

APPENDIX A:

Chapter I

Table A-1. Sentencing Structures in Effect in the United States

Jurisdiction	Determinate Sentencing	Indeterminate Sentencing	Type of Sentencing Guidelines	
			Voluntary vs. Presumptive	Descriptive vs. Prescriptive
Alabama		X	Under study	
Alaska		X	“Benchmark” guidelines	
Arizona	X			
Arkansas		X	Voluntary	
California	X	X (selected offenses)		
Colorado		X		
Connecticut		X		
Delaware	X		Presumptive	Prescriptive
District of Columbia	X			
Florida	X		Repealed in 1997	Descriptive
Georgia		X		
Hawaii		X		
Idaho		X		
Illinois	X			
Indiana		X		
Iowa		X		
Kansas		X	Presumptive	Prescriptive
Kentucky		X		
Louisiana		X	Voluntary	
Maine	X			
Maryland		X	Voluntary	Descriptive
Massachusetts		X	Presumptive (Under Study)	
Michigan		X	Presumptive	Descriptive
Minnesota	X		Presumptive	Prescriptive
Mississippi	X			
Missouri		X	Voluntary	
Montana		X		
Nebraska		X		
Nevada		X		
New Hampshire		X		
New Jersey		X		
New Mexico	X			
New York		X		
North Carolina	X		Presumptive	Prescriptive
North Dakota		X		
Ohio	X		Presumptive	

Jurisdiction	Determinate Sentencing	Indeterminate Sentencing	Type of Sentencing Guidelines	
			Voluntary vs. Presumptive	Descriptive vs. Prescriptive
Oklahoma		X	Presumptive (Pending)	
Oregon	X		Presumptive	Prescriptive
Pennsylvania		X	Presumptive	Prescriptive
Rhode Island		X		
South Carolina		X	Voluntary (Pending)	
South Dakota		X		
Tennessee		X	Presumptive	Descriptive
Texas		X		
Utah		X	Voluntary	Descriptive
United States	X		Presumptive	Prescriptive
Vermont		X		
Virginia	X		Voluntary	Descriptive
Washington	X		Presumptive	Prescriptive
West Virginia		X		
Wisconsin		X	Voluntary (Pending)	Descriptive
Wyoming		X		

Sources: National Assessment of Structured Sentencing, 1996 (BJA), Truth in Sentencing in State Prisons, 1999 (BJS), and Commission's Survey of State Systems, 2001

Table A-2. Survey of Jurisdictions on Sentencing Goals Drawn from Mission Statement

Jurisdiction	Consistency/ reduction in unwarranted disparity	Independence/ adequate discretion	Proportionality	Accountability of individual decisions through appellate review	Clear standards	High compliance	Correctional capacity mandate	Fair and effective use of intermediate sanctions	Violent/ habitual offender incapacitation
Alabama		X							
Alaska		X	X		X				
Arizona	X		X		X				
Arkansas		X	X		X		X		
California	X		X		X				
Connecticut		X							
Delaware		X	X		X	X	X		X
District of Columbia		X							
Florida		X							
Georgia		X							
Hawaii		X							
Idaho		X							
Illinois	X		X		X				
Indiana		X							
Iowa		X							
Kansas	X		X	X	X	X	X	X	X
Louisiana		X	X		X		X	X	
Maine		X							
Maryland		X	X		X				
Massachusetts		X	X		X			X	
Michigan	X		X	X	X			X	
Minnesota	X		X	X	X		X		X
Mississippi		X							
Missouri		X	X		X			X	

Jurisdiction	Consistency/ reduction in unwarranted disparity	Independence/ adequate discretion	Proportionality	Accountability of individual decisions through appellate review	Clear standards	High compliance	Correctional capacity mandate	Fair and effective use of intermediate sanctions	Violent/ habitual offender incapacitation
Montana		X							
Nebraska		X							
Nevada		X							
New Hampshire		X							
New Jersey		X			X				
New Mexico	X		X						
New York		X							
North Carolina	X		X	X	X	X	X	X	X
North Dakota		X							
Ohio	X		X	X	X		X	X	
Oklahoma		X							
Oregon	X		X	X	X	X	X	X	X
Pennsylvania	X		X	X	X	X	X	X	X
Rhode Island		X							
South Carolina		X							
South Dakota		X							
Tennessee		X							
Texas		X							
Utah		X	X		X		X	X	
United States	X		X	X			X	X	X
Vermont		X							
Virginia		X	X		X			X	X
Washington	X		X	X	X	X	X	X	X
West Virginia		X							
Wisconsin		X							
Wyoming		X							

APPENDIX B:

Chapter II

Table B-1. Trends in Sentences Imposed on All Felony Defendants Sentenced 1996 to June 2002, by Type of Sentence Imposed and Major Offense Category

Violent	Disposition							
	Incarceration only	%	Split sentence	%	Probation only	%	Other	%
1996								
Serious level 1	149	93.7	9	5.7	1	0.6	0	0
Serious level 2	186	82.7	18	8	19	8.4	2	0.9
Serious level 3	36	64.3	8	14.3	11	19.6	1	1.8
Unknown	4	57.1	1	14.3	1	14.3	1	14.3
1997								
Serious level 1	164	92.1	9	5.1	1	0.6	4	2.2
Serious level 2	160	73.1	26	11.9	32	14.6	1	0.5
Serious level 3	47	66.2	9	12.7	15	21.1	0	0
Unknown	3	75	0	0	1	25	0	0
1998								
Serious level 1	176	90.3	15	7.7	4	2.1	0	0
Serious level 2	146	62.4	46	19.7	41	17.5	1	0.4
Serious level 3	51	58	11	12.5	26	29.5	0	0
Unknown	1	50	0	0	1	50	0	0
1999								
Serious level 1	132	88.6	11	7.4	4	2.7	2	1.3
Serious level 2	155	60.3	54	21	48	18.7	0	0
Serious level 3	39	50	13	16.7	26	33.3	0	0
Unknown	0	0	1	100	0	0	0	0
2000								
Serious level 1	89	70.6	29	23	7	5.6	1	0.8
Serious level 2	116	54	64	29.8	34	15.8	1	0.5
Serious level 3	25	33.3	13	17.3	36	48	1	1.3
Unknown	0	0	1	100	0	0	0	0
2001								
Serious level 1	100	79.4	20	15.9	3	2.4	3	2.4
Serious level 2	138	59	55	23.5	40	17.1	1	0.4
Serious level 3	33	40.7	15	18.5	33	40.7	0	0
Unknown	0	0	0	0	0	0	0	0
2002								
Serious level 1	51	81	9	14.3	3	4.8	0	0
Serious level 2	75	62.5	18	15	27	22.5	0	0
Serious level 3	24	53.3	10	22.2	11	24.4	0	0
Unknown	0	0	0	0	2	100	0	0
Total	2100	69.8	466	15.5	426	14.2	17	0.6

Property	Disposition							
	Incarceration only	%	Split sentence	%	Probation only	%	Other	%
1996	153	64.6	20	8.4	60	25.3	4	1.7
1997	139	54.9	32	12.6	79	31.2	3	1.2
1998	183	59.2	36	11.7	89	28.8	1	0.3

Drug	Disposition							
	Incarceration only	%	Split sentence	%	Probation only	%	Other	%
1996	226	46.2	42	8.6	214	43.8	7	1.4
1997	208	40.7	77	15.1	224	43.8	2	0.4
1998	202	39.2	75	14.6	233	45.2	5	1
1999	187	31	65	10.8	351	58.2	0	0
2000	189	21.7	111	12.7	569	65.3	2	0.2
2001	277	28.6	150	15.5	538	55.6	2	0.2
2002	143	27.4	84	16.1	291	55.7	4	0.8
Total	1432	32	604	13.5	2420	54	22	0.5

Weapon	Disposition							
	Incarceration only	%	Split sentence	%	Probation only	%	Other	%
1996	59	42.4	20	14.4	51	36.7	9	6.5
1997	67	38.5	34	19.5	64	36.8	9	5.2
1998	62	35.4	26	14.9	74	42.3	13	7.4
1999	49	32	27	17.6	71	46.4	6	3.9
2000	28	22.6	29	23.4	67	54	0	0
2001	52	35.9	27	18.6	66	45.5	0	0
2002	20	22.5	22	24.7	46	51.7	1	1.1
Total	337	33.7	185	18.5	439	43.9	38	3.8

Public Order	Disposition							
	Incarceration only	%	Split sentence	%	Probation only	%	Other	%
1996	210	75.8	18	6.5	45	16.2	4	1.4
1997	219	66	19	5.7	93	28	1	0.3
1998	279	69.1	14	3.5	110	27.2	1	0.2
1999	349	62.3	19	3.4	191	34.1	1	0.2
2000	307	55	40	7.2	211	37.8	0	0
2001	315	60	35	6.7	175	33.3	0	0
2002	135	52.1	29	11.2	94	36.3	1	0.4
Total	1814	62.2	174	6	919	31.5	8	0.3

Other	Disposition							
	Incarceration only	%	Split sentence	%	Probation only	%	Other	%
1996	17	36.96	4	8.7	24	52.2	1	2.2
1997	17	47.22	4	11.1	13	36.1	2	5.6
1998	17	34	6	12	26	52	1	2
1999	19	33.33	14	24.6	22	38.6	2	3.5
2000	24	36.9	12	18.5	26	40	3	4.6
2001	21	28.8	18	24.7	33	45.2	1	1.4
2002	25	29.4	16	18.8	43	50.6	1	1.2
Total	140	34	74	18	187	45.4	11	2.7

The demographic and prior criminal history characteristics of offenders varied somewhat by year during the period from 1996 to 2002. Table B-2 displays the age of offenders by year, including measures of central tendency and the variation in age. All the ages remain fairly consistent from 1996 to 2002.

Table B-2 Age of Felony Offenders Sentenced, January 1996 to June 2002, by Sentencing Year

Sentencing Year	Offenders sentenced	Mean	Standard Deviation	25th %tile	Median	75th %tile	Mode
1996	1,635	32.2	9.2	25	31	38	28
1997	1,778	32.2	9.5	24	31	38	24
1998	1,972	32.3	9.8	24	31	38	23
1999	2,129	32.7	9.6	25	32	40	23
2000	2,273	33.2	9.7	25	32	40	23
2001	2,408	32.5	10.3	23	31	40	23
2002	1,329	32.1	10.1	23	31	39	22
Total	13,524	32.5	9.8	24	31	39	23

Table B-3 shows the race of felony offenders sentenced from 1996 to 2002. Racial information is not available for 724 offenders (5%). The race of offenders remains relatively constant throughout the study period.

Table B-3. Racial Distribution of Felony Offenders Sentenced, January 1996 to June 2002, by Sentencing Year

Sentencing Year	Offenders sentenced	Black		White		Other	
		Number	Percent	Number	Percent	Number	Percent
1996	1,349	1,272	94.3%	71	5.3%	6	0.4%
1997	1,654	1,549	93.7%	103	6.2%	2	0.1%
1998	1,895	1,771	93.5%	116	6.1%	8	0.4%
1999	2,055	1,943	94.5%	110	5.4%	2	0.1%
2000	2,187	2,054	93.9%	127	5.8%	6	0.3%
2001	2,350	2,207	93.9%	137	5.8%	6	0.3%
2002	1,310	1,239	94.6%	71	5.4%	0	0.0%
Total	12,800	12,035	94.0%	735	5.7%	30	0.2%

Table B-4 lists the gender of offenders sentenced between 1996 and 2002. Starting in 1998 there was an increase in the number of female offenders. However, for the beginning of 2002 that increase seems to have stabilized.

Table B-4 Gender Distribution of Felony Offenders Sentenced, January 1996 to June 2002, by Sentencing Year

Sentencing Year	Offenders sentenced	Female		Male	
		Number	Percent	Number	Percent
1996	1,635	120	7.3%	1,515	92.7%
1997	1,778	133	7.5%	1,645	92.5%
1998	1,972	213	10.8%	1,759	89.2%
1999	2,129	225	10.6%	1,904	89.4%
2000	2,273	259	11.4%	2,014	88.6%
2001	2,408	316	13.1%	2,092	86.9%
2002	1,329	144	10.8%	1,185	89.2%
Total	13,524	1410	10.4%	12,114	89.6%

The next two tables display the prior criminal history of offenders: the number of prior felony convictions (Table B-5) and the number of prior prison commitments for felony offenders (Table B-6) sentenced between 1996 and 2002. The rates of offenders with no prior felonies or prison commitments fluctuated during those years, with no clear trend, although offenders sentenced in 2001 seemed to have fewer priors than offenders in other years.

Table B-5. Number of Prior Felony Convictions for Felony Offenders Sentenced, January 1996 to June 2002, by Sentencing Year

Sentencing Year	Offenders sentenced	Total number of prior felonies					
		No priors		1-2 prior		3 or more priors	
		Number	Percent	Number	Percent	Number	Percent
1996	1,635	777	47.5%	724	44.3%	134	8.2%
1997	1,778	930	52.3%	669	37.6%	179	10.1%
1998	1,972	1,033	52.4%	740	37.5%	199	10.1%
1999	2,129	1,053	49.5%	849	39.9%	227	10.7%
2000	2,273	1,141	50.2%	873	38.4%	259	11.4%
2001	2,408	1,517	63.0%	702	29.2%	189	7.8%
2002	1,329	732	55.1%	475	35.7%	122	9.2%
Total	13,524	7,183	53.1%	5,032	37.2%	1,309	9.7%

Table B-6. Number of Prior Prison Commitments for Felony Offenders Sentenced, January 1996 to June 2002, by Sentencing Year

Sentencing Year	Offenders sentenced	Total number of prior prison commitments					
		No priors		1-2 prior		3 or more priors	
		Number	Percent	Number	Percent	Number	Percent
1996	1,635	978	59.8%	592	36.2%	65	4.0%
1997	1,778	1,123	63.2%	584	32.8%	71	4.0%
1998	1,972	1,329	67.4%	560	28.4%	83	4.2%
1999	2,129	1,398	65.7%	622	29.2%	109	5.1%
2000	2,273	1,532	67.4%	626	27.5%	115	5.1%
2001	2,408	1,696	70.4%	607	25.2%	105	4.4%
2002	1,329	874	65.8%	388	29.2%	67	5.0%
Total	13,524	8,930	66.0%	3,979	29.4%	615	4.5%

Table B-7. Criminal Offenses by Offense Category

Offense Category	Offense	
Violent	Aggravated assault while armed	First Degree Murder
Level 1	Armed kidnapping	First Degree Murder of a Law Enforcement Officer (Armed/Unarmed)
	Assault w/i to commit First degree child sex abuse w/armed	First Degree Murder while Armed
	Assault w/i to commit First degree sex abuse w/armed	First degree sex abuse
	Assault w/i to commit Second degree child sex abuse w/armed	First degree sex abuse while armed
	Assault w/i to commit Second degree sex abuse w/armed	Involuntary manslaughter while armed
	Assault w/i to rob while armed	Kidnapping
	Assault with intent to commit any offense while armed	Malicious disfigurement while armed
	Assault with intent to kill (AWIK)	Mayhem while armed
	Assault with intent to kill while armed	Robbery of senior citizen while armed
	Attempt First degree child sex abuse while armed	Robbery while armed
	Attempt First degree sex abuse while armed	Second degree child sex abuse while armed
	Attempt Second degree child sex abuse while armed	Second Degree Murder
	Attempt Second degree sex abuse while armed	Second Degree Murder While Armed
	Burglary I	Second degree sex abuse
	Carjacking while armed	Second degree sex abuse while armed
	First degree Burglary while armed	Voluntary manslaughter
	First degree child sex abuse	Voluntary manslaughter while armed
	First degree child sex abuse while armed	
Violent	Aggravated assault	First degree sex abuse /ward
Level 2	Assault on police officer, firefighter, or correctional officer (APO) with dang. weapon	Incest
	Assault w/i to commit First degree sex abuse	Involuntary manslaughter
	Assault w/i to commit mayhem	Malicious disfigurement
	Assault w/i to commit Second degree sex abuse	Mayhem
	Assault with a Deadly Weapon (ADW)	Negligent homicide
	Assault with intent to rob	Possession of firearm during crime of violence
	Attempt First degree child sex abuse	Robbery
	Attempt First degree sex abuse	Robbery of senior citizen
	Attempt robbery while armed	Second degree Burglary
	Attempt Second degree sex abuse	Second Degree Burglary while armed
	Carjacking	Second degree child sex abuse
	Cruelty to children	Third degree sex abuse
	First degree sex abuse /patient	
Violent	Assault on police officer, firefighter, or correctional officer	Attempt Second degree child sex abuse
Level 3	Assault w/i to commit any offense	Attempt Second degree sex abuse patient
	Attempt aggravated assault	Attempt Second degree sex abuse ward
	Attempt enticing a child	Attempt Third degree sex abuse
	Attempt First degree sex abuse patient	Enticing a child
	Attempt First degree sex abuse ward	Fourth degree sex abuse
	Attempt Fourth degree sex abuse	Second degree cruelty to children
	Attempt Kidnapping	Second degree sex abuse/patient
	Attempt robbery	Second degree sex abuse/ward
		Threat to injure person

Table B-7. Criminal Offenses by Offense Category

Offense Category	Offense	
Property	Arson	First degree theft
	Attempt burglary	Forgery (legal tender)
	Bad check	Receiving stolen goods
	Credit card fraud	Second degree fraud
	Destruction of property over \$200	Trafficking stolen property
	Embezzlement	Unauthorized Use of a Vehicle
	First degree fraud	Unlawful entry - vending machine
	First degree theft	Uttering (Same as Forgery)
Drug	Attempt Distribution in Drug Free Zone	Distribution while armed
	Attempt PWID cocaine	Maintaining a crack house
	Attempt PWID heroin	Obtain narcotics by fraud
	Attempt PWID PCP	PWID while armed
	Attempt to distribute cocaine	UCSA distribute cocaine
	Attempt to distribute dilaudid	UCSA distribute heroin
	Attempt to distribute heroin	UCSA distribute PCP
	Attempt to distribute PCP	UCSA PWID cocaine
	Distribution in drug free zone	UCSA PWID heroin
Weapon	Carrying a Dangerous Weapon outside home or business (CDW)	Possession of a Prohibited Weapon (PPW) (felony)
	Carrying a pistol w/o license outside home or business (CPWOL)	
Public Order	Absconding/Escape/prison breach	Bail reform act
	Attempt Escape/prison breach	Obstructing justice
Other	Blackmail	Introducing contraband into penal institution
	Bribery	Pandering
	Extortion	Perjury
	False impersonation of police	Procuring
	Impersonate public official	

APPENDIX C:

CHAPTER III

Studying Sentencing Outcomes

Although a number of factors are known to influence the sentencing decision, only some of those factors are included in the Superior Court's automated CIS data, on which the Commission relied. Itemized below are the factors the Commission was able to analyze.

Independent Variables

Current Offense (Source: 1996-2001 D.C. Superior Court automated data using Urban Institute and DCACS staff computer programs):

- Current Offense: 6 major offense categories.
- Number of charges: Total number of charges that the offender is sentenced on the current commitment.
- Armed: Offense was an armed offense (1) or not (0).
- Attempt: Offense was an attempt (1) or not (0).

Prior Criminal History (1981- June 2001 D.C. Superior Court automated data also using Urban Institute's computer programs and hand coded out-of-D.C. prior record from text fields in Pre-trial Services Agency (PSA) automated data)¹:

- Prior felony convictions: Number of felony convictions for which the offender was sentenced within the past 10 years from the date of the current offense.
- Prior prison commitments: Number of felony convictions that was sentenced within the past 10 years from the date of the current offense, in which the offender was sentenced to some term of incarceration (includes split sentences and sentences to pre-trial time served).

¹ As noted in Chapter II, out-of-jurisdiction guilty verdicts were coded from PSA records. Records of arrests without dispositions were not counted for purposes of counting prior record.

- Severity of prior felony convictions: For each offender, the most serious prior felony convictions for each previous docket received a score of ½ point for each misdemeanor, one point for the least serious felonies, two points for moderately serious felonies, and three points for the most serious felonies. Each offender was assigned a total severity score for prior record based on the sum of these scores.

Offender Characteristics and other variables (Source: 1996-2001 D.C. Superior Court automated data using Urban Institute and DCACS staff computer programs)

- Age: Age of offender at disposition date for the commitment.
- Gender: Offender is male (1) or female (0).
- Race: Offender was black (0), white (1), or other (2).
- Year: Year of disposition indicating 1996 through 2001
- Judge: 42 categories indicating the judges who sentenced 100 cases or more during 1996-2001.
- Time on Bench: The judge's number of years of experience in felony cases.

Dependent Variables

- In/out Decision: indicating whether the defendant received an incarceration sentence (1) (including imposition of pre-trial time served) or not (0).
- Sentence Length: For those given incarceration sentences, minimum sentence imposed in months.

Factors that could not be measured for all cases:

- Social history of the offender
- Victim information
- Detailed weapon information
- Amounts of property and drugs involved
- Legal status of offender before, during, and after conviction
- Plea agreement, type of trial
- Various other mitigating and aggravating factors

Table C-1. Variables and Variable Attributes

Gender	0 = Female (reference) 1 = Male
Age	Age in Years
Race	0 = Non-black (reference) 1 = Black
Major Offense Category	0 = Violent (reference) 4 = Other 1 = Property 5=Weapon 2 = Drug 3 = Public Order
Offense Seriousness Score	Seriousness of current offense
Armed Offense	0 = Unarmed (reference) 1 = Armed
Attempt Offense	0 = Not Attempt (reference) 1 = Attempt
Number of Charges	Total number of felony charges on docket
Prior Felony Convictions	Total number of prior felony convictions in last 10 years
Prior Prison Commitments	Total number of prior incarcerations in last 10 years
Prior Criminal History Score	Seriousness of prior convictions in last 10 years
Sentencing Year	Year of sentencing from 1996 through 2001 (1996 is reference category)
Judge identification	D.C. Superior Court Judge Code (the median judge in the data is the reference category)
Time on Bench	Number of Months from the time a judge appears in data to the current sentencing date
In/Out Decision	0 = No Incarceration 1 = Incarceration
Sentence Length	Minimum Sentenced Imposed in Months

Table C-2. Descriptive Statistics of Variables

Variable	Total Sample N= 13,524
Age (X, SD) Median	32.5 (9.7) 31.0
Male (N, %)	12,103 (89.5%)
Black (N,%)	12,713 (94.0%)
Major Offense Category	
Violent	3,011 (22.3%)
Property	1,709 (12.6%)
Drug	4,478 (33.1%)
Weapon	999 (7.4%)
Public Order	2,915 (21.6%)
Other	412 (3.0%)
Offense Seriousness Score (X, SD) Median	1.18 (.61) 1.00
Armed (N, %)	1,953 (18.1%)
Attempt (N, %)	2,446 (22.6%)
Sentencing Year	
1996	1,635 (12.1%)
1997	1,778 (13.1%)
1998	1,972 (14.6%)
1999	2,129 (15.7%)
2000	2,273 (16.9%)
2001	2,408 (17.8%)
2001	1,329 (9.8%)
Prior History Score (X, SD) Median	.73 (1.16) .00
Prior Felony Convictions (X, SD) Median	1.32 (2.10) .00
Prior Prison Commitments (X, SD) Median	.53 (.88) .00
Number of charges (X, SD) Median	2.17 (2.42) 2.00
Prison (N, %)	8,442 (62.4%)
Sentence Length (X, SD, Median)	63.0 (217.5) 18.0

APPENDIX D:

Chapter IV

Judicial Data Collection Forms

In order to assess sentencing practice in the Superior Court after the implementation of determinate sentencing, the Commissioners determined that it needed more information about actual sentences imposed and the major factors that influence these sentences than is currently available in the Court's automated data. Earlier in this chapter, in the section labeled "Assessment Of New Law Sentencing Practices," the Commission provided a preliminary analysis of sentencing using automated data from the Superior Court and the Pretrial Services Agency—including the current offense and the age, race, gender, and prior criminal history of the defendant. A number of factors that are known to affect sentencing outcomes, such as victim injury and weapon use, are not available from the automated files and therefore are not included in this analysis. As a result of missing factors, as well as the limited number of new law cases to date, the analysis of new law sentencing outcomes is not complete.

To provide a more complete analysis, and to enable multivariate analysis that can control for at least some of the important missing factors that influence sentencing decisions, the Commission developed the Sentencing Data Collection Form. This form was distributed to judges in order to add important information to our existing stock of data. Specifically, the form allows judges to provide information on weapon use, victim characteristics and injury, and offender status, which may help to explain why a certain sentence is either longer or shorter than average. As of October 23, 2002, our office has received 1,226 Sentencing Data Collection forms. A copy of the Data collection Form is attached.

**D.C. Advisory Commission on Sentencing
Sentencing Data Collection Form**

1. Name of defendant: (Last, First, Middle Initial) _____	2. Sentencing date _____	3. PDID number: _____
4. Docket number(s): _____	5. Most serious charge at conviction: (For probation revocation, write "PRB") _____	

DEFENDANT INFORMATION [Note: Answer questions with reference to the most serious charge at conviction.]

6. Was the defendant under the influence of alcohol/drugs at the time of the offense?
 Alcohol Drug Both
 None Unknown
7. What was the defendant's role in offense?
 Alone Major/leader Active aider & abettor Passive aider & abettor Unknown
8. Did the defendant commit the offense:
 Under coercion or threat With a mental/physical handicap
9. Did the defendant take advantage of a position of trust/confidence to commit the offense? Yes No Unknown
10. Did the defendant testify?
 Yes No Not Applicable
11. Prior to sentencing, did the defendant [Check all that apply]
 provide significant assistance to law enforcement
 make restitution to the victim
 participate effectively in a treatment program
 use drugs or fail to participate effectively in a treatment program
 violate other material conditions of release
 take other actions to mitigate the crime or lessen the need for incarceration
 require the services of an interpreter

WEAPON INFORMATION

12. Was a weapon used in the offense? Yes No (*Skip to 16*) Unknown (*Skip to 16*)
13. How was the weapon used?
 Used to injure or attempt to injure Used to threaten Present, not displayed
 Weapon use unclear
14. What kind of weapon was used?
 Firearm Knife/sharp instrument Blunt instrument Feigned/imitation firearm
 Unknown/unrecovered Other (Specify)
15. If a firearm was used, was it discharged? Yes No

VICTIM INFORMATION

16. Was the victim of the principal offense [Check all that apply]
 No Victim (*Skip to item 24*) Repeatedly victimized by this offender
 Relative, friend, acquaintance Physically/mentally handicapped or unusually vulnerable
 Stranger Victim, details unknown (*Skip to item 24*)
 Law Enforcement Officer Multiple Victims
17. What is the victim's gender? Male Female
18. What was the victim's approximate age? Age unknown

19. What is the victim's race? Black White Asian Other Unknown

20. What is the victim's ethnicity? Hispanic Other Unknown

21. Was the following victim information available:

Victim impact statement? Yes No

Victim testimony? Yes No

22. Was the victim targeted because of the victim's race, religion, national origin, or sexual orientation?

Yes No Unknown

23. Did the victim sustain physical injury?

No injury

Physical injury not requiring treatment

Physical injury requiring treatment

Permanent disability/ disfigurement

Death

Unknown

PROPERTY VALUE OR AMOUNT OF DRUGS

24. What is the approximate value of property loss or damage?

No known property loss Value of loss unknown Specify approximate value of loss/damage

25. If drug offense, is the quantity of drugs unusually large? Yes No

CRIMINAL JUSTICE STATUS

26. What was the defendant's legal status at time of offense?

None Pre-trial release Parole/probation Halfway House

Inmate Escape Other Unknown

27. What was the defendant's release/detention status between arrest and plea/verdict?

On release Halfway house/work release Detention

28. What was the defendant's release/detention status after the plea/verdict?

On release Halfway house/work release Detention

29. How long was the defendant detained or in a halfway house/work release on this case?

None less than 3 months 3 to 6 months greater than 6 months

30. How was the defendant's guilt ascertained?

Guilty Plea Alford plea Bench trial Jury trial

31. If plea, was there a negotiated sentence cap?

Yes No

32. Is there any factor not listed above that influenced your sentence? Specify.

APPENDIX E:

Chapter V

Table E-1. Ranking of Criminal Offenses in the District of Columbia as required by DC Official Code § 3-105(a)

Group	Offense	
1	First degree murder while armed	First degree murder
	First degree Murder of a law enforcement officer (armed and unarmed)	
2	First degree child sex abuse while armed	Second degree murder
	First degree sex abuse while armed	Second degree murder while armed
3	Armed kidnapping	First degree child sex abuse
	Assault with intent to kill while armed	First degree sex abuse
	First degree burglary while armed	Voluntary manslaughter while armed
4	Aggravated assault while armed	Carjacking while armed
	Assault w/i to commit first degree child sex abuse w/armed	Involuntary manslaughter while armed
	Assault w/i to commit first degree sex abuse w/armed	Kidnapping
	Assault w/i to commit second degree child sex abuse w/armed	Malicious disfigurement while armed
	Assault w/i to commit second degree sex abuse w/armed	Mayhem while armed
	Assault w/i to rob while armed	Obstruction of justice
	Assault with intent to commit any offense while armed	Robbery of senior citizen while armed
	Assault with intent to kill (AWIK)	Robbery while armed
	Attempt first degree child sex abuse while armed	Second degree child sex abuse while armed
	Attempt first degree sex abuse while armed	Second degree sex abuse
	Attempt second degree child sex abuse while armed	Second degree sex abuse while armed
	Attempt second degree sex abuse while armed	Voluntary manslaughter
	Burglary I	
5	Aggravated assault	Carjacking
	Arson	Cruelty to children
	Assault on police officer, firefighter, or correctional officer (APO) with dangerous weapon	Involuntary manslaughter
	Assault w/i to commit first degree sex abuse	Malicious disfigurement
	Assault w/i to commit second degree sex abuse	Mayhem
	Assault with intent to rob	Possession of firearm during crime of violence
	Attempt first degree child sex abuse	Robbery
	Attempt first degree sex abuse	Robbery of senior citizen
	Attempt robbery while armed	Second degree burglary while armed

Table E-1. Ranking of Criminal Offenses in the District of Columbia as required by DC Official Code § 3-105(a)

Group	Offense	
6	Assault w/i to commit mayhem	Incest
	Assault with a deadly weapon (ADW)	Negligent homicide
	Attempt second degree sex abuse	PWID while armed
	Distribution while armed	Second degree burglary
	First degree sex abuse /patient	Second degree child sex abuse
	First degree sex abuse /ward	Third degree sex abuse
7	Assault on a police officer, firefighter or correctional officer	Carrying a pistol w/o license outside home or business (CPWOL)
	Assault w/i to commit any offense	Enticing a child
	Attempt aggravated assault	Extortion
	Attempt first degree sex abuse patient	Fourth degree sex abuse
	Attempt first degree sex abuse ward	Perjury
	Attempt kidnapping	Second degree cruelty to children
	Attempt robbery	Second degree sex abuse/patient
	Attempt second degree child sex abuse	Second degree sex abuse/ward
	Attempt third degree sex abuse	Threat to injure person
	Bribery	
8	Attempt distribution in drug free zone	Distribution in drug free zone
	Attempt PWID cocaine	Maintaining a crack house
	Attempt PWID heroin	UCSA distribute cocaine
	Attempt PWID PCP	UCSA distribute heroin
	Attempt to distribute cocaine	UCSA distribute PCP
	Attempt to distribute dilaudid	UCSA PWID cocaine
	Attempt to distribute heroin	UCSA PWID heroin
	Attempt to distribute PCP	

Table E-1. Ranking of Criminal Offenses in the District of Columbia as required by DC Official Code § 3-105(a)

Group	Offense	
9	Absconding/escape/prison breach	First degree fraud
	Attempt burglary	First degree theft
	Attempt enticing a child	Forgery
	Attempt escape/prison breach	Impersonate public official
	Attempt fourth degree sex abuse	Introducing contraband into penal institution
	Attempt second degree sex abuse patient	Obtain narcotics by fraud
	Attempt second degree sex abuse ward	Pandering
	Bad check	Possession of a prohibited weapon (PPW) (felony)
	Bail reform act	Procuring
	Blackmail	Receiving stolen goods
	Carrying a dangerous weapon outside home or business (CDW)	Second degree fraud
	Credit card fraud	Trafficking stolen property
	Destruction of property over \$200	Unauthorized use of a vehicle
	Embezzlement	Unlawful entry - vending machine
	False impersonation of police	Uttering

