

# District of Columbia Sentencing Commission FY2022

Agency District of Columbia Sentencing Commission

Agency Code FZO

Fiscal Year 2022

**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 unwarranted disparity in sentences.

## Key Performance Indicators (KPIs)

Measure	Directionality	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual	FY 2022 Target
<b>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)</b>					
Compliant Departures	Up is Better	93.8%	94.3%	86.5%	92%
Percent of Compliant Guideline Sentences	Up is Better	97.1%	94%	97%	97%
Compliant In-The-Box Sentences Imposed	Up is Better	90.1%	90.6%	90.9%	89%
Percentage of Sentences for Weapon Offenses Compliant with Guidelines	Up is Better	New in 2021	New in 2021	85.8%	90%
Percentage of Sentences for Violent offenses that are compliant with the Guidelines	Up is Better	New in 2021	New in 2021	89.4%	92%
Percent of judicial departure letter responses received	Up is Better	New in 2020	82.1%	90%	80%
Percent of compliant sentences that represent 11(C)(1)(c) pleas	Up is Better	13.9%	15%	15.6%	13%
<b>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)</b>					
Guideline Questions Answered	Up is Better	98.6%	98.9%	98.9%	98.5%
Effective Guideline Trainings	Up is Better	92.9%	90.2%	94.4%	89%
Number of Social Media Postings	Up is Better	New in 2021	New in 2021	264	65
Percentage of Website Hits Related to Outreach and Education Material	Up is Better	New in 2021	New in 2021	46%	35%
<b>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. (4 Measures)</b>					
Data Request Response Time	Up is Better	91%	92.5%	95.2%	85%
GRID/GSS tickets resolved within 14 days	Up is Better	69.6%	76.3%	84.8%	70%
Percentage of Unique Arrests from MPD that are verified and processed in the GRID system	Up is Better	New in 2021	New in 2021	83.7%	85%
Percentage of MPD Arrest Charges received that are Verified and Processed in GRID System	Up is Better	New in 2021	New in 2021	87.9%	76%

## Operations

Operations Title	Operations Description	Type of Operations
<b>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)</b>		
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
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
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
<b>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)</b>		
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

Operations Title	Operations Description	Type of Operations
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
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
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
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
<b>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. (3 Activities)</b>		
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
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
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 (WMs)

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Actual
<b>1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed (2 Measures)</b>			
Number of Sealed Cases	2485	1310	7192
Number of DQA's Identified and Submitted	New in 2020	97	54
<b>1 - Review and Verify all Criminal History Scores (1 Measure)</b>			
Requests for Missing Criminal History Scores	New in 2020	144	64
<b>1 - Review and Verify All Felony Sentences (6 Measures)</b>			
Number of sentences imposed as the result of 11(C)(1)(c) pleas	277	122	97
Number of Felony Counts Sentenced	2070	910	913
Number of CSOSA Criminal History Scores Submitted	2319	794	728
Number of Felony Cases Sentenced	1587	706	673
Number of Departure Letters Sent	165	55	16
Number of Probation Revocations Sentenced	375	363	117
<b>2 - Maintain and Update Agency Website (1 Measure)</b>			
Number of Agency Website Hits	19,451	21,153	25,554
<b>2 - Provide Sentencing Guideline Training (3 Measures)</b>			
Number of Sentencing Guideline Trainings Provided	15	13	8
Agency Website Updates Completed	46	72	414
Number of individuals receiving Sentencing Guideline Training	96	121	123
<b>3 - Monitor and Maintain the Guideline Reporting Information Data (GRID) System (4 Measures)</b>			
Number of GRID Tickets Entered	66	29	33
Number of new charge codes mapped in GRID	165	34	31
Number Hours required to complete data requests	1455	657	2031
Number of Critical GRID Tickets Submitted	New in 2020	14	12
<b>3 - MPD Arrest Data Processing (2 Measures)</b>			
Total Number of MPD Arrest Charges Received	New in 2021	New in 2021	35,602
Number of Unique MPD Arrests Received	New in 2021	New in 2021	19,483
<b>3 - Respond to Data Requests (2 Measures)</b>			
Number of Data Requests Received	67	47	42
Data Sets Provided	New in 2020	18	14

## Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
<b>Identify Irregularities and Inconsistencies in Felony Sentences Imposed (1 Strategic Initiative)</b>		
Analysis of Rule 11(c)(1)(C) Plea	This analysis expands on the initial analysis for 11(c)(1)(C) pleas initiated in FY21, by examining the type and length of sentence imposed by both race and age to identify whether there are differences in the sentences (either type or length) by race and age. The agency will develop a quarterly report that includes the sentences imposed resulting from an 11(c)(1)(C) plea by offense type, sentence type and length, race and age of the individual, type of legal representation, and the recommended Guideline sentence. The analysis would be completed at the overall 11(c)(1)(C) plea level; at the offense category level, and if a sufficient number of individual offenses are available, at the offense level. The first report will be released by January 15, 2022, the second report by April 15, 2022, the third report by July 15, 2022, and the final report completed by September 30, 2022.	09-30-2022
<b>Increase public outreach and education regarding the Sentencing Guidelines (1 Strategic Initiative)</b>		
Community Outreach	During FY 2022, the agency will design four 15-minute in-house quarterly multimedia video presentations. These recordings will demonstrate how the Sentencing Guidelines operate in the District and the factors impacting sentences imposed. The videos will cover; (1) a brief history of the DC Sentencing Commission, (2) how the Guidelines function, (3) factors considered when developing the recommended guideline sentence, and (4) the types of recommended guideline sentences. The first video will be completed and uploaded to the agency's social media accounts (Twitter, Facebook, and YouTube) by November 2021, the second video by February 15, 2022, the third video by June 15, 2022 and the final video by September 15, 2022.	09-16-2022
<b>Monitor and Maintain the Guideline Reporting Information Data (GRID) System (1 Strategic Initiative)</b>		
GRID System Modifications - Enhancement	In FY2022, the DC Superior Court will be implementing Odyssey, a new case management system. The agency will need to make modifications to it GRID data system to continue to receive IJIS 21.1 data. This multi-stage project will include: (1) identifying the technical requirements and business rules modifications necessary to received data from the new Odyssey system to be completed by December 30, 2021; (2) design, implement, test, integrate and deploy updated data feed within existing GRID system without downgrading the system and analytic capabilities of the current GRID by April 15, 2022; (3) design and implement a comprehensive testing strategy that includes adequate rework, debugging, retest and regression testing though the change control process by June 15, 2022 and (3) complete inter-agency testing and deploy into production by September 30, 2022	09-30-2022
<b>Review and Verify All Felony Sentences (1 Strategic Initiative)</b>		
Impact of Guideline Modifications	As a result of the impact that COVID-19 had on limited court operations, significant delays in sentencing occurred. The Commission enacted two Guideline modifications to address these delays. First was a modification to the definition of a short-split sentence and the second was the creation of a new mitigated departure factor. The agency will develop an annual report that will provide data on the frequency these two sentencing modifications were applied, the types of offenses to which they were applied, the modified sentence that was imposed, defendant demographics, and finally the percentage the modified sentences represented compared to all sentences imposed during the same time period.	09-30-2022