

## Rule 11(c)(1)(C) Plea Quarterly Report – FY2024 Quarter One

---

Each quarter of the fiscal year, the Commission releases a data report on felony sentences imposed by D.C. Superior Court judges that were the result of a Rule 11(c)(1)(C) plea agreement. Rule 11(c)(1)(C) pleas occur when the prosecution and the defense agree upon a specified sentence or sentencing range. This agreed upon sentence is presented to the Court, which can either accept or reject the plea. If accepted, the plea agreement becomes binding on the Court. Sentences imposed pursuant to an accepted 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. This report uses live data, which means it is constantly changing. Until the publishing of the final fiscal year report, the Commission will update the previous preliminary quarterly totals in the most current release.

### I. Quick Reference Chart

Rule 11(c)(1)(C) plea sentencing trends – count level analysis<sup>1</sup> (October 1, 2023 – December 31, 2023)

FY 24 Q1 Summary		
Total Original Felony Counts Sentenced <sup>2</sup>		387
Non-11(c)(1)(C) Pleas		361 (93%)
11(c)(1)(C) Pleas		26 (7%)
Rule 11(c)(1)(C) Plea Breakdown <sup>3</sup>		
Compliant in the Box		20 (77%)
Compliant outside the Box	Above Box	3 (12%)
	Below Box	2 (8%)
No CH Score <sup>4</sup>		1 (4%)
Most Frequent Among Rule 11(c)(1)(C) Pleas		
Sentence Type		Prison <i>92% of all 11(c)(1)(C) Counts</i>
Offense Type		Murder and Violent <i>69% of all 11(c)(1)(C) Counts</i>
CH Group		CH Group C <i>38% of all 11(c)(1)(C) Counts</i>

<sup>1</sup> Count level analysis provides an overview of sentencing practices that occur for each individual felony offense sentenced. Each case may have one or more counts sentenced and each sentenced individual may be convicted in one or more cases in a given calendar year.

<sup>2</sup> This analysis focuses on the day of sentencing; it does not include felony sentences following a remand from the Court of Appeals or after probation revocations.

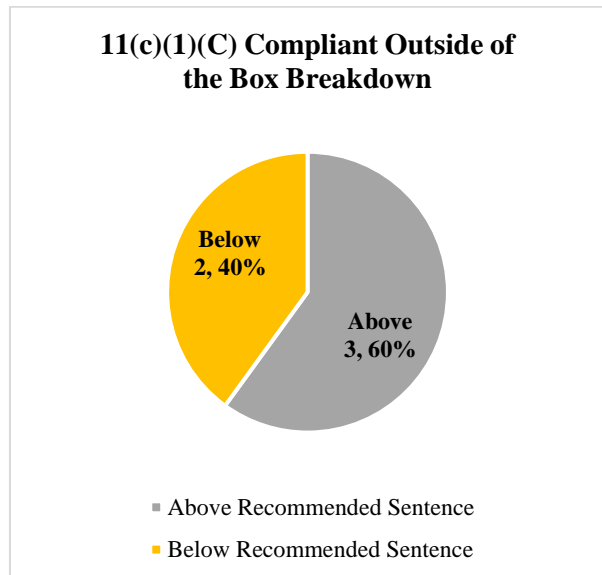
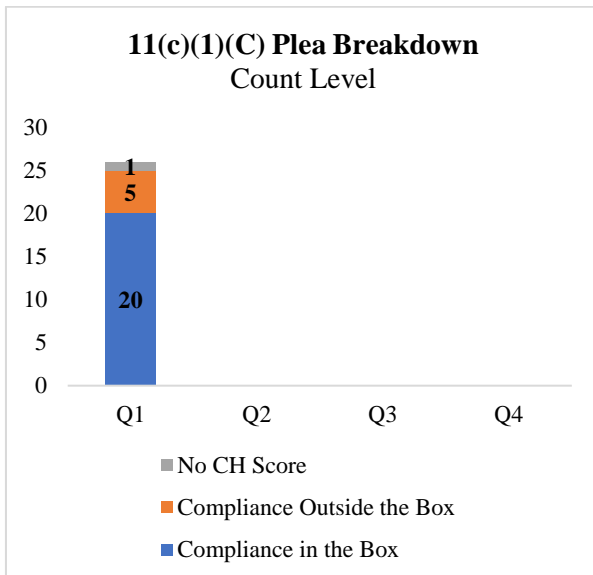
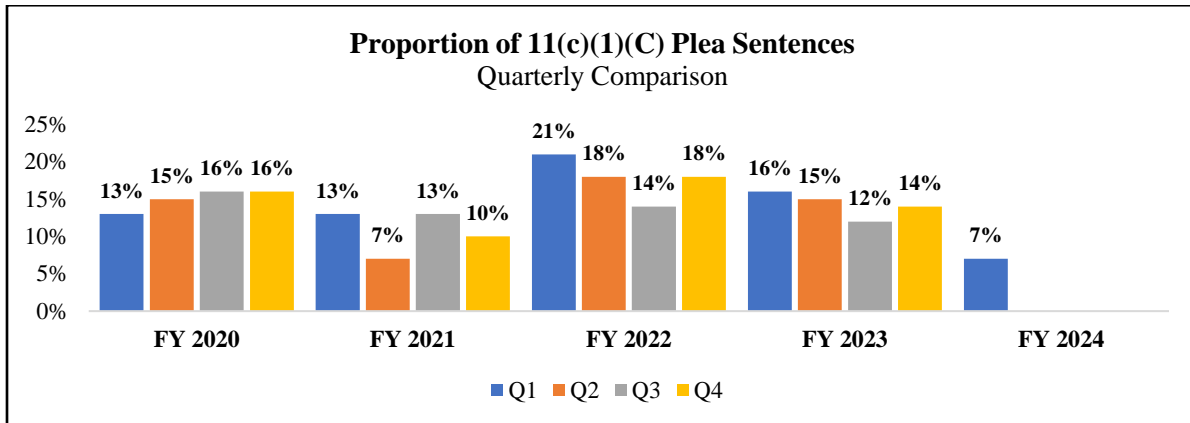
<sup>3</sup> Sentences following a Rule 11(c)(1)(C) plea are analyzed as compliant in the box sentences if they fall within the recommended Guidelines range and sentencing options and are analyzed as compliant outside the box sentences if they fall outside the recommended Guidelines range and sentencing options.

<sup>4</sup> “No CH” refers to cases where Superior Court did not request a PSR or a CH score calculation.

## II. FY2024 Yearly Summary

- From October 1, 2023 to December 31, 2023, there were a total of 21 felony cases, consisting of 26 counts, that were sentenced pursuant to an accepted Rule 11(c)(1)(C) plea.
- The proportion of total felony counts sentenced pursuant to an accepted Rule 11(c)(1)(C) plea declined by 7% from the previous quarter (FY23 Q4).
- A majority of Rule 11(c)(1)(C) pleas that were Compliant outside the Box were given a sentence *above* the Guidelines recommended sentence (3 counts, 60%).
  - o This deviates from trends seen in FY2023, where the majority of the Rule 11(c)(1)(C) Compliant outside the Box sentences were *below* the box.

	Q1	Q2	Q3	Q4
<b>Total Counts Sentenced</b>	<b>387</b>			
Non- Rule 11(c)(1)(C) Plea	361 (93%)			
Rule 11(c)(1)(C) Plea	26 (7%)			

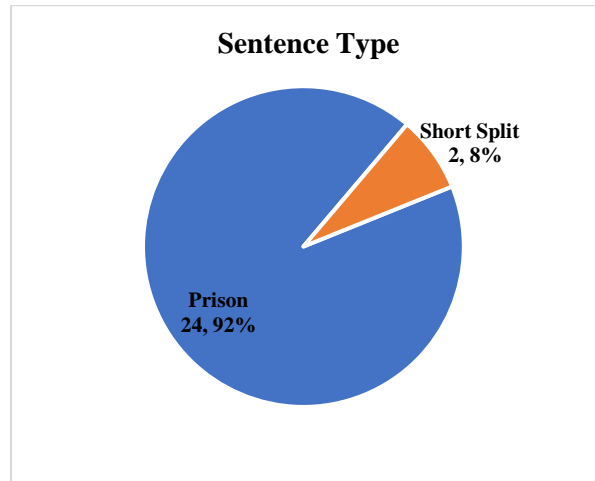


### III. Quarter 1: October 1, 2023 – December 31, 2023

#### A. Sentencing Trends – Count Level

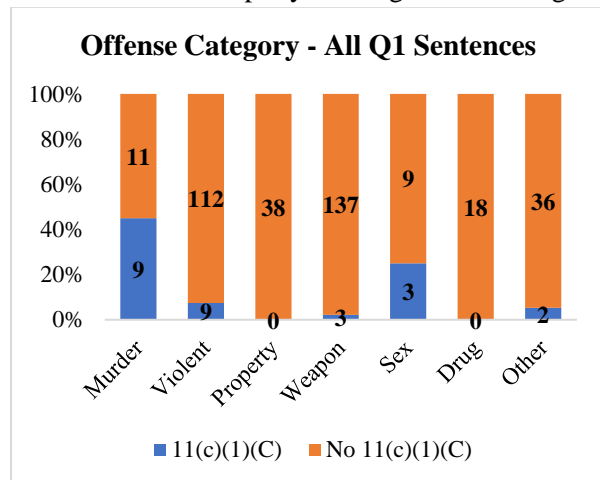
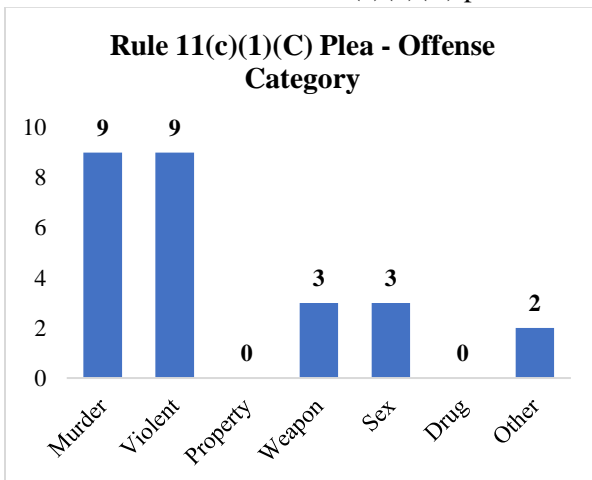
##### 1. Sentence Type<sup>5</sup>

- The majority of sentences following a Rule 11(c)(1)(C) plea were prison sentences (24 counts, 92%).



##### 2. Offense Category<sup>6</sup>

- Combined, Murder and Violent offenses represented 69% of all sentences imposed in Q1 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 Property or Drug offense categories.



<sup>5</sup> Long split sentences are categorized as prison sentences because a compliant long split requires the defendant to serve at least the minimum Guidelines compliant prison sentence.

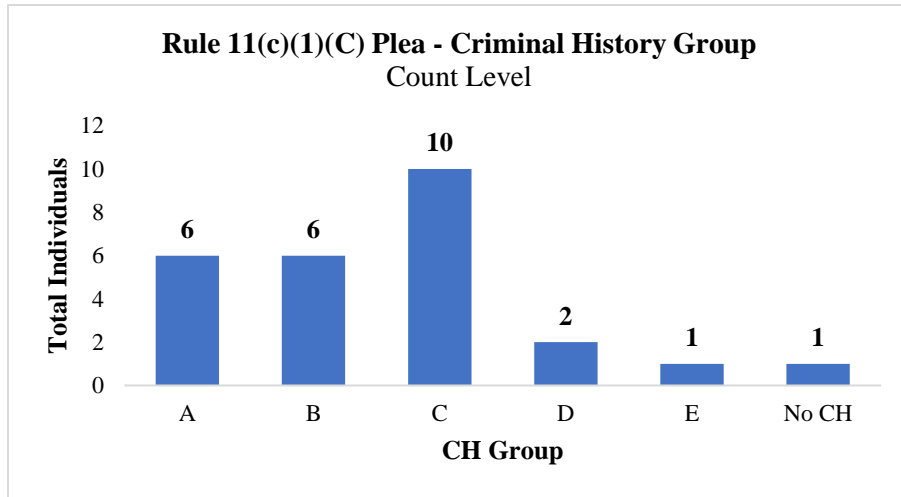
<sup>6</sup> Please reference page 28 of the [2023 SCDC Annual Report](#) for a list of the Commission’s offense categories and common offenses within each category.

## B. Individual Trends – Count Level

In FY 2024 Q1, there were 19 individuals sentenced as the result of a Rule 11(c)(1)(C) plea.

### 1. Criminal History

- Most individuals who were sentenced pursuant to a Rule 11(c)(1)(C) plea were in Criminal History Group C (38%).



### 2. Demographics

There were 19 individuals sentenced as the result of an 11(c)(1)(C) plea in Q1. Of these 19 individuals:

- Majority were males (89%).<sup>7</sup>
  - 2 females
  - 17 males
- Majority were Black (84%).<sup>8</sup>
  - 16 Black
  - 1 White
  - 1 Asian
  - 1 Hispanic
- The age at offense ranged from 17 to 65, with an average of 29 years old and a median of 28 years old.

Of the 222 individuals not sentenced under a Rule 11(c)(1)(C):

- Majority were males (91%).
- Majority were Black (91%).
- The age at offense ranged from 16 to 68 years old, with an average of 28 years old and a median of 26 years old.

<sup>7</sup> The Commission's data on gender is a limited binary categorization (i.e. only male or female). Gender information is obtained from Superior Court records.

<sup>8</sup> Race category data used by the Commission does not capture ethnicity, thus Black individuals of Hispanic origin or White individuals of Hispanic origin are not separately presented.