



D.C. Criminal Code Reform Commission
441 Fourth Street, NW, Suite 1C001S, Washington, DC 20001
(202) 442-8715 www.cerc.dc.gov

**MINUTES OF PUBLIC MEETING
WEDNESDAY, AUGUST 5, 2020, at 10:00 AM**

On Wednesday, August 5, 2020, at 10:00 am, the D.C. Criminal Code Reform Commission (CCRC) held a meeting of its Criminal Code Reform Advisory Group (Advisory Group). The meeting was held telephonically at (650) 479-3208 (access code: 160 625 4909). The meeting minutes are below. For further information, contact Richard Schmechel, Executive Director, at (202) 442-8715 or richard.schmechel@dc.gov.

Commission Staff in Attendance:

Richard Schmechel (Executive Director)	Rachel Redfern (Senior Attorney Advisor)
Jinwoo Park (Senior Attorney Advisor)	Patrice Sulton (Senior Attorney Advisory)
Gabrielle Green (Attorney Advisor)	

Advisory Group Members and Guests in Attendance:

Laura Hankins (Designee of the Director of the Public Defender Service for the District of Columbia)	Kevin Whitfield (Representative of the D.C. Council Committee on the Judiciary and Public Safety)
Katerina Semyonova (Visiting Attendee of the Public Defender Service for the District of Columbia)	Seema Gajwani (Visiting Attendee of the Office of the Attorney General)
Elana Suttentberg (Visiting Attendee of United States Attorney for the District Columbia)	Nishant Keerikatte (Visiting Attendee of the Office of the Deputy Mayor for Public Safety and Justice)
Don Braman (Council appointee)	

I. Welcome and Announcements.

- a. Staff noted the Council completed budget legislation for the coming fiscal year (FY 21) that provides for a 6 month extension of the agency’s deadline to issue its draft recommendations, to March 31, 2021. The budget legislation also removes this agency’s sunset date, making it a permanent agency.

- b. CCRC continues to review how we can maximize the quality and quantity of the agency recommendations given this development and the ongoing constraints of the Covid-19 public health emergency. If Advisory Group members have advice about this, please contact me.
- c. Although the work of this Advisory Group will formally be complete when we issue our recommendations to the Council and Mayor, by March 31, 2021, CCRC asks Advisory Group members to save the later meeting dates in 2021 on your calendar, for now, as it may be helpful for this group to convene for further discussions stemming from our years of joint work on the recommendations.
- d. CCRC staff is taking a brief break from the stream of new draft recommendations. However, last week we issued Advisory Group Memo #38, providing Updated Court Statistics. The main difference in this analysis as compared to Memo #28 is that this includes data for 2019; breaks out different year groupings (the largest timespan being 2010-2019); and presents some new information on consecutive and concurrent sentencing. Please note the data limitations described in the memo. In the coming months we hope to provide analyses that take the last-in-time data from sentencing history, as well as an analysis based on 72-hours after initial imposition, which will hopefully have fewer data errors since that time-period allows time for the court's quality review process to run. If Advisory Group members discover apparent errors in the sheet, please let staff know.
- e. In September, CCRC will issue a small batch of new reports concerning new offenses and defenses. We also continue to work on a comprehensive update to all recommendations that will address the comments we have received.

II. Discussion of written comments on the First Draft of Report #60, Execution of Public Duty, Lesser Harm, and Temporary Possession Defenses; the First Draft of Report #61, Abuse of Government Power General Enhancement; or the First Draft of Report #62 – Impersonation of a District Official.

- a. Staff noted that several comments were timely received, but the CCRC had no follow-up questions at this time.
- b. Advisory Group members were asked if they had any comments or discussion on the agenda items. No member responded.

III. Adjournment.

- a. This meeting via WebEx was adjourned at 10:20 a.m., Wednesday September 2, 2020 at 10:00 am.