



# D.C. Sentencing Commission

## Fast Facts

September 2019

### Assault with Intent to Kill (AWIK) Sentences

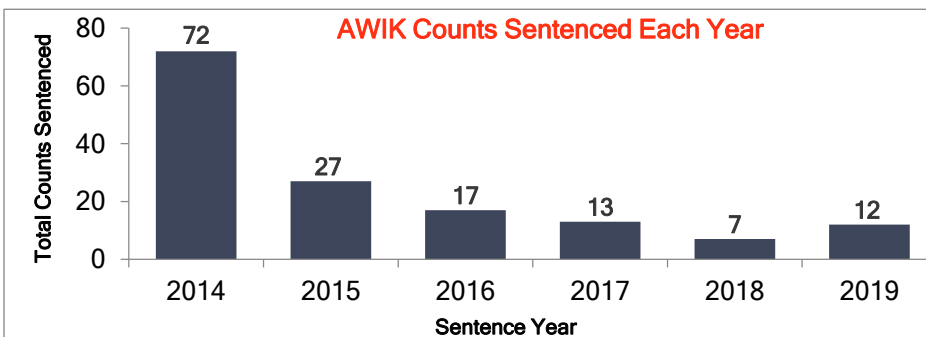
Between January 1, 2014 and June 30, 2019 there were a total of:

- 148 AWIK counts sentenced
- 80 AWIK cases sentenced
- 80 AWIK offenders sentenced

## AWIK Offenses

### Sentencing Information

- AWIK represented 1.2% of all felony offenses (12,125) sentenced and 8.0% of all assaults (1,840) sentenced in this timeframe
- Average sentence imposed for AWIK during this time period:
  - AWIK: 4.0 years
  - AWIK While Armed: 10.6 years
- 97.5% of all AWIK offenders received an Incarceration sentence
- 31% of AWIK cases went to trial, which is almost double the trial rate of all felony cases sentenced in this timeframe (31% vs. 16%)
  - 69% of AWIK cases were resolved via plea agreements
    - Of those AWIK cases resolved via a plea agreement, 40% were 11(c)(1)(C) pleas\*
- 17% (14) offenders were responsible for more than half (55%) of AWIK counts sentenced in this timeframe
  - These offenders had multiple AWIK counts sentenced in one case
  - Three offenders were each sentenced for 13 AWIK counts
- The number of AWIK sentences decreased significantly between 2014 and 2015, and have been gradually decreasing since. A slight increase in AWIK sentences has already been observed in the first half of 2019
- In 82% of AWIK cases there were also additional felonies sentenced
  - AWIK was the most serious count in 70% of these cases



### Criminal History and Compliance

- 85% of AWIK offenders had a prior conviction
- 41% of offenders fall in the lowest criminal history group, while 4% of offenders fall in the highest criminal history group
- Only 1 AWIK sentence (0.7%) did not receive the Guidelines recommended sentence
  - This count received a mitigated sentence of 40 months in Box 5B

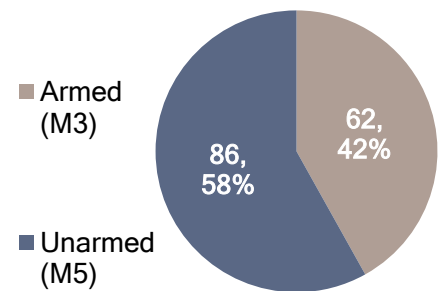
### Offender Demographics

- Average age of an AWIK offender: 26.5 years
  - 25% of offenders convicted of AWIK were between the ages of 18 and 20 at the time of the offense
- 100% of AWIK offenders were male
- 91% of AWIK offenders were black

### Assault with Intent to Kill (AWIK)

- *Classified as a Crime of Violence by the D.C. Council*
- *AWIK while armed has a Mandatory Minimum of 5 years incarceration*

### Type of AWIK Sentenced Total Counts and Percentage Breakdown



### 11(c)(1)(C) Plea Agreements

|                  |                  |            |
|------------------|------------------|------------|
| <b>AWIK:</b>     | <b>48 counts</b> | <b>56%</b> |
| Above Range:     | 2 counts         | 4%         |
| Below Range:     | 0 counts         | 0%         |
| Within Range:    | 45 counts        | 94%        |
| No CH Score:     | 1 count          | 2%         |
| <b>AWIK w/a:</b> | <b>12 counts</b> | <b>19%</b> |
| Above Range:     | 1 count          | 8%         |
| Below Range:     | 0 counts         | 0%         |
| Within Range:    | 11 counts        | 92%        |

\*11(c)(1)(C) Plea - A plea agreement in which the parties agree on a guilty plea with a specific sentence, sentence range or cap. If the judge accepts the plea, the judge is bound by the parties' agreement. An 11(c)(1)(C) plea will always be Guidelines compliant.