report: Ms. Tombs-Souvey reported on the following informational items to the Commission members.

      • **2019 Annual Report Schedule**: Ms. Tombs-Souvey stated that the annual report draft will be submitted to the Commission members by March 3, 2020 for review, with comments and edits due back to staff by March 16, 2020 to allow time to incorporate any revisions before sending the document to the printer.

      • **Agency Performance Hearing:** Ms. Tombs-Souvey reported that the agency Performance Hearing is scheduled for February 13, 2020. Ms. Tombs-Souvey briefly gave an overview of the agency FY21 budget. Ms. Tombs-Souvey informed the Commission that last year budget included Capital Funds for the MPD Arrest Data GRID Enhancement Project and funding for

- 1 -

a new position for an IT Specialist to assist with MPD project and routine maintenance of the GRID data system.

- **Introduction of IT Specialist, Basil Evans:** Ms. Tombs-Souvey introduced the agency's new staff member Basil Evans, IT Specialist to the Commission members. Mr. Evans briefly discussed his professional background for the Commission. The Commission members welcomed him.

- **Introduction of New Commission Member, Judge Juliet McKenna**: Judge Lee informed the Commission members of the recent membership changes and the new appointed judicial member to the Commission, Judge Juliet McKenna. Judge Lee introduced Judge Juliet McKenna to the Commission. The Commission members and staff introduced themselves and welcomed her. Judge Lee expressed his thanks to Judge Weisberg on his long service and commended him for the work he had accomplished with the Commission.

IV. MPD Data Feed Enhancement Project- Informational Item, Barbara Tombs-Souvey, Executive Director:

MPD Data Feed Enhancement Project: Ms. Tombs-Souvey briefly provided background information on the Guideline Reporting Information Data (GRID) system and its relation to the MPD Arrest Data Feed Enhancement Project. Ms. Tombs-Souvey stated that the MPD Data Feed Enhancement will enable arrest data to be integrated into the GRID system, enabling the Commission to follow a felony case from arrest through sentencing. Ms. Tombs-Souvey informed Commission members of the 12 month contract entered with MindCubed for the enhancement project and the hiring of IT Project Director, Gerry Roth to oversee the development of MPD Enhancement Project. Ms. Tombs-Souvey discussed the following three major phases of the project:

- First Release – February 27, 2020 – Transfer of arrest data through the XML interface, development of the database and validation of the data

- Second Release- May 7, 2020 - Integrated of arrest data into the GRID system

- Third Release – August 9, 2020 – Final Testing of the GRID system

Ms. Tombs-Souvey stated that the completion date is scheduled for November 2, 2020, which will allow for a three week trouble shooting period before the end of the contract. Ms. Tombs-Souvey opened the floor any questions. There was brief discussion among Commission members.

V. DC Social Media Policy –Action Item, Miatta Sesay-Wood, Outreach Specialist

DC Social Media Policy: Ms. Sesay-Wood provided an overview of the Social Media Access and User Policy draft, which was requested by Commission members during the November 2019 meeting. Ms. Sesay-Wood opened the floor for questions or comments from the Commission members. The Commission members suggested contacting the DC Board of Ethics and Government Accountability to discuss the appropriate means of addressing inappropriate and inaccurate information that may be posted on the Commission's social media platforms by site visitors.

VI. Fast Facts–Adult Sex Offenses – Action Item, Taylor Tarnalicki, Research Analyst

Fast Facts-**Adult Sex Offenses:** Ms. Tarnalicki gave a brief overview of the Adult Sex Abuse Fast Facts. Ms. Tarnalicki opened the floor for comments, edits or suggestions from the Commission members. There were some questions and suggestions from Commission members regarding the style of the document and some minor content changes requested. Ms. Tarnalicki informed the Commission members of the upcoming fast facts topics and publishing dates. It was suggested that a four part Fast Fact Series including Attempted Robbery, Armed Robbery and Robbery be the focus for the next Fast Facts.

VII. Continued Discussion of Title 16 Sentences, Informational Item:

    a. **GRID Box Analysis – Mehmet Ergun, Statistician:** Mr. Ergun presented an overview of the initial felony sentences imposed, in terms of length to serve in prison, by Master Grid box range, for Juvenile offenders ages 16 and 17 year old ("Title 16 sentences") who were sentenced between January 1, 2013 and September 30, 2019 in adult court. Mr. Ergun opened the floor for questions from Commission members. There were some questions raised from Commission members regarding the distribution of sentences within the GRID boxes. Judge Lee requested staff to look at data reflecting criminal history in Offense Severity Group 8.

    b. **Follow-Up from Prior Title 16 Sentencing Data-Taylor Tarnalicki, Research Analyst** – Was deferred to the February meeting.

Meeting Adjourned at 6:45pm.

NEXT MEETING:

February 18, 2020

One Judiciary Square (441 4th Street, NW) Suite 430S.

★ ★ ★ **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 COMMISSION MEETING
February 18, 2020
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Milton Lee   Frederick Cooke, Jr.
Juliet McKenna   Dave Rosenthal
Danya Dyson   Katerina Semyonova (via phone)
Jeff Nestler for Renata Cooper   Cedric Hendricks
Julie Samuels (via phone)

Non-Voting Members in Attendance:
Eric Glover
Diane Strote for Sonya Thompson
Leslie Parson for Robert Contee

Staff in Attendance:
Barbara Tombs-Souvey   Basil Evans   Taylor Tarnalicki
Mia Hebb   Mehmet Ergun   Miatta Sesay

I.   Judge Lee called the meeting to order at 5:10 p.m.

II.   Introduction of New Commission Member – Informational Item, Judge Lee.

        Introduction of New Commission Member: Judge Lee introduced Eric Glover, the new
        Department of Corrections designee, to Commission members. Mr. Glover briefly shared his
        professional background and experience with members. The Chair and members welcomed
        him to the Commission.

III.   The minutes from January 21, 2020 were approved pending any changes submitted to Barbara
        Tombs-Souvey.

IV.   Overview of Agency Performance Hearing – Informational Items, Barbara Tombs-Souvey, Executive
        Director and Judge Lee, Chairman.

        Overview of Agency Performance Hearing: Judge Lee briefly discussed the Agency Performance
        Hearing that occurred on February 13, 2020 before the D.C. Council. Judge Lee commended Ms.
        Tombs-Souvey and the staff for their work in preparation of the Agency Performance Hearing. Ms.

Tombs-Souvey informed the Council of the Commission's key in FY19 activities and highlighted the agency priorities for FY20 that were discussed at the Performance Hearing. Ms. Tombs-Souvey also informed the Commission members that in FY18 and FY19, the agency met all its performance goals and objectives. Judge Lee opened the floor for comments or questions from Commission members. There were some comments and requests for copies of the documents that were presented to the Council at the Performance Hearing.

V.   Sentencing Commission Annual Report - Informational Item, Barbara Tombs-Souvey, Executive Director:

Sentencing Commission Annual Report: Ms. Tombs-Souvey informed Commission members of approaching deadlines in regard to the Annual Report schedule:

- March 3, 2020 – Draft of Annual Report Distributed to the Commission Members
- March 16, 2020 – Commission Members Deadline for Feedback and /or Edits

Ms. Tombs-Souvey asked Commission members to forward their feedback by March 16, 2020 so there is sufficient time to incorporate any changes and forward the report to the printers in order to comply with the statutory submission deadline of April 30, 2020.

VI.   Title 16 Sentencing Data Follow Up – Taylor Tarnalicki, Research Analyst

Title 16 Sentencing Data Analysis Follow-Up: Ms. Tarnalicki provided additional analysis to follow up on the discussion of Title 16 sentencing trends that took place during the November 2019 Commission meeting. At the November meeting several questions were raised with regard to the high incarceration rates among Juveniles (16-17) compared to Youthful (18-24) and Adult (25+) offenders. Ms. Tarnalicki addressed those questions and provided an overview of the additional supporting data that was presented in the memorandum to the Commission members. Commission members discussed the data presented and requested additional information on Title 16 offenders with a criminal history score of A or B, as well as data on the indicted offense versus the disposition offense for specific Title 16 offense. The floor was opened for comments from the Commission members. There was some discussion and feedback provided by Commission members.

VII.   DC Social Media Policy Follow-Up – Action Item, Miatta Sesay-Wood, Outreach Specialist

DC Social Media Policy Follow-Up: Ms. Tombs-Souvey briefly discussed Commission members concerns regarding social media platform at the last Commission meeting. Ms. Tombs-Souvey stated that Ms. Sesay-Wood would present information and examples related to the use of social media. Ms. Sesay-Wood described the Commission's social media platform and provided background information on how to use the social media networking service "Twitter", which will be used to disseminate newsletters, provide useful information and alert the public to upcoming events. Ms. Sesay informed the Commission members that the "Twitter" page will become active on March 13, 2020. There were some comments and questions raised by Commission members.

VIII.   Revised Fast Facts-Adult Sex Offenses, Action Item, Taylor Tarnalicki, Research Analyst

Revised Fast Facts-Adult Sex Offenses: Ms. Tarnalicki briefly informed the Commission members of the revised changes of the Fast Facts-Adult Sex Offenses that were suggested at the previous meeting. Ms. Tombs-Souvey stated the next Fast Facts will be a four part series on

Robbery, beginning with Attempted Robbery. The robbery Fast Facts series will be released quarterly.

Meeting Adjourned at 6:30pm.

NEXT MEETING:

March 17, 2020

One Judiciary Square (441 4th Street, NW) Suite 430S.

★ ★ ★ **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
June 16, 2020
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Milton Lee
Juliet McKenna
Danya Dyson
Renata Cooper
Molly Gill
Julie Samuels

Frederick Cooke, Jr.
Dave Rosenthal
Katerina Semyonova
Cedric Hendricks
William"Billy"Martin
Marvin Turner

Non-Voting Members in Attendance:
Eric Glover
Diane Strote for Sonya Thompson
Robert Contee
Steve Husk
Kevin Whitfield for Charles Allen

Staff in Attendance:

Barbara Tombs-Souvey
Mia Hebb

Basil Evans
Mehmet Ergun

Taylor Tarnalicki
Georgia Pham

I.   Judge Lee called the meeting to order at 5:02 p.m.

II.   Review and Approval of the Minutes from the February 16, 2020 – Action Item, Judge Lee.

III.   Introduction of Commission's New General Counsel, Informational Item, Judge Lee

Introduction of Commission's New General Counsel: Judge Lee introduced Georgia Pham, the Commission's new General Counsel to members. Ms. Pham briefly discussed her professional background, which included employment with various law firms and her past experience as an Assistant Attorney General in Delaware focusing on Drug offenses. Commission members welcomed her to the Commission.

IV.   Agency FY2020 and FY2021 Budget Overview –Informational Item, Barbara Tombs-Souvey, Executive Director.

Agency Budget FY2020 and FY2021 Overview: Ms. Tombs-Souvey briefly gave an overview of the agency budget changes affecting FY2020 and FY2021 to the Commission members. The current FY 2020 budget is projected to be reduced by $120,204, resulting in a 69% reduction the agency's current NPS funds and a 10% reduction in the current PS funds.

This reduction was implemented to address the District's projected revenue shortfall for the current fiscal year.

The proposed FY 2021 agency budget includes a 1.5% overall reduction from the FY 2020 budget. This reduction reflects a 10.3% decrease in NPS funds compared to FY2020. The agency may face resource challenges in the upcoming year due to increased O&M contract costs with the completion of MPD Grid Enhancement Project during FY 2021.

V.   Overview of Sentencing Commission's 2019 Annual Report – Informational Items, Barbara Tombs-Souvey, Executive Director.

Overview of Sentencing Commission's 2019 Annual Report: Ms. Tombs-Souvey presented an overview of the key findings of the Sentencing Commission's 2019 Annual Report. Sentencing trends presented focused on the following:
- Distribution of Sentences by Type
- Offense Category by Sentence Type
- Sentenced Imposed by Age Group
- Sentences Imposed for Homicide and Weapon Offenses
- Felony Sentences Imposed by Gender
- Guidelines Compliance Rates

Judge Lee opened the floor for any questions or concerns. There were a few questions raised by Commission members regarding sentences imposed for specific offenses.

VI.   Proposed Modifications to the approved Community Outreach and Education Strategy – Informational Item, Judge Lee, Chairman and Barbara Tombs-Souvey, Executive Director:

Proposed Modifications to the approved Community Outreach and Education Strategy: Judge Lee discussed the proposed modifications to the Community Outreach and Education Strategy that was presented to the Commission for review. Judge Lee informed Commission members that these revisions were necessary due to the pandemic and are subject to change based on the Mayor's Health Emergency Order. Ms. Tombs-Souvey added that the agency staff will continue to utilize social media platforms in order to disseminate information to the general public. She also stated that the staff is working to develop a strategy to host virtual trainings and presentations through You-Tube and Podcasts. Judge Lee opened the floor for questions or comments. Several Commission members expressed support for the use of various social media platforms to increase community outreach efforts.

VII.   Schedule Next Meeting – Action Item, Judge Lee, Chairman

Schedule Next Meeting: Judge Lee informed the Commission members that the next Commission meeting will be held in July to approve the 2020 Guidelines Manual and to provide an overview of the Title16 discussion to date. Judge Lee opened the floor for discussion. Commission members agreed with the proposed agenda for the July meeting.

Meeting Adjourned at 5:52pm.

NEXT MEETING:
July 21, 2020
Via ZOOM

★ ★ ★ **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
July 21, 2020
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Milton Lee   Frederick Cooke, Jr.
Juliet McKenna   Dave Rosenthal
Danya Dyson   Katerina Semyonova
Renata Cooper   Cedric Hendricks
Molly Gill   William"Billy" Martin
Julie Samuels

Non-Voting Members in Attendance:

Eric Glover
Diane Strote for Sonya Thompson
Steve Husk
Kevin Whitfield for Charles Allen

Staff in Attendance:

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

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

II.   Review and Approval of the Minutes from the June 16, 2020 – Action Item, Judge Lee.

III.   Review and Approval of 2020 Sentencing Guideline Manual - Action Item, Georgia Pham, General Counsel

       Review and Approval of 2020 Sentencing Guideline Manual: Ms. Pham briefly gave an overview of the revisions of the Sentencing Guidelines Manual 2020. Ms. Pham informed the Commission members that the primary goal is to increase "User Friendliness" which included the following:

       • Formatting charts and tables within text
       • Adding new examples to sections on sentence types
       • Beginning to reorganize and break up certain information in lengthy chapters
       • Breaking up text blocks with headings
       • Moving certain info to footnotes
       • Enhancing FAQ's and Examples (Chapter 8 & 9)

Ms. Pham asked Commission members if there were any questions or concerns. A question was raised concerning the distribution timeline and method of the Guidelines Manual. Ms. Tombs-Souvey stated that the Guidelines Manual will be distributed electronically upon completion of the revisions at the end of July or early August; she also mentioned that hard copies will be provided, as well. Judge Lee thanked Ms. Pham for her efforts.

Commission Vote: The Commission members unanimously voted in favor of the revisions to the Sentencing Guidelines Manual 2020.

IV.   Overview of Title 16 Analysis to Date and Analysis of Indicted Title 16 Offenses – Discussion Item, Taylor Tarnalicki, Research Analyst.

Overview of Title 16 Analysis to Date and Analysis of Indicted Title 16 Offenses: Judge Lee briefly discussed the Title 16 materials that were distributed as a part of the meeting materials. He then asked Commission members to identify any follow-up research questions so that staff has sufficient time to complete any requested analysis before the next Commission meeting.

Ms. Tarnalicki provided an overview of prior discussions and research findings presented surrounding sentencing issues related to Title 16 sentencing trends. She then presented data requested by Commission members requested focusing on an examination of the indicted offense for cases where, on average, Juveniles (16-17) offenders were receiving greater sentences compared to Youthful (18-24) and Adult (25+) offenders. Ms. Tarnalicki presented key findings for six offenses where Juveniles received longer sentences, on average. These offenses included:

- Robbery
- Unarmed Carjacking
- Carry Pistol w/o a License
- Voluntary Manslaughter
- Aggravated Assault Knowingly
- Conspiracy

Ms. Tarnalicki opened the floor for questions or discussions. There were a few questions and discussion by Commission members concerning criminal history comparisons and the potential impact of 11(c)(1)(C) pleas. The Commission members requested additional analysis on indicted offenses to determine how many sentences were the result of a plea vs a trial, as well as an analysis identifying the proportion of 11(c)(1)(C) pleas. Judge Lee asked Commission members to reach out to Ms. Tombs-Souvey to request additional information/analysis regarding this discussion.

V.   Overview of Title 16 Analysis to Date and Placement of Title 16 Sentences within Specific GRID boxes - Discussion Item, Mehmet Ergun, Statistician..

Overview of Title 16 Analysis to Date and Placement of Title 16 Sentences within Specific GRID boxes: Mr. Ergun gave an overview of two prior research memorandums dated November 19, 2019, and March 17, 2020, which focused on the distribution of juvenile sentences within Master Grid boxes. These memorandums were prompted by the Commission's research question as to whether the bottom number of Grid box ranges functioned as an unintended mandatory minimum sentencing mechanism

against defendants sentenced for Title 16 offenses. Mr. Ergun then presented additional analysis findings that examined the distribution of Title 16 Sentences within GRID boxes M8:A and M8:B by sentence type including:

- Prison
- Short Split
- Probation

Data indicated that "time served" prior to sentencing had no impact on the distribution of Prison sentences and only a minor impact on that of Short Split and Probation sentences in Grid boxes M8:A and M8:B. Mr. Ergun concluded that even after accounting for the length of time served prior to sentencing, for the majority of sentences in Grid boxes M8: A and M8: B, time imposed to serve in prison did not correspond to the bottom number of the Grid box, which is 6 months for M8: A and 10 months for M8: B. Mr. Ergun asked Commission members if there were any comments or questions. There were no comments or questions from Commission members. Judge Lee commended Mr. Ergun on his presentation and asked Commission members if any there were any additional request for analysis regarding this discussion. Judge Lee added that the Commission members will continue discussion at a later date.

VI.   Schedule Next Meeting – Action Item, Judge Lee, Chairman

Schedule Next Meeting: Judge Lee informed the Commission members that the August meeting is cancelled and the next Commission meeting will be held in September to provide an overview of the requested additional analysis on indicted offenses and identifying the proportion of 11(c)(1)(C) pleas.

Meeting Adjourned at 6:21pm.

NEXT MEETING:
September 15, 2020
Via ZOOM

★ ★ ★ **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
September 15, 2020
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:
Milton Lee
Juliet McKenna   Dave Rosenthal
Danya Dyson   Katerina Semyonova
Renata Cooper   Cedric Hendricks
Molly Gill
Julie Samuels

Non-Voting Members in Attendance:
Eric Glover
Diane Strote for Sonya Thompson
Kevin Whitfield for Charles Allen

Staff in Attendance:
Barbara Tombs-Souvey   Basil Evans   Taylor Tarnalicki
Mia Hebb   Mehmet Ergun   Georgia Pham

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

II.   Review and Approval of the Minutes from the July 21, 2020 – Action Item, Judge Lee.

III.   Director Report and Update – Information Item, Barbara Tombs-Souvey, Executive Director.

        Director Report and Update: Ms. Tombs-Souvey reported on the following informational
        items:

        Commission's Participation/Contribution CJCC's Justice Statistical Analysis Tool: Ms.
        Tombs-Souvey gave an overview of JSAT, a tool designed to enhance and automate the sharing
        of criminal justice data/information within the District. JSAT's purpose is to improve the
        transparency of the District's criminal justice system among both criminal justice agencies and
        the public, through the distribution of aggregate data which can be used for research and analysis.
        JSAT has two distinct portals: 1) public aggregate data access and (2) enterprise record level
        access, which is limited to District criminal justice agencies only.   Personal Identifying
        Information is removed for both portals. Ms. Tombs-Souvey stated that the Commission will
        have the ability to determine what data will be shared with JSAT, as well as, which District
        criminal justice agencies will have access to record level data.

Ms. Tombs-Souvey informed Commission members that the information shared with JSAT is going to closely mirror what is currently available on the agency website: various data sets, graphs/charts, reports, and sentencing related publications such as Fast Facts/ Issue Papers. Ms. Tombs-Souvey asked members if there were any questions or concerns about providing data for JSAT and no member expressed an objection.

Agency Return to Work Plan: Ms. Tombs Souvey provided an overview of the agency's "Return to Work Plan" to the Commission members. Ms. Tombs-Souvey stated that dependent upon the expiration of the Mayor's Health Emergency Order, scheduled to expire on October 9, 2020, that agency staff will return to work on October 13, 2020 on a staggered weekly work schedule. The agency will adhere to the District's overall return to work policy and safety protocols. If the Mayor's Health Emergency Order is extended, then the agency return to work date would be modified accordingly.

Ms. Tombs-Souvey informed Commission members that a draft plan has been shared with agency staff for feedback and will be forwarded to City Administrator Office for final approval. Ms. Tombs-Souvey asked if there were any questions or concerns and none were expressed.

MPD Arrest Data Enhancement Project Update: Ms. Tombs-Souvey gave an overview of MPD Enhancement Project and the accomplishments to date. Ms. Tombs-Souvey informed Commission members of the upcoming testing phases and subsequent timelines:

- Use Case Testing: 9/9/20 – 9/30/ 2020
- Pre-production testing (includes UAT): 10/8/2020 – 11/2-/2020
- Move to Production Environment: 11/2/20
- System Monitored in Production: 11/3/20 to 11/17/2020
- Go-Live in production: 11/17/2020

Ms. Tombs-Souvey informed Commission members that a tentative demonstration of the MPD Arrest Data GRID Enhancement is scheduled for the next Commission meeting on October 20, 2020. Judge Lee commended the agency staff for their time and efforts working on the MPD Arrest Data project and asked Commission members if there were any questions.

IV. Overview of Community Outreach Activities – Information Item, – Barbara Tombs-Souvey, Executive Director.

Overview of Community Outreach Activities: Ms. Tombs-Souvey informed Commission members of the Community Outreach current status. Ms. Tombs stated that the agency Outreach Specialist resigned in May 2020 to pursue another job opportunity, and due to the Mayor's FY 2020 hiring freeze, the position will remain vacant until FY 2021. Ms. Tombs-Souvey reported that the recruitment process will begin in October 2020. The Commission's Outreach and Educational Strategy was revised in June 2020 to reflect changes required due to the District's Covid -19 health emergency. Ms. Tombs-Souvey presented an overview of the following community outreach activities completed to date:

- Completed Three Fast Facts sheets- Four Part Robbery
- Completed Two Issues Papers
- Expanded Agency Distribution List
- Developed a Spring/Summer Newsletter

- Completed Robbery Brochure
- Established Social Media Accounts

Ms. Tombs-Souvey also informed Commission members of the FY 2021 planned outreach activities that will focus on District residents will include:

- Multi-Part YouTube Series: Guidelines 101
- Virtual Panel Presentation targeting Wards 7 or 8

Ms. Tombs-Souvey stated that the Commission anticipates virtual meetings/presentations to continue throughout the first half of FY 2021; at the current time in-person presentations and meetings will not occur. Ms. Tombs-Souvey asked for participation from the Commission members in virtual panel presentations for Ward 7 or 8. Ms. Tombs-Souvey asked if there were any questions. Judge Lee encouraged Commission members to participate in the virtual panels when requested.

V. Update and Overview of Title 16 Sentences Resulting from 11(c)(1)(C) Pleas - – Discussion Item, Taylor Tarnalicki, Research Analyst

Update and Overview of Title 16 Sentences Resulting from (11)(c)(C) pleas: Ms. Tarnalicki continued the discussion of Title 16 sentencing trends, responding to the Commission's request for an examination of the impact of 11(c)(1)(C) pleas on the type and length of sentences imposed for Title 16 offenders. Ms. Tarnalicki presented research findings of sentences imposed between January 1, 2013 and July 31, 2020 for individuals who were 16 or 17 years of age at the time of the offense, with a focus on the disposition type (plea vs. trial) for each count sentenced. Ms. Tarnalicki also presented data analysis on disposition by sentencing type and sentence to serve by offense. Ms. Tarnalicki opened the floor for questions or discussions. The Public Defender Service expressed several concerns surrounding the impact of sentencing youthful offenders (16 or 17 year olds) to prison. PDS requested that they be permitted to submit the following three proposals for the Commission to consider related to sentencing of Title 16 Offenders:
- Move Title 16 offenses down one offense severity level than the current GRID level
- Make Short Split and Probation sentences eligible in every GRID box for Title 16 offenses
- Implement a new "medium split" sentencing option for Title 16 Offenses (that allows judges to impose a split sentence that is greater than 6 months but less than the bottom number on a given grid box)

Judge Lee briefly addressed the issues raised by PDS and granted their request to provide their three proposals in writing to be presented and discussed during the next scheduled Commission Meeting.

VI. Schedule Next Meeting –Judge Lee, Action Item

Schedule Next Meeting: Judge Lee informed the Commission members that the Commission meetings will continue to be held virtually until the end of the 2020 calendar year under the Mayor's Order. The next scheduled virtual meeting will be held October 20, 2020.

Meeting Adjourned at 6:21pm.

NEXT MEETING:
October 20, 2020
Via ZOOM

★ ★ ★ **District of Columbia**
Sentencing Commission

441 Fourth Street, NW, Suite 430 South, Washington, D.C. 20001
(202) 727-8822 – Fax (202) 727-7929

Hon. Milton C. Lee
Chairperson

Barbara S. Tombs-Souvey
Executive Director

Frederick D. Cooke Jr., Esq.
Renata Cooper, Esq.
Hon. Danya A. Dayson
Molly Gill, Esq.
Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Honorable Juliet J. McKenna
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.
Marvin Turner

Non-voting members:
Hon. Charles Allen
Eric S. Glover, Esq.
Robert Contee
Sonya D. Thompson
Stephen J. Husk

D.C. Sentencing Commission Meeting
October 20, 2020
5:00 to 6:30 PM
Virtual Meeting Held via Zoom

Agenda

1. Review and Approval of the Minutes from the September 15, 2020 Meeting - Action Item, Judge Lee, Chairman.

2. PDS Request to Table Proposals Related Title 16 Sentences – Informational Item, Judge Lee, Chairman.

3. MPD Arrest Data GRID Enhancement Project Demonstration – Informational Item, Barbara Tombs-Souvey, Executive Director and Habib Nasibdar, Chief Executive Officer, Mindcubed.

4. Quick Overview of Sentencing Guidelines Look Back Period (Lapse and Revival Issue), Informational, Judge Lee, Chairman and Barbara Tombs-Souvey, Executive Director.

5. Next Scheduled Meeting- November 17, 2020.

6. Adjourn.

★ ★ ★ District of Columbia
Sentencing Commission

Hon. Milton C. Lee
Chairperson

Barbara S. Tombs-Souvey
Executive Director

Frederick D. Cooke Jr., Esq.
Renata Cooper, Esq.
Hon. Danya A. Dayson
Molly Gill, Esq.
Cedric Hendricks, Esq.
William "Billy" Martin, Esq.
Honorable Juliet J. McKenna
Dave Rosenthal, Esq.
Julie E. Samuels
Katerina Semyonova, Esq.

Non-voting members:
Hon. Charles Allen
Eric S. Glover, Esq.
Robert Contee
Sonya D. Thompson
Stephen J. Husk

D.C. Sentencing Commission Meeting
November 17, 2020
5:00 to 6:30 PM
Virtual Meeting Held via Zoom

Agenda

1. Review and Approval of the Minutes from the October 20, 2020 Meeting - Action Item, Judge Lee, Chairman.

2. Presentation and Approval of All Robbery Offenses Fast Facts – Acton Item, Taylor Tarnalicki, Research Analyst.

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

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

5. Reminder – December 15, 2020 meeting is cancelled. Next scheduled meeting will be January 19, 2021.

6. Adjourn.

★ ★ ★ **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
October 20, 2020
One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:
Milton Lee
Juliet McKenna   Dave Rosenthal
Danya Dyson   Katerina Semyonova
Cedric Hendricks
Molly Gill
Julie Samuels

Non-Voting Members in Attendance:
Diane Strote for Sonya Thompson
Kevin Whitfield for Charles Allen
Robert Contee
Steve Husk

Staff in Attendance:
Barbara Tombs-Souvey   Basil Evans   Taylor Tarnalicki
Mia Hebb   Mehmet Ergun   Georgia Pham

Guest in Attendance:
Lorraine Cornish   Gerry Roth
Habib Nasibdar   Srinivas Madichetti
Prasad Indla

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

II.   Review and Approval of the Minutes from the September 15, 2020 – Action Item, Judge Lee.

PDS Request to Table Proposals Related to Title 16 Sentences – Informational Item, Judge Lee, Chairman.

PDS Request to Table Proposals Related to Title 16 Sentences: Judge Lee informed Commission members that PDS requested to table their tentative proposals related to Title 16 Sentences. The proposals will be brought before the Commission and discussed at a later date.

III.   MPD Arrest Data GRID Enhancement Project Demonstration – Informational Item, Barbara Tombs-Souvey, Executive Director and Habib Nasibdar, Chief Executive Officer, Mindcubed.

- 1 -

MPD Arrest Data GRID Enhancement Project Demonstration: Judge Lee briefly gave an overview of the MPD Arrest Data GRID Project and the Demonstration that will be presented by Barbara Tombs-Souvey. Ms. Tombs-Souvey introduced the Chief Executive Officer of Mindcubed, Habib Nasibdar. Mr. Nasibdar outlined the background and services of Mindcubed and their level of involvement with the Commission since 2012. Mr. Nasibdar also introduced his staff to the Commission members.

Ms. Tombs-Souvey presented an overview of the objectives of the MPD Enhancement Project. The primary objective is to integrate MPD Arrest Data into the existing GRID data system so that the completed life-cycle of a case can be viewed and analyzed from arrest through final disposition and sentencing.

Ms. Tombs-Souvey discussed the Key Deliverables and Milestones of the MPD Enhancement Project. The deliverables include:

- Fully integrated MPD, CSOSA, and IJIS 12.1 Data Bases and processing applications;
- Extensive Data Analysis and Query tools combining Arrest, Criminal History, and Court Data; and
- Tools for Statistical and Comprehensive Analysis for the assessment of the complete Criminal Justice Life-Cycle.

Ms. Tombs-Souvey also informed Commission members that the MPD Arrest Data GRID Project is scheduled to go live in production on November 17, 2020. Mr. Nasibdar briefly gave an overview of the architecture of the GRID system, specifically how the system captures data from three distinct data sources: MPD, D.C. Superior Court, and CSOSA, and integrates the data into one comprehensive system for analysis purposes.

Ms. Tombs-Souvey gave a demonstration of MPD analytic capabilities to the Commission members. This demonstration highlighted the:

- Integration of MPD Arrest Data with CSOSA (CH data) and Court (IJIS data)
- Ability to track complete lifecycle of cases from arrest through disposition
- Analysis of arrest data by:
    - Specific charge or offense category
    - Location (such as police districts or PSAs)
    - Demographic information
- Development of custom queries to analyze relationships and sentencing trends

Ms. Tombs-Souvey concluded her demonstration and asked if there were any questions or concerns. There were questions raised regarding whether this was a public access data system. Ms. Tombs-Souvey responded that due to the sensitivity of the information contained in the data system, access was limited only to agency employees. However, the agency does routinely provide data to partner agencies and the public through data

requests. Judge Lee and Commission members commended Ms. Tombs-Souvey and staff for their time and efforts on MPD Arrest Data GRID Enhancement Project.

Given the time devoted to the MPD Arrest Data GRID Enhancement Project demonstration, Judge Lee informed Commission members that the overview of the Look Back Period (Lapse and Revival Issue) would be tabled and discussed at the November Commission meeting.

IV.   Next Commission Meeting –Judge Lee

Judge Lee informed Commission members that the next scheduled virtual Commission meeting will be held November 17, 2020 and that the December meeting is cancelled.

Meeting Adjourned at 6:17pm.

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NEXT MEETING:
November 17, 2020
Via ZOOM

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★★★ District of Columbia Sentencing Commission
441 4th St, NW, Suite 430 South, Washington, DC 20001
Telephone (202) 727-8822 Fax (202) 727-7929

DRAFT 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

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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.

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NEXT MEETING:
January 19, 2021
Via ZOOM

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