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

Every quarter the D.C. Sentencing Commission analyzes the total number of sentences imposed that were the result of a Rule 11(c)(1)(C) plea agreement.[1] The report identifies the total percentage of sentences that resulted from a Rule 11(c)(1)(C) plea, the impact of these sentences on compliance trends, and various trends among sentence type, offense type, criminal history score group (CH Group), and demographic variables. Please note that under D.C. Voluntary Sentencing Guidelines rules, sentences imposed pursuant to Rule 11(c)(1)(C) are **<u>always</u>** 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 (July 1, 2022 – September 30, 2022)

Overall	
Total Counts Sentenced	351
Non-11(c)1(C) Pleas	287 (82%)
11(c)1(C) Pleas	64 (18%)
11(c)(1)(C) Plea Type	

11(c)(1)(C) Plea Type		
Compliance in the Box		46 (72%)
Compliance out of the Box	Above Box	4 (6%)
	Below Box	10 (16%)
No CH Score		4 (6%)

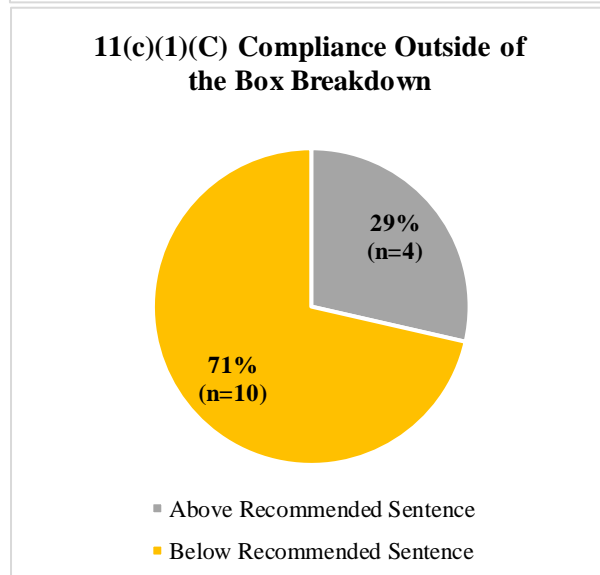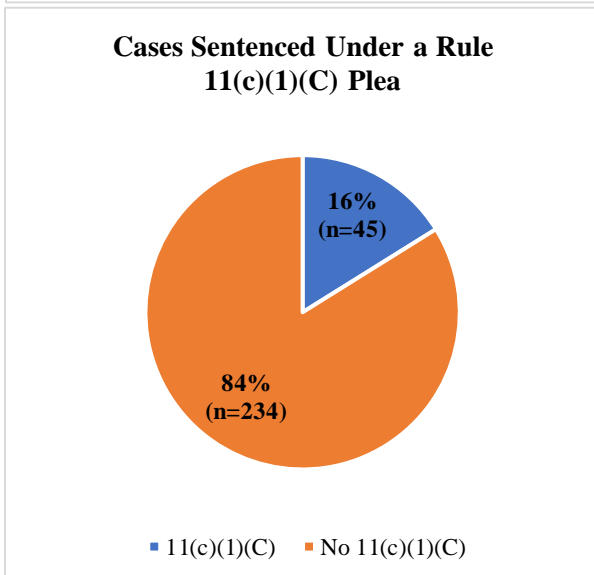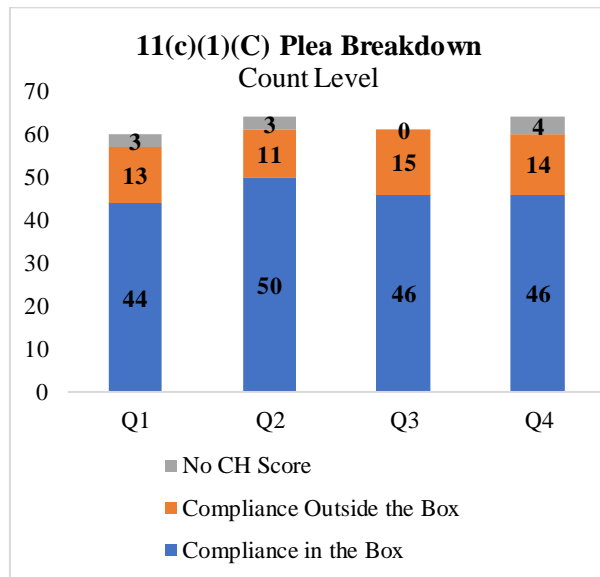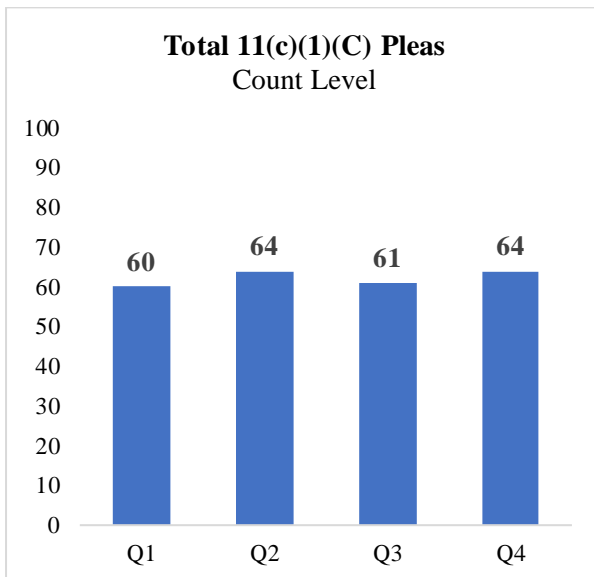| Most Frequent Among 11(c)1(C) Pleas:	
Sentence Type	Incarceration *75% of all 11(c)1(C) Pleas*
Offense Type	Violent *36% of all 11(c)1(C) Pleas*
Most Common Criminal History Column	Grid Columns A and C *62% of all Counts[2]*
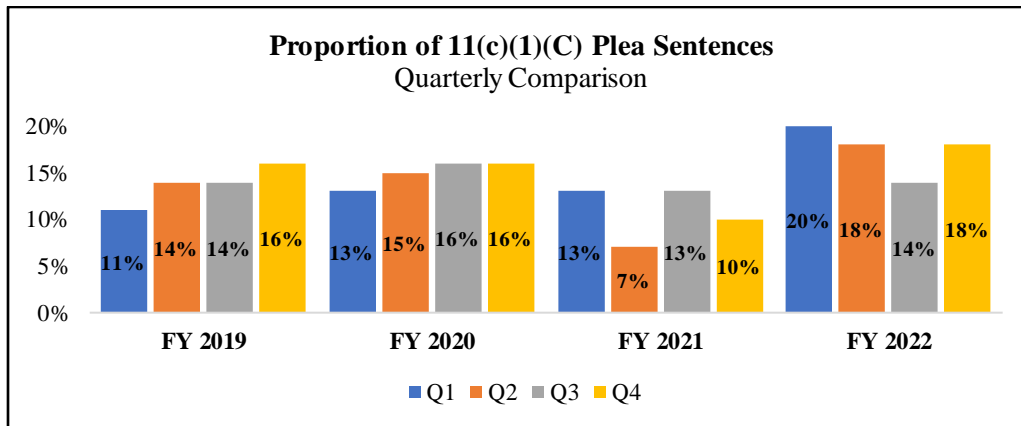
Proportion of 11(c)(1)(C) Plea Sentences
Quarterly Comparison

II. FY2022 Yearly Summary

- From July 1, 2022 to September 30, 2022, there were a total of 45 felony cases, consisting of 64 counts, that were sentenced pursuant to a Rule 11(c)(1)(C) plea.
- The composition of felony counts sentenced under a 11(c)(1)(C) plea in Q4 has not changed significantly compared to last quarter (Q3).
- The majority of Rule 11(c)(1)(C) pleas that were compliant outside of the box were given a sentence below the Guidelines recommended sentence (10 counts, 71%).

	Q1	Q2	Q3	Q4
Total Counts Sentenced	**296**	**350**	**446**	**351**
Non- Rule 11(c)(1)(C) Plea	236 (80%)	286 (82%)	385 (86%)	287 (82%)
Rule 11(c)(1)(C) Plea	60 (20%)	64 (18%)	61 (14%)	64 (18%)

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

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

Cases Sentenced Under a Rule 11(c)(1)(C) Plea

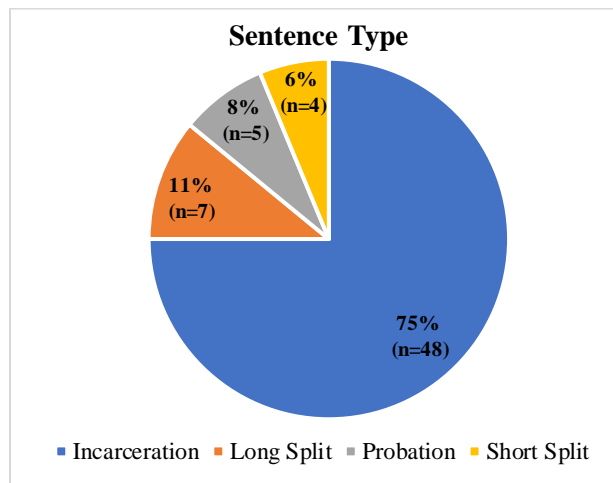### 11(c)(1)(C) Compliance Outside of the Box Breakdown

III. Quarter 4: July 1, 2022 – September 30, 2022

A. Sentencing Trends – Count Level

1. *Sentence Type*
- The majority of sentences following a Rule 11(c)(1)(C) plea were prison sentences (75%).

Sentence Type

6% (n=4)	
8% (n=5)	
11% (n=7)	
75% (n=48)	

■ Incarceration ■ Long Split ■ Probation ■ Short Split

2. *Offense Category*
- The majority (36%) of Rule 11(c)(1)(C) pleas were for Violent offenses, however, Rule 11(c)(1)(C) pleas only represented 23% of all Violent counts that were sentenced in Q4.
- Combined, Violent and Weapon offenses represented 64% of all sentences imposed in Q4 that were the result of a Rule 11(c)(1)(C) plea.
- Rule 11(c)(1)(C) pleas were most common among Murder offense and Sex offense sentences; over half of Murder offense (67%) and Sex offense (60%) sentences imposed were the result of a Rule 11(c)(1)(C) plea.

Rule 11(c)(1)(C) Plea - Offense Category

Offense	Count
Murder	10
Violent	23
Property	5
Weapon	18
Sex	6
Drug	1
Other	1

Offense Category - All Q4 Sentences

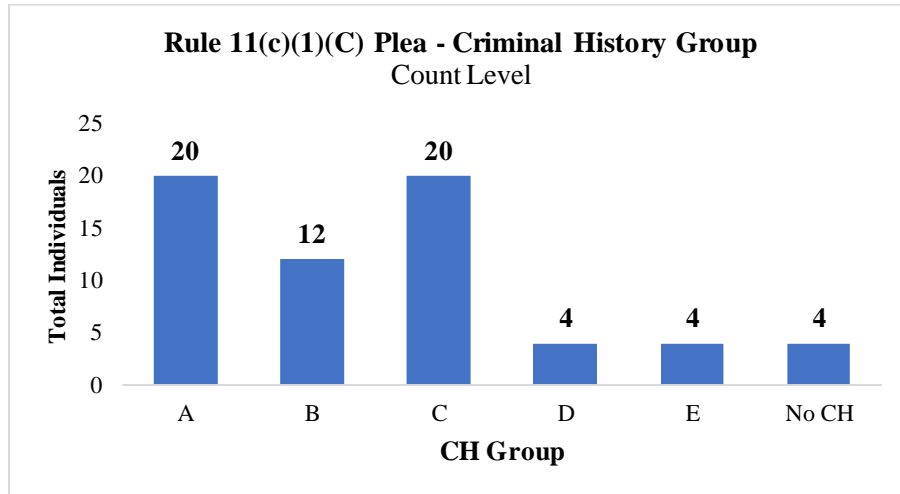| Offense	11(c)(1)(C)	No 11(c)1(C)
Murder	10	5
Violent	23	76
Property	5	16
Weapon	18	154
Sex	6	4
Drug	1	24
Other	1	8

■ 11(c)(1)(C) ■ No 11(c)1(C)
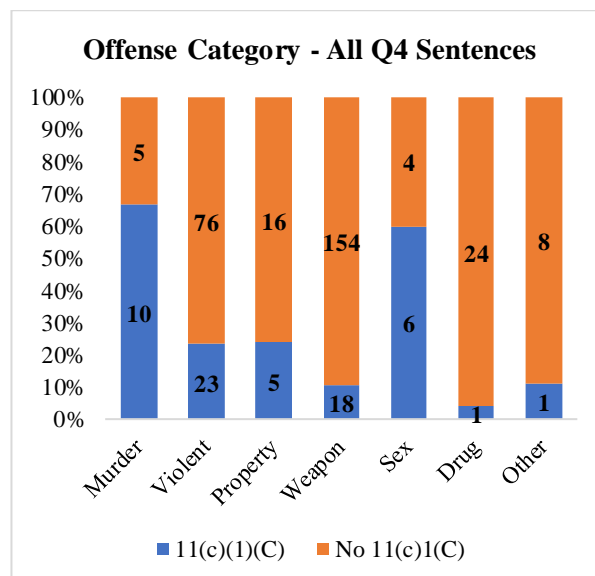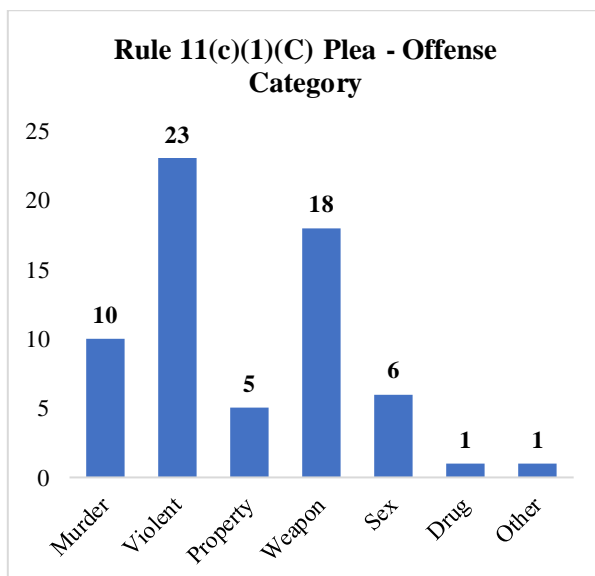
B. Individual Trends – Count Level

In FY 2022 Q4, there were 42 individuals sentenced as the result of a Rule 11(c)(1)(C) plea.

1. Criminal History

Criminal history information is available for 60 of the 64 counts sentenced, (94%).[3]

- The majority of individuals who were sentenced pursuant to a Rule 11(c)(1)(C) plea were in Criminal History Groups A (0 – 0.5 CH points) and C (2 – 3.75 CH points)
  o Combined, individuals in CH groups A or C represented 62% of Rule 11(c)(1)(C) plea counts sentenced in Q4.

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

A bar chart titled "Rule 11(c)(1)(C) Plea - Criminal History Group, Count Level". The y-axis is labeled "Total Individuals" ranging from 0 to 25. The x-axis is labeled "CH Group". Bars: A = 20, B = 12, C = 20, D = 4, E = 4, No CH = 4.

2. Demographics

There were 42 individuals sentenced as the result of an 11(c)(1)(C) plea in Q4. Of these 42 individuals:

- Majority were males (98%).
- Majority were Black (95%).
- The average age at offense was 30 years; the median age at offense was 26 years.

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[3] There was one individual that was counted in two CH categories, due to being convicted in two separate cases. All of the Q4 counts with no CH score have a Pre-Sentence Report listed in the docket, however CSOSA is still working on providing the score to the Commission.