

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.

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.

2021 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
Development of Public Data Sets for four individual offense categories including: violent, weapon, drug and property offenses. In addition, the agency provided three additional public data sets for homicide, sex and other offenses	My providing the individual public data sets, the agency was able to refer entities immediately to the specific offense data they were requesting, thus reducing agency response time and resources required.	By providing offense specific public data sets, any resident is able to access sentencing data for a specific offense and undertake the type of analysis desired. The public data sets provide transparency regarding sentencing trends in the District while providing residents with information on the types and lengths of sentences imposed for various felony offenses.
Completion of a four-part "Fast Facts Series" focused on specific weapon offenses including: Assault with Intent to Kill, Armed Carjacking, Possession of a Firearm during a Crime of Violence and Felon in Possession of a Firearm.	Fast Facts were developed to highlight the sentencing trends for a single felony offense versus an offense category. Fast Facts allow the agency to respond very quickly to sentencing related information for a single offense, allowing research resources to be allocated for more complicated projects. Fast Facts also increase transparency regarding sentencing trends in the District.	Fast Facts were designed to provide sentencing related information to District residents in a very concise and clear manner, rather than in a more complicated research format. Fast Facts provides the frequency of sentences for the offense, the types and lengths of sentences imposed and offender demographics. Given the rise in weapon offenses recently, providing this information helps to inform and educate residents.
The agency completed the MPD Arrest Data Feed project at the end of FY 2020. In FY 2021, the agency incorporated a GIS component into the GRID data systems that uses the arrest location from the MPD data feed to link the sentence imposed so that sentencing trend analysis can be completed for specific offense or offense group by Ward, ANC, and Neighborhood Cluster.	By incorporating a GIS component to the MPD Arrest Data Feed and the GRID data system, the agency is now able to analyze sentencing trends by specific District locations, such as Ward, ANC, and Neighborhood Clusters. This level of detail, allows for tracking and comparison of sentencing trends among various District locations to monitor any potential disparity and to identify locations in which specific offenses are sentenced more frequently.	The GIS sentencing component allows for identification and analysis of sentencing trends by various District locations versus overall District trends. Residents can now obtain sentencing data by their Ward, ANC or Neighborhood Cluster which will increase their awareness and understanding of the sentences imposed for their specific geographical location.

2021 Key Performance Indicators

Measure	Frequency	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual	Was 2021 KPI Met?	Explanation For Unmet KPI
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	Quarterly	93.8%	94.3%	93.5%	85.7%	100%	83.3%	88.9%	86.5%	Nearly Met	I am confused by the nearly met status when from the data I entered the annual percentage yearly compliant departure rate is 92.1 % not the 86.5 shown above, which is much closer to the 93.5 % target. Sentencing in FY21 was a bit atypical due to the court's reduced function given the impact of COVID 19 and could possibly impacted the number of departure sentences to address the felony case backlog.
Percent of Compliant Guideline Sentences	Quarterly	97.1%	94%	96.5%	97.6%	100%	94.8%	96.6%	97%	Met	
Compliant In-The-Box Sentences Imposed	Quarterly	90.1%	90.6%	89%	86.6%	92.4%	92.4%	91.5%	90.9%	Met	
Percent of compliant sentences that represent 11(C)(1)(c) pleas	Quarterly	13.9%	15%	12.5%	20.5%	10.8%	17.8%	14.4%	15.6%	Met	
Percent of judicial departure letter responses received	Quarterly	New in 2020	82.1%	75%	100%	85.7%	100%	90%	90%	Met	
Percentage of Sentences for Violent offenses that are compliant with the Guidelines	Quarterly	New in 2021	New in 2021	New in 2021	90.5%	79.3%	92.9%	94.7%	89.4%	New in 2021	
Percentage of Sentences for Weapon Offenses Compliant with Guidelines	Quarterly	New in 2021	New in 2021	New in 2021	87.3%	100%	85.7%	76.2%	85.8%	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	Quarterly	98.6%	98.9%	98.5%	100%	98.9%	98.3%	99%	98.9%	Met	
Effective Guideline Trainings	Quarterly	92.9%	90.2%	85%	90.9%	96.4%	100%	93.3%	94.4%	Met	
Number of Social Media Postings	Quarterly	New in 2021	New in 2021	New in 2021	19	21	43	181	264	New in 2021	

Measure	Frequency	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual	Was 2021 KPI Met?	Explanation For Unmet KPI
Percentage of Website Hits Related to Outreach and Education Material	Quarterly	New in 2021	New in 2021	New in 2021	41.2%	43.3%	49.5%	48.5%	46%	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 unwarranted disparity in sentences. (4 Measures)											
Data Request Response Time	Quarterly	91%	92.5%	80%	100%	90.9%	100%	92.3%	95.2%	Met	
GRID/GSS tickets resolved within 14 days	Quarterly	69.6%	76.3%	68.5%	78.9%	100%	100%	75%	84.8%	Met	
Percentage of Unique Arrests from MPD that are verified and processed in the GRID system	Quarterly	New in 2021	New in 2021	New in 2021	82.2%	71.3%	89.7%	90.8%	83.7%	New in 2021	
Percentage of MPD Arrest Charges received that are Verified and Processed in GRID System	Quarterly	New in 2021	New in 2021	New in 2021	83.5%	92.7%	84.7%	90.4%	87.9%	New in 2021	

2021 Workload Measures

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual
1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed (2 Measures)							
Number of Sealed Cases	2485	1310	580	450	407	2159	3596
Number of DQA's Identified and Submitted	New in 2020	97	Annual Measure	Annual Measure	Annual Measure	Annual Measure	54
1 - Review and Verify all Criminal History Scores (1 Measure)							
Requests for Missing Criminal History Scores	New in 2020	144	0	0	45	19	64
1 - Review and Verify All Felony Sentences (6 Measures)							
Number of CSOSA Criminal History Scores Submitted	2319	794	147	180	185	216	728
Number of Felony Cases Sentenced	1587	706	132	180	154	207	673
Number of Felony Counts Sentenced	2070	910	195	239	212	267	913
Number of Departure Letters Sent	165	55	2	3	1	10	16
Number of Probation Revocations Sentenced	375	363	34	20	29	34	117
Number of sentences imposed as the result of 11(C) (1)(c) pleas	277	122	Annual Measure	Annual Measure	Annual Measure	Annual Measure	97
2 - Maintain and Update Agency Website (1 Measure)							
Number of Agency Website Hits	19,451	21,153	4895	6789	6898	6972	25,554
2 - Provide Sentencing Guideline Training (3 Measures)							
Number of Sentencing Guideline Trainings Provided	15	13	2	2	3	1	8
Agency Website Updates Completed	46	72	118	92	89	115	414
Number of individuals receiving Sentencing Guideline Training	96	121	16	56	36	15	123
3 - Monitor and Maintain the Guideline Reporting Information Data (GRID) System (4 Measures)							
Number of GRID Tickets Entered	66	29	19	3	7	4	33
Number Hours required to complete data requests	1455	657	Semi-Annual Measure	232	Semi-Annual Measure	445	677
Number of new charge codes mapped in GRID	165	34	9	2	12	8	31
Number of Critical GRID Tickets Submitted	New in 2020	14	Annual Measure	Annual Measure	Annual Measure	Annual Measure	12
3 - MPD Arrest Data Processing (2 Measures)							
Total Number of MPD Arrest Charges Received	New in 2021	New in 2021	5860	7587	11,809	10,346	35,602
Number of Unique MPD Arrests Received	New in 2021	New in 2021	4955	4565	5343	4620	19,483
3 - Respond to Data Requests (2 Measures)							
Number of Data Requests Received	67	47	8	11	10	13	42
Data Sets Provided	New in 2020	18	3	4	3	4	14

2021 Operations

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)		
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
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)		
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
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
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
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 unwarranted disparity in sentences. (3 Activities)		
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

2021 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
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, March 30th, June 30th and September 30th.	Complete	The final Rule 11(c)(1)(C) quarterly report was completed on September 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 Fact will be completed on quarterly (December 30th, March 30th, June 30th, and September and posted on the agency's website.	Complete	The final Fast Facts in the four-part Weapon Offense series focused on Felony in Possession, one of the most frequently sentenced weapon offenses. This offense carries a mandatory minimum sentence of 1 year, however, the majority of sentences imposed exceeded the 1 year mandatory minimum prison sentence.	
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.	25-49%	The agency's Outreach Research specialist left the in early 2021 and the agency was not able to hire a replacement until May of 2021, which impacted the timeline for the development of the community virtual YouTube presentations. To date, a the content to be included in the first virtual presentation has been determined and the presentation is expected to be completed in early FY 2022, with the second virtual presentation to be completed by the end of FY2022.	The agency's Outreach Research specialist left the in early 2021 and the agency was not able to hire a replacement until May of 2021, which impacted the timeline for the development of the community virtual YouTube presentations. To date, a the content to be included in the first virtual presentation has been determined and the presentation is expected to be completed in early FY 2022, with the second virtual presentation to be completed by the end of FY2022.

Strategic Initiative Title	Strategic Initiative Description	Completion to Date	Status Update	Explanation for Incomplete Initiative
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. These 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.	Complete	This Initiative was completed in Q2 and public data sets for Drug, Property, Violent, and Weapon offenses have been posted on the agency's website	