

KEY FINDINGS

1. Sentencing has not returned to pre-pandemic levels as the Superior Court continues to operate in a limited capacity due to COVID-19. For reference, there were 1,464 felony cases sentenced in 2019 compared to 774 in 2021. However, the number of counts, cases, and individuals sentenced in 2021 has increased by approximately 50% since 2020. *See* pages 18 and 20.
2. Ninety-nine percent (99%) of all cases sentenced in 2021 were resolved via a plea, the highest rate observed in the last 10 years. This increase in plea agreements is offset by a 68% decline in jury trials compared to 2020, owing primarily to the limitations posed by COVID-19 on the D.C. Superior Court's operations. Only 1% of cases were disposed of by a jury trial in 2021, an outlier from the 5% to 8% range recorded since 2012.
3. The distribution of sentences among prison, short split, and probation have remained relatively stable in the past 5 years. In 2021, 60% of all felony sentences imposed were prison sentences, followed by probation (22%), and short split (18%). *See* page 22.
4. Offenses in severity group M8 reached a peak in 2021, accounting for 58% of all counts sentenced, nearly double the observed rate of M8 offenses sentenced in 2012 (31%). This increase is primarily due to the Commission's re-ranking of Unlawful Possession of a Firearm-Prior Felony from Offense Severity Group M7 to M8 in 2018. *See* page 25.
5. Ninety-two and half percent (92.5%) of the 960 felony counts sentenced in 2021 were non-drug offenses (page 23). Weapon and Violent offenses made up 81% of all non-drug counts sentenced, and 75% of all felony counts sentenced. *See* page 28.
6. The composition of counts in each offense category has not changed significantly since 2020. Weapon offenses sentenced represented the greatest change with nearly an eight-percentage point increase. There was also a slight increase in the proportion of Violent (1.4%) and Sex offenses (0.2%) sentenced from 2020 to 2021. *See* pages 28 and 29.
7. Sentencing trends for Violent and Weapon offenses remained consistent with 2020. Carrying a Pistol without a License (CPWL) and Unlawful Possession of a Firearm, Prior Felony (UPF-PF) constituted the majority (81%) of the 387 counts sentenced in the Weapon offense category. The majority (78%) of the 333 counts sentenced in the Violent offense category were for Assault with a Dangerous Weapon (ADW) or Robbery. *See* pages 31 and 32.
8. Males were most frequently sentenced for Weapon offenses (40.5%) and Violent offenses (36.1%), whereas females were most frequently sentenced for Violent offenses (53.8%) and Property offenses (25.6%). *See* page 36.
9. In 2021, those aged 18-30 at the time of the offense accounted for 62.1% of all sentences. The 22-30 age group continues to constitute the majority of those sentenced, accounting for 38% of all felony cases sentenced in 2021. Even after accounting for the influence of

COVID-19 on 2020 and 2021 sentence patterns, age group composition has remained largely consistent over the past decade. *See* pages 37 and 38.

10. The total number of papered arrests has been gradually decreasing over the last four years. In 2018, 71% of all arrests were sent to court for prosecution, compared with 58% in 2021. About half of the papered cases in 2021 are pending; this delay is typical of the criminal justice process but has been exacerbated by the COVID-19 pandemic. *See* page 42.
11. Ninety-eight and half percent (98.5%) of all felony counts sentenced were determined to be compliant with the D.C. Voluntary Sentencing Guidelines, a slight decrease from 2020 (99%). *See* page 44.