Rule 11(c)(1)(C) Plea Quarterly Report – FY2022 Quarter One

Every quarter the D.C. Sentencing Commission analyzes the total number of sentences imposed following a Rule 11(c)(1)(C) plea agreement.[1] The report identifies the total percentage of sentences that were the result of a Rule 11(c)(1)(C) plea. The report also analyzes impact of these sentences on overall sentencing trends and Guidelines compliance, along with various trends among sentence type, offense type, criminal history score group (CH Group), and demographic variables of sentences following Rule 11(c)(1)(C) pleas.

It is important to remember that under D.C. Voluntary Sentencing Guidelines rules, a sentence imposed pursuant to a Rule 11(c)(1)(C) plea is **always** deemed compliant with the Guidelines regardless of the sentence ultimately imposed.
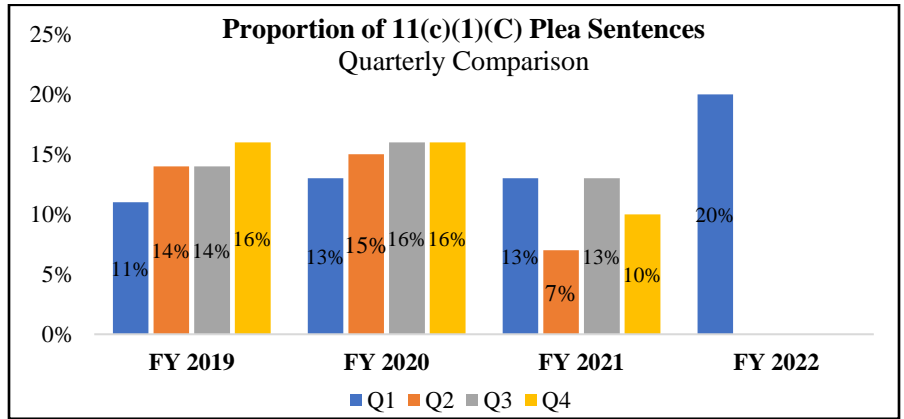
I. Quick Reference Charts

Rule 11(c)1(C) plea sentencing trends – count level analysis.

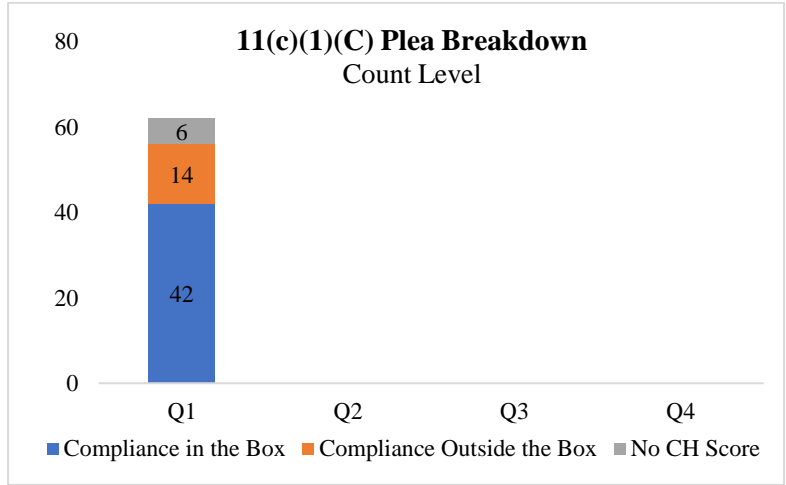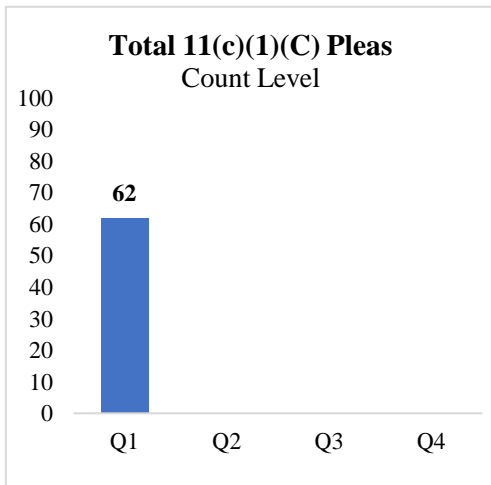| Overall	
Total Counts Sentenced (all felonies)	310
Non-11(c)(1)(C) Plea Sentences	248 (80%)
11(c)(1)(C) Plea Sentences	62 (20%)
11(c)(1)(C) Guidelines Compliance	
Compliant in the Box	42 (68%)
Compliant out of the Box	14 (22%)
No CH Score	6 (10%)
Most Frequent Among 11(c)(1)(C) Pleas:	
Sentence Type	Incarceration *71% of all 11(c)1(C) Pleas*
Offense Type	Violent *41% of all 11(c)1(C) Pleas*
Most Common Criminal History Column	Grid Column C *40% of all Individuals[2]*

---

[1] Under D.C. Superior Court Criminal Rule 11(c)(1)(C), the parties "agree that a specific sentence or sentencing range is the appropriate disposition of the case (such a recommendation or request binds the court once the court accepts the plea agreement)."

[2] Criminal history information was available for 88% of individuals who were sentenced pursuant to a Rule 11(c)(1)(C) plea.

Proportion of 11(c)(1)(C) Plea Sentences
Quarterly Comparison

FY 2019: Q1 11%, Q2 14%, Q3 14%, Q4 16%
FY 2020: Q1 13%, Q2 15%, Q3 16%, Q4 16%
FY 2021: Q1 13%, Q2 7%, Q3 13%, Q4 10%
FY 2022: Q1 20%

Legend: Q1, Q2, Q3, Q4

II.   FY2022 Yearly Summary

	Q1	Q2	Q3	Q4
Total Counts Sentenced	**311**	**-**	**-**	**-**
Non-11(c)1(C) Plea	248 (80%)	-	-	-
11(c)1(C) Plea	62 (20%)	-	-	-

Total 11(c)(1)(C) Pleas
Count Level

Q1: 62

11(c)(1)(C) Plea Breakdown
Count Level

Q1: Compliance in the Box 42, Compliance Outside the Box 14, No CH Score 6

Legend: Compliance in the Box, Compliance Outside the Box, No CH Score
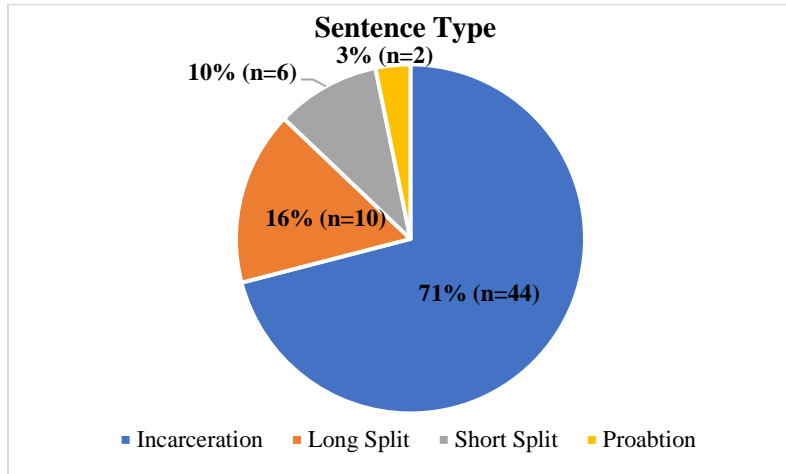
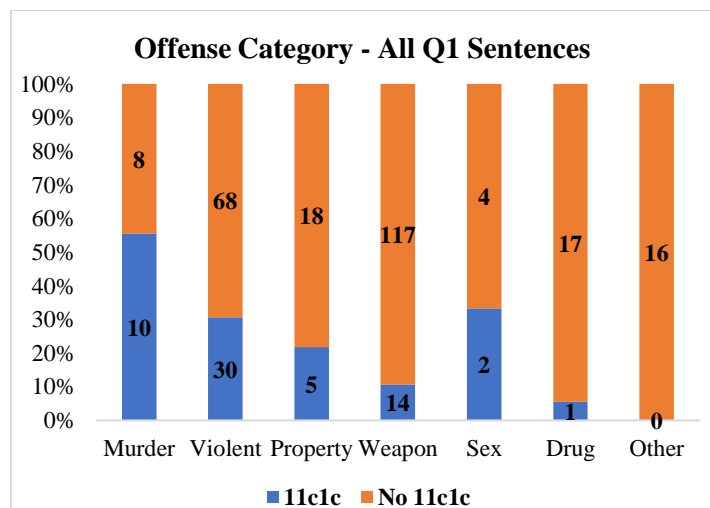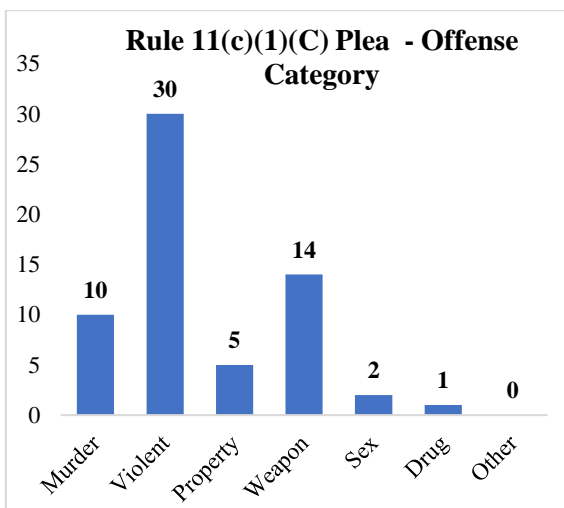## III.   Quarter 1: October 1, 2021 – December 31, 2021

A. Sentencing Trends – Count Level

1. *Sentence Type*
- The majority of sentences following a Rule 11(c)(1)(C) plea were prison sentences (71%).

Sentence Type

- 3% (n=2) Proabtion
- 10% (n=6) Short Split
- 16% (n=10) Long Split
- 71% (n=44) Incarceration

Legend: ■ Incarceration ■ Long Split ■ Short Split ■ Proabtion

2. *Offense Category*
- The majority of Rule 11(c)(1)(C) pleas were for Violent offenses, however, they only represented 31% of all Violent counts that were sentenced in Q1.
- Rule 11(c)(1)(C) pleas were most common among Murder sentences; over half (55%) of Murder sentences imposed were the result of a Rule 11(c)(1)(C) plea.
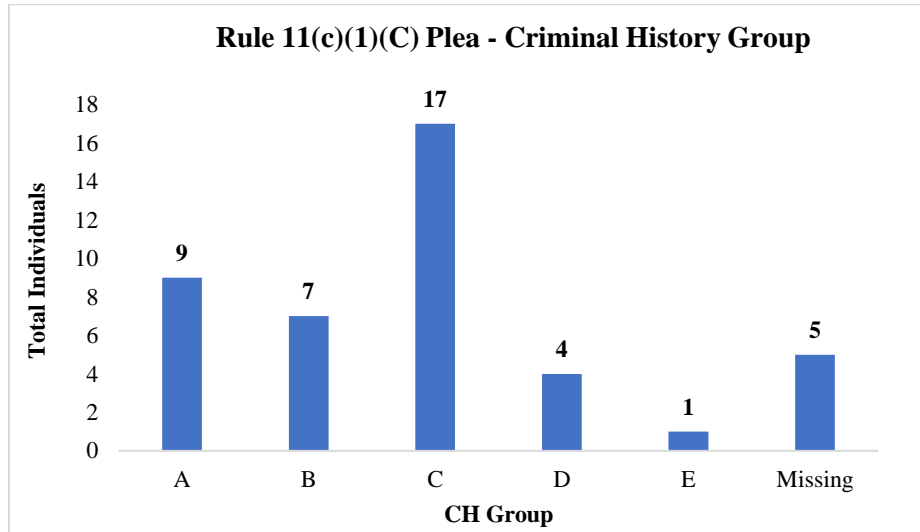
Rule 11(c)(1)(C) Plea - Offense Category

Category	Count
Murder	10
Violent	30
Property	5
Weapon	14
Sex	2
Drug	1
Other	0

Offense Category - All Q1 Sentences

Category	11c1c	No 11c1c
Murder	10	8
Violent	30	68
Property	5	18
Weapon	14	117
Sex	2	4
Drug	1	17
Other	0	16

Legend: ■ 11c1c ■ No 11c1c

3

B. Individual Trends – Individual Level

In FY 2022 Q1, there were 43 individuals sentenced as the result of a Rule 11(c)(1)(C) plea.

1. *Criminal History*

Criminal history information is available for 38 of the 43 individuals sentenced, (88%).

- The majority of individuals who were sentenced pursuant to a Rule 11(c)(1)(C) plea were in Criminal History Group C (2-3.75 CH points),

Rule 11(c)(1)(C) Plea - Criminal History Group

2. *Demographics*

There were 43 individuals sentenced as the result of an 11(c)(1)(C) plea in Q1. Of these 43 individuals:

- All were males (100%)
- All but one were Black (98%)
- The average age at offense was 29 years; the median age at offense was 27 years