

KEY FINDINGS

1. In 2018, the number of felony counts, cases, and offenders sentenced slightly decreased for the first time since 2015 (page 18). The decrease was primarily due to decreases in Violent and Drug sentences, which were offset by a relatively sharp increase in Weapon sentences (page 40).
2. The percentage of cases sentenced to prison (44%) was at its lowest rate since 2010, while short split sentences reached their highest rate (23%) (page 20).
 - a. Sixty seven percent of D.C.'s felony offenders received either a prison or short split sentence, representing a slight decrease from 70% in 2017, indicating that although the percentage of prison sentences decreased slightly, a majority of offenders still received some form of incarceration (page 20).
 - b. One in three (33%) offenders between 18 and 21, and half of offenders (50%) between 22 and 30 were sentenced to prison (page 37).
 - c. Prison was the most frequent sentence type in all Offense Severity Groups (OSGs) in the Master Grid and D1 in the Drug Grid (page 21). It was also the prominent sentence type for Homicide, Sex, and Violent cases and the least common sentence type in Drug cases (page 27).
3. The Violent and Weapon offense categories accounted for 70% of all non-Drug offenses sentenced at the case level (page 25).
 - a. Between 2017 and 2018, the sharpest increases appeared to be in the number of Homicide and Weapon offenses. These increases were offset by relatively sharp decreases in the number of sentences imposed for Violent, Property, and Drug offenses (page 28).
 - b. The increase from 2017 in Weapon offenses is attributable primarily to increases in the number of CPWL and UPF-PF offenses sentenced (page 29).
 - c. In Homicide offenses, sentences for Murder I and Murder II, increased by 244% and 87% respectively (page 38).
4. The Commission recently re-ranked UPF-PF offenses from M7 to M8 to address issues related to criminal history and double counting. This change moved Guidelines recommended UPF-PF sentences closer to the mandatory minimum as set by the Council (pages 29 to 31).
5. Within the Weapon offense category, at the case level, CPWL was the most frequent offense sentenced (51%), followed by UPF-PF (38%) and UPF-COV (4%) (page 24).
6. At the count level, the number of sentences increased for PFDCV, CPWL, and UPF-PF offenses from 2017, with the largest increase in PFDCV offenses by 57%, followed by CPWL (53% increase) and UPF-PF (21% increase) sentences (page 29).

7. Similar to previous years, Black males (ages 18 to 30) constituted more than half of the offenders sentenced at the count, case, and offender levels (page 37). The average criminal history (CH) score was higher for male offenders compared to female offenders, and for Black offenders compared to White offenders (pages 33 and 35).
8. The rate of judicial compliance with the Sentencing Guidelines has remained at or above 86% since 2010, with the last four years at 95% or higher. The 97.6% Guidelines compliance rate in 2018 was the highest compliance rate observed by the Commission to date (pages 46 and 47). Nine in ten felony sentences were compliant in the box sentences (pages 50 and 51).
9. The lowest rates of Guidelines compliance (96%) were observed in Weapon and Drug offenses (pages 48 and 49).
 - a. The vast majority of compliant and non-compliant departures from the Guidelines were downward, where the Superior Court imposed sentences below the recommended sentencing range and/or options (pages 53 and 54).
 - b. Downward departures in Distribution (Dist.), Possession with Intent to Distribute (PWID), and UPF-PF (when ranked in M7) sentences appeared to drive non-compliance with the Guidelines (page 54).