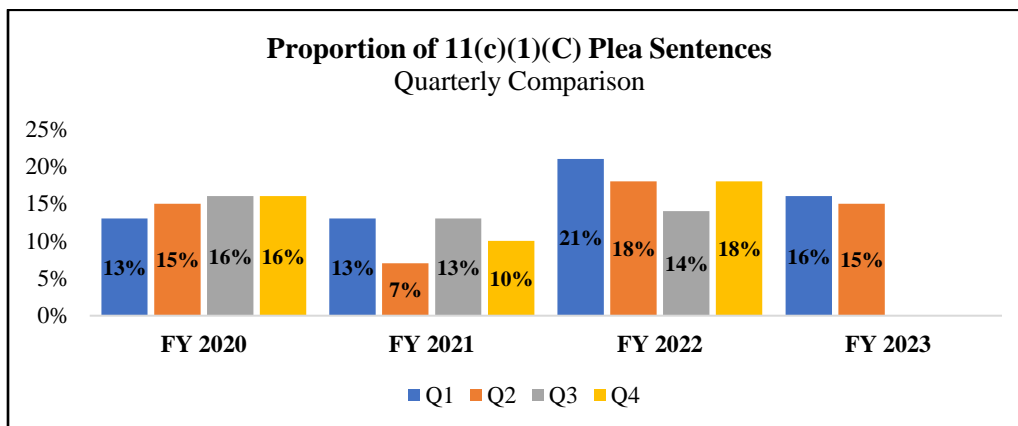# Rule 11(c)(1)(C) Plea Quarterly Report – FY2023 Quarter Two

Every quarter the D.C. Sentencing Commission analyzes the total number of felony sentences imposed by D.C. Superior Court judges 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 **always** deemed compliant with the Guidelines regardless of if they fall within the Guidelines recommended sentence type and range.

I.   Quick Reference Charts

Rule 11(c)(1)(C) plea sentencing trends – count level analysis (January 1, 2023 – March 31, 2023)

Overall		
Total Original Felony Counts Sentenced		396
Non-11(c)(1)(C) Pleas		338 (85%)
11(c)(1)(C) Pleas		58 (15%)
Rule 11(c)(1)(C) Plea Breakdown		
Compliant in the Box		49 (84%)
Compliant outside the Box	Above Box	1 (2%)
	Below Box	7 (12%)
No CH Score		1 (2%)
Most Frequent Among 11(c)1(C) Pleas		
Sentence Type		Incarceration *83% of all 11(c)(1)(C) Counts*
Offense Type		Violent *40% of all 11(c)(1)(C) Counts*
CH Group		CH Group B *31% of all 11(c)(1)(C) Counts[2]*

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

FY 2020: Q1 13%, Q2 15%, Q3 16%, Q4 16%
FY 2021: Q1 13%, Q2 7%, Q3 13%, Q4 10%
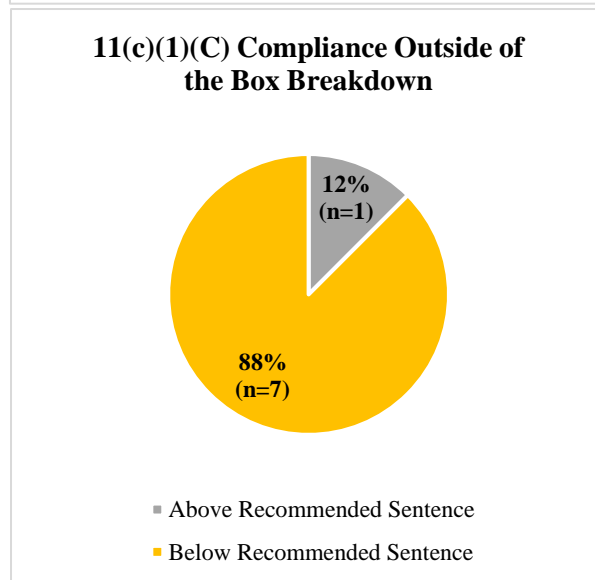FY 2022: Q1 21%, Q2 18%, Q3 14%, Q4 18%
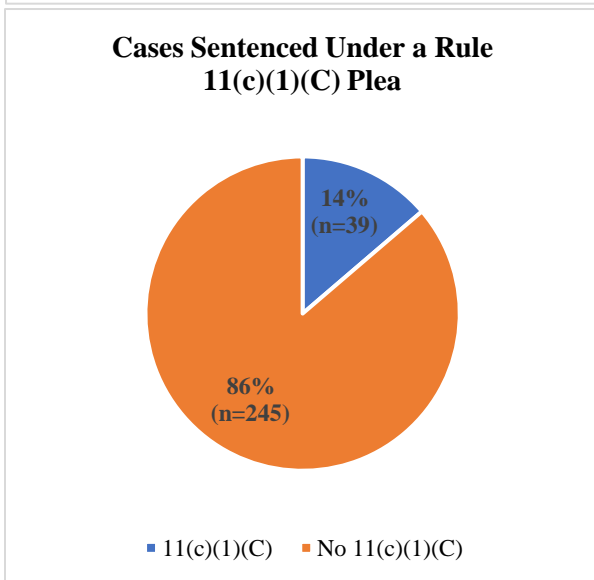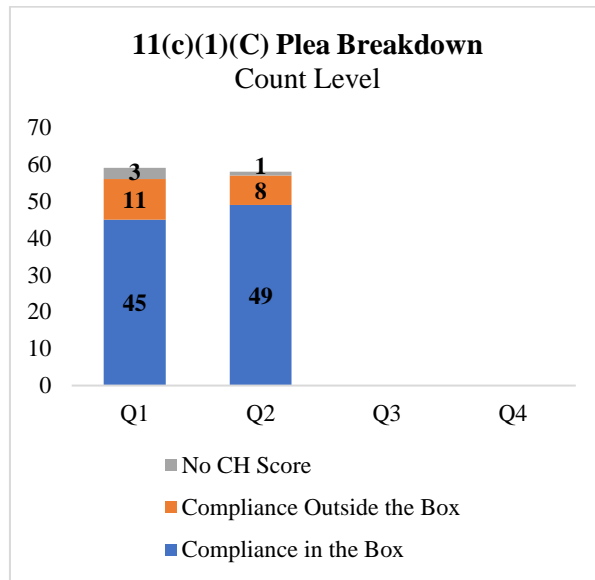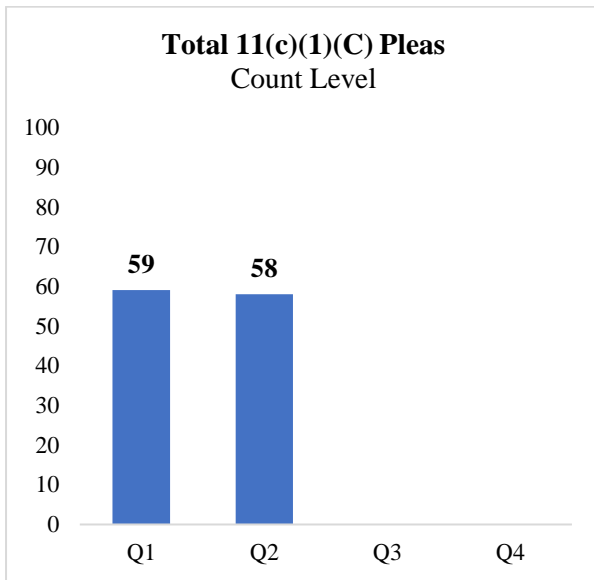FY 2023: Q1 16%, Q2 15%

Legend: ■Q1 ■Q2 ■Q3 ■Q4

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[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 98% of counts that were sentenced pursuant to a Rule 11(c)(1)(C) plea.

II. FY2023 Yearly Summary

- From January 1, 2023 to March 31, 2023, there were a total of 39 felony cases, consisting of 58 counts, that were sentenced pursuant to a Rule 11(c)(1)(C) plea.
- The majority of Rule 11(c)(1)(C) pleas that were compliant outside the box were given a sentence below the Guidelines recommended sentence (7 counts, 88%).

	Q1	Q2	Q3	Q4
Total Counts Sentenced	**369**	**396**	**-**	**-**
Non- Rule 11(c)(1)(C) Plea	310 (84%)	338 (85%)	-	-
Rule 11(c)(1)(C) Plea	59 (16%)	58 (15%)	-	-

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

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

- No CH Score
- Compliance Outside the Box
- Compliance in the Box

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

14% (n=39)
86% (n=245)

- 11(c)(1)(C)
- No 11(c)(1)(C)

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

12% (n=1)
88% (n=7)

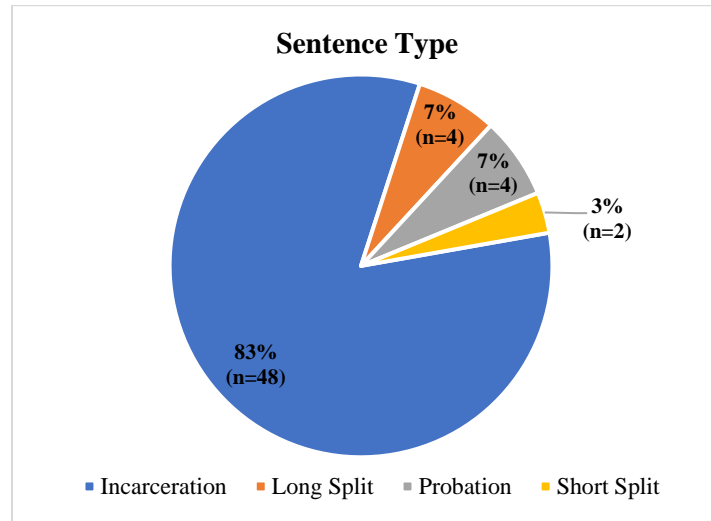- Above Recommended Sentence
- Below Recommended Sentence

## III.   Quarter 2: January 1, 2023 – March 31, 2023

A. Sentencing Trends – Count Level

1. Sentence Type
- The majority of sentences following a Rule 11(c)(1)(C) plea were prison sentences (48 counts, 83%).

Sentence Type

2. Offense Category
- The greatest percentage (40%) of Rule 11(c)(1)(C) pleas were for Violent offenses, however, Rule 11(c)(1)(C) pleas only represented 19% of all Violent counts that were sentenced in Q2.
- Combined, Violent and Weapon offenses represented 76% of all sentences imposed in Q2 that were the result of a Rule 11(c)(1)(C) plea.
- None of the Rule 11(c)(1)(C) pleas were for offenses in the Drug or Other offense categories.
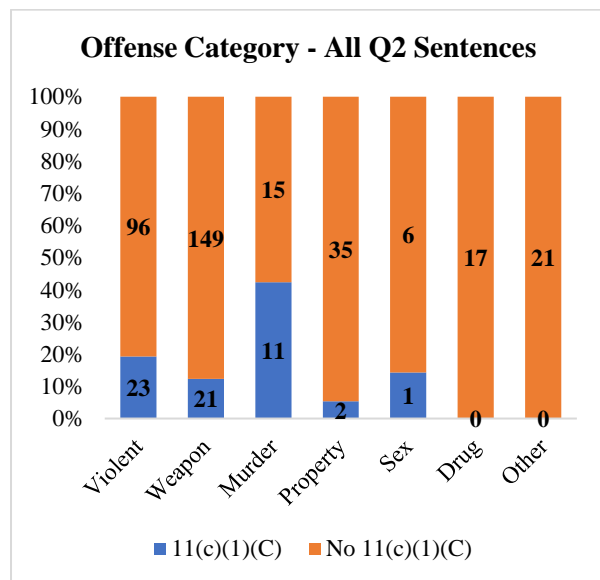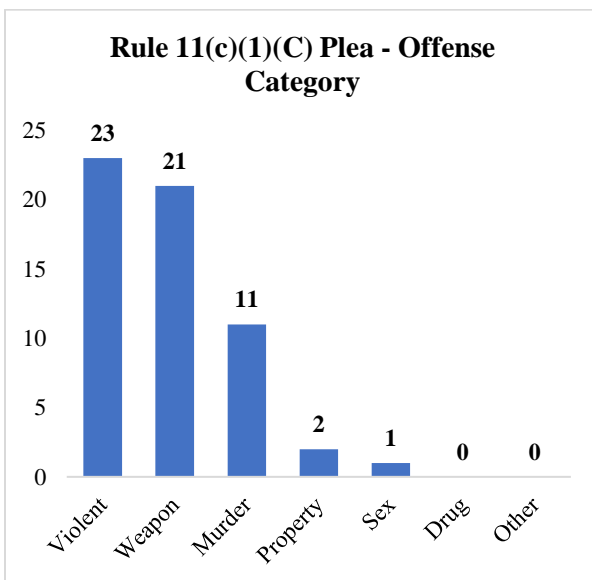
B. Individual Trends – Count Level

In FY 2023 Q2, there were 37 individuals sentenced as the result of a Rule 11(c)(1)(C) plea.[3]

1. *Criminal History*
Criminal history information is available for 57 of the 58 counts sentenced (98%).[4]
- The majority of individuals who were sentenced pursuant to a Rule 11(c)(1)(C) plea were in Criminal History Group B (31%).

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

CH Group	Total Individuals
A	13
B	18
C	12
D	10
E	4
No CH	1
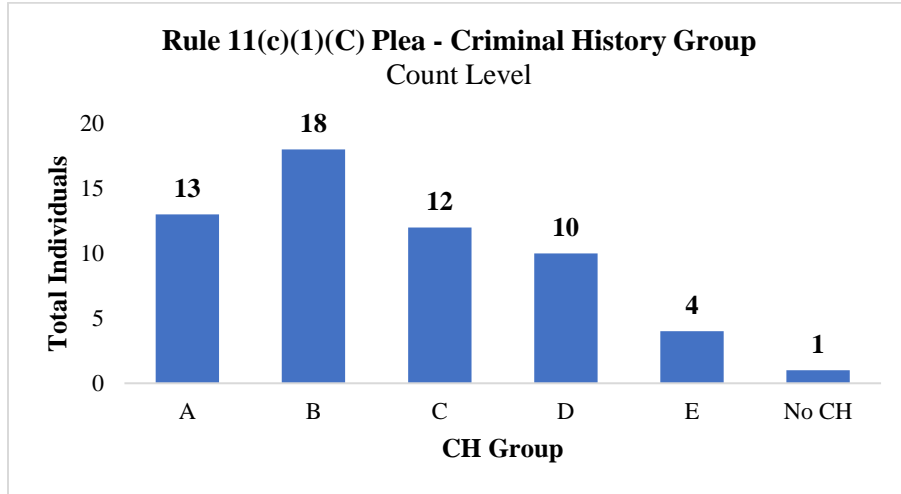
2. *Demographics*
There were 37 individuals sentenced as the result of an 11(c)(1)(C) plea in Q2. Of these 37 individuals:
- Majority were males (98%).
- Majority were Black (98%).[5]
- The average age at offense was 27 years old; the median age at offense was 24 years old.

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[3] All calculations in this section are done on the count level.

[4] The one count with no CH score has a Pre-Sentence Report listed in the docket, however CSOSA is still working on providing the score to the Commission.

[5] Race was recorded for 56 of the 58 counts; one sentenced individual was missing race information.