



# District of Columbia Sentencing and Criminal Code Revision Commission

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## MINUTES OF FULL COMMISSION MEETING

March 19, 2013

One Judiciary Square, Suite 430S  
Washington, DC 20001

### Members in Attendance:

Frederick Weisberg  
Julie Samuels  
Thomas Kane  
Laura Hankins  
Melanie Bates

Paul Butler  
Renata Kendrick Cooper  
Molly Gill  
Donald Braman  
Cedric Hendricks

Ann Seymour  
Michael Anzallo  
Ramsey Johnson

### Staff in Attendance:

Barbara Tombs-Souvey  
Richard Schmechel  
Linden Fry  
Leah Branch

Mia Hebb  
Thurman Sanders  
Anu Shrestha

Jessica Peterson  
Rachel Redfern  
Michael Serota

- I. The meeting was called to order by Chairman Weisberg at 5:00 p.m.
- II. The minutes from the March 19, 2013, meeting were reviewed and approved.
- III. Director's Report – Informational Item, Barbara Tombs-Souvey:

**Annual Report Schedule:** Barbara Tombs-Souvey stated that on March 15, 2013, she forwarded a draft of the Annual Report to Commission members for review and comments. She reminded members that the deadline for their responses was March 25, 2013. Ms. Tombs-Souvey gave a brief overview of the Annual Report highlights and sentencing trends for 2012. Ms. Tombs-Souvey commended the staff on their efforts to ensure the data used in the report was both valid and reliable.

- IV. Data System Project Update, Informational Item, Barbara Tombs-Souvey:

**Status of Contract Protest:** Barbara Tombs-Souvey stated that the Enlightened Inc. contract protest is still pending and that a ruling by the Contracts Appeals Board is expected in mid-to-late April.

**Follow-up from CSOSA Meeting:** Barbara Tombs-Souvey gave an overview of the follow-up meeting with CSOSA regarding both a short and long-term solution to allow the electronic transfer of criminal history information directly into the new data system. Ms. Tombs-Souvey stated that the short-term approach will focus on uploading criminal history data contained in the Smart Form completed by CSOSA through an XML into the agency's database, which will

eliminate the manual input of criminal history data. Ms. Tombs-Souvey noted that the long-term solution of enabling direct electronic transfer of criminal history into the agency's new data system is still ongoing and will require addressing security and technical issues on the part of both agencies. Mr. Cedric Hendricks was commended for his continued efforts for moving the process forward during the developmental phase of the new data system.

**Key Project Activities:** Barbara Tombs-Souvey reported that data system project is on schedule. Contractors and Commission staff are currently developing the system and preparing for Release One. Connectivity with JUSTIS and transfer capabilities of 12.1 data has been tested and confirmed. Ms. Tombs-Souvey provided a brief overview of the development schedule for the first of four releases:

- System Design Review – April 1, 2013
- Release One, Sprint 1(of three)Test Readiness Review – April 9, 2013
- IJIS 12.1 Data infusion, verification, and feed stability- May 1, 2013
- Release One Final Deployment Readiness Review- May 22, 2013
- IJIS 12.1 Cutover; Release One implemented- June 1, 2013

V. Ranking of new Offense-Third Degree Sex Abuse while Armed:  
Action Item, Linden A. Fry

**Explanation and Discussion of Proposed Ranking:** Chairman Weisberg headed the discussion and gave an overview of the proposed ranking of Third Degree Sex Abuse While Armed. The Ranking Committee proposed ranking the offense in Master Group 7. Chairman Weisberg and the Commission members raised concerns regarding the proposed ranking. After some discussion on the issue, Chairman Weisberg recommended that the Commission postpone the final decision until the next Commission meeting on April 23, 2013, to allow the Ranking Committee to address the concerns raised.

VI. Criminal Code Reform Project Plan:  
Action Item, Richard Schmechel

**Overview of the Project Management Plan:** Richard Schmechel was pleased to announce that the proposed Project Management Plan for the Criminal Code Revision Project, which includes specific timetables and deliverables for the project through September 2016, was approved by the Criminal Code Revision Committee. The Commission discussed and approved the Project Plan. The Project Plan will be presented to the Chairman Wells of the Committee on Public Safety and the Judiciary at the agency's upcoming Budget Hearing scheduled for April 17, 2013.

**Key Deliverables and Timeline:** Mr. Schmechel gave an overview of statutory mandate and project scope of Title 22 offenses identified to be completed no later than September 30, 2016. Mr. Schmechel reported that the Committee has identified the following three major priorities:

1. The drafting of new, general provisions
2. The reorganization of the criminal offenses listed in Title 22
3. The revision of the most serious and frequent criminal offenses

Mr. Schmechel stated that a status report on the Project's performance will be provided to Council and Mayor on a semi-annually basis. Mr. Schmechel will submit the first update by September 30, 2013. He will include the second status report as part of the agency's Annual Report which will be released on April 30, 2014. Mr. Schmechel presented a graphical

overview of the Project timeline and milestones to ensure timely submission of the deliverables. The Criminal Code Reform Project Committee expects to deliver two major external deliverables to the Council and Mayor: (1) Revised Basic Criminal Code (2) Commentary within the remaining three and a half years of the project, Mr. Schmechel thanked Barbara Tombs-Souvey and the Committee for their input and support during the project planning process. Mr. Schmechel asked the Commission if there were any questions or comments concerning the timetables or specific deliverables.

Chairman Weisberg commended Mr. Schmechel on producing a well-developed Project Management Plan. Donald Braman also stated that Mr. Schmechel and the staff had done a great job providing materials and memos for each Committee meeting, allowing the project to move forward in a very timely manner.

Commission Action: The Commission voted to approve the draft Project Management Plan submitted. The vote was 12-0 in favor of the Project Management Plan to be submitted to the Council. (F. Weisberg, D. Braman, H. Cushenberry, L. Hankins, R. Johnson, C. Hendricks, R. Cooper, D. Rosenthal by Proxy, J. Samuels, P. Butler, A. Seymour and M. Gill).

The Commission meeting scheduled for April 23, 2013 was cancelled by agreement of the Commission.

Meeting Adjourned: 6:15 pm

NEXT MEETING:

Tuesday, May 21, 2013, One Judiciary Square (441 4<sup>th</sup> St., NW), Room 430S.