

THE RESENTENCING TASK FORCE (RTF)
REGULAR MEETING MINUTES
APRIL 29, 2022 9:00 – 11:00 a.m.

THIS MEETING WAS HELD VIRTUALLY ON WEBEX

Members Present: Darren Bailey, Bob Berlin, Kelly Cassidy, Jobi Cates, Lisa Daniels, Yaacov Delaney, LaToya Hughes, Hon. Cheryl Ingram, Ari Jones, Shobha Mahadev, Scott Main, Robert Peters, Hon. Marcus Salone, Hon. Steve Sawyer and Ryan Spain.

Members Absent: Mitchell Davis and Sharone Mitchell.

Non-members Present: Susan Lloyd, Lisa Schneider-Fabes, Lindsey Hammond, William Nissen, Kathy Saltmarsh, Michael Elliott, Mark Powers, John Specker, Ryan Kennedy and Abigail Drumm.

The meeting convened at 9:00 a.m. and began with the announcement of the Hon. Marc Salone as the chairperson of the committee.

Vote: Kelly Cassidy moved to approve the meeting minutes from the February Task Force meeting; Robert Peters seconded. The minutes were approved unanimously by roll call vote.

Susan Lloyd began with an update on the task force's revised meeting schedule:

- At the June meeting, a second panel of experts will discuss behavioral health issues and resentencing. The guiding principles to guide the work will also be introduced. In July, the goal will be to begin discussions about the thorny issue of eligibility and affirm the principles.
- The August meeting will feature the third panel of experts, possibly corrections professionals. We also plan to hear from victims, survivors, and their families.
- The public will also have an opportunity to weigh in. There will be two public hearings – one in Springfield, the other in Chicago – that will take place the 29th and 30th of September.
- In October, the planning team will circulate draft recommendations for review and revision, followed in November by the development and review of the report, with the idea that the final report will be ready for authorization at the December meeting.

Vote: Approval of the new meeting schedule – Jobi Cates moved; Marc Salone seconded. The new meeting schedule was approved unanimously by roll call vote.

Susan Lloyd then introduced today's panel, who will provide an overview of resentencing in general, and speak to the three fundamental questions the task force decided on at the February meeting: (1) how do we weigh the multiple interests affected by sentencing policy and practice; (2) who should be eligible for review, and should, and how should, the crime of conviction and time served be considered; and (3) what is the process for sentence review, what legal and procedural issues need to be resolved.

The panel began with Nazgol Ghandnoosh, Ph.D., who is a senior research analyst at The Sentencing Project. She conducts and synthesizes research on criminal justice policies, with a focus on racial disparities in the justice system, public opinion about punishment, and the scope of reform efforts. She spoke about her latest report, "A Second Look at Injustice," and gave comprehensive analysis of a growing,

powerful tool to curb mass incarceration: second look policies that enable extreme sentences to be re-evaluated. She pointed out that data analysis indicates that career criminals generally desist after ten years and that many of the harshest sentencing policies are based on theories that have been debunked, such as the juvenile super predator. Dr. Ghandnoosh also noted that allowing a second look at extreme sentences did not impact the number of new prison admissions with extreme sentences.

Following Nazgol, was Jane Anne Murray, who is an Associate Clinical Professor of Law at the University of Minnesota Law School, where she runs a clemency clinic that she founded in 2014. She was one of the drafters of the National Association of Criminal Defense Attorneys (NACDL) model legislation. She focused her remarks on long term incarcerated individuals at the state and federal level, with a particular focus on those who were in their teens or early adult years at the time of their offenses and/or have a history of domestic trauma.

The final panelist was James Zeigler, who is the Founder and Executive Director of The Second Look Project. The Second Look Project was founded to provide advocacy and legal support for individuals seeking relief from extreme sentences in the District of Columbia. Zeigler's work is focused on those who are eligible for sentence reductions under Washington D.C.'s Incarceration Reduction Amendment Act ("IRAA") and Compassionate Release laws. He expounded upon how he and other project staff provide direct representation to individuals seeking relief, as well as institutional advocacy, training, and litigation support for court-appointed and pro bono attorneys handling these cases.

Summary of points raised in the member discussion:

- Need to rethink extreme sentencing at the front end to stem the flow of people building up in the prison system in the future
- Ongoing data tracking, research, and reporting is needed to understand the impact of resentencing and inform policy decisions
- Best to have petitioners start the process to allow greatest access
- Judges can bring more expertise than parole boards
- Cases can be pre-vetted to identify which petitions to consider given limited resources
- Legal counsel must be available for the resentencing option to be meaningful

Public Comment: There was no public comment offered at the meeting.

Vote: Lisa Daniels, moved to adjourn the second Resentencing Task Force meeting, seconded by Hon. Steve Sawyer. The second Resentencing Task Force meeting was adjourned at 11:00 a.m. by unanimous voice vote.