

THE COMMISSION CHRONICLE

DC SENTENCING COMMISSION BIENNIAL NEWSLETTER



COMMISSION MEETING RECAP

LAPSE AND REVIVAL & REVISED CRIMINAL CODE ACT OF 2021 PREPARATION

Through July 2022, the Commission held five virtual meetings. During these sessions, the Commission discussed an array of topics including the 2021 Annual Report, the Commission's annual performance and budget hearings before the Council, modifications to the 2022 Guidelines Manual, as well as the activities of the Commission Staff. The Commission also welcomed two new staff members Linden Fry (permanent Executive Director) and Emily Blume (Research Analyst) to the team.

At the beginning of the year, the Commission focused on potential modifications to the Sentencing Guidelines' prior felony offense lapse and revival window. The current rule calculates the ten-year window starting from when a prior felony sentence is finished, this includes any time spent on probation or post-release supervision. The Commission is currently exploring different avenues to test the impact of any potential change.

The Commission also began discussing and preparing for the potential passage of the Revised Criminal Code Act of 2021 (RCCA). If the RCCA is passed, it will drastically modify the District's criminal code. As a result, the Commission may need to make significant changes to the Guidelines Manual and the agency's data system. During its March meeting, the Commission invited the former Executive Director of the Criminal Code Revision Commission (CCRC) to provide an overview of the RCCA and its potential impact.

To view the meeting details, including meeting minutes, visit: www.scdc.dc.gov/page/commission-meetings

**Commission Meeting
Recap**

**2021 Annual Report
Synopsis**

**Traditional Plea vs.
Rule 11 (c) 1 (c) Plea**

Issue Paper

Commission Highlight

**Commission Staff
Welcome**

**1st Quarter 2022
Sentencing Facts**



NEW DATA

2021 ANNUAL REPORT SYNOPSIS

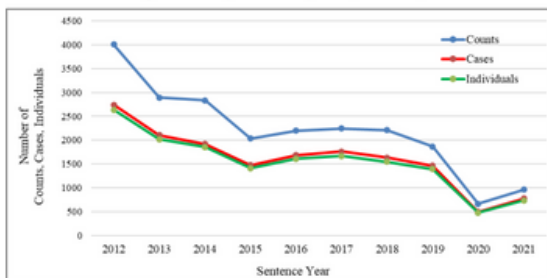
ARREST TO SENTENCING DATA

The Commission's 2021 Annual Report focused on the impact of COVID-19 on sentencing and the District's criminal justice system, the agency's expanded research capabilities, and how the Commission has increased its presence within the community.

The Annual Report also contains the Commission's first combined analysis of arrest and sentencing data. This was possible due to GRID system enhancements completed in 2020 and 2021 that brought in and allowed the system to consume MPD arrest data.

Below we have outlined some key statistics from the report:

Figure 3: Felony Sentences by Year (2012-2021)



- **98.5%** of all felony counts sentenced were compliant with the D.C. Voluntary Sentencing Guidelines.
- **99%** of all cases sentenced in 2021 were resolved via a plea, the highest rate observed in the last 10 years.
- **62.1%** of individuals sentenced, in the District, were aged 18 – 30.
- **60%** of all felony sentences imposed were prison sentences, followed by probation (**22%**), and short split (**18%**).

For more statistics like this, view our 2021 Annual Report visit <https://scdc.dc.gov/node/1593206>



TRADITIONAL PLEA VS. RULE 11 (C) 1 (C) PLEA

Between January 1st, 2022 - March 31st, 2022, Rule 11(c)(1)(C) plea agreements accounted for **17%** of all sentences that were disposed via plea agreement. A traditional plea agreement is an agreement between the government and the defense regarding the offenses a defendant will plead guilty to and what sentence the parties may request from the Court. Following a traditional plea, the Court can impose any legal sentence for the offense(s) of conviction. A plea pursuant to Rule 11(c)(1)(C) is different because, if accepted by the Court, the Court is also bound by the plea agreement (whether to a specific sentence or a sentencing range).



FOR MORE INFORMATION, AS WELL AS TO VIEW OUR QUARTERLY REPORT ON RULE 11(C)(1)(C) PLEAS,

VISIT THE LINK BELOW:

[HTTPS://SCDC.DC.GOV/NODE/1592651](https://scdc.dc.gov/node/1592651)

ISSUE PAPER: DEPARTURES

A departure can be based on one or more enumerated aggravating or mitigating factors, or another substantial and compelling reason of equal gravity. For example, a probation sentence or a short split in a prison-only box would be a departure if the judge based the sentence on one or more applicable mitigating factors. A prison sentence longer than the higher number in the prison range for a particular box would be a departure if the judge based the longer sentence on one or more applicable aggravating factors. The Commission's upcoming Issue Paper will provide a comprehensive analysis of the factors that motivate Superior Court judges in the District to impose sentences that are more punitive or more lenient than what is specified in the Guideline recommendations. Stay tuned!



**Coming
Soon**

Commission Member Highlight Staff Edition

Mia Hebb

HOW MANY YEARS HAVE YOU SERVED ON THE COMMISSION?

I have been working with the Commission for 12 years as a Staff Assistant.

WHAT IS YOUR FAVORITE PART ABOUT WORKING WITH THE COMMISSION?

My favorite part about working with the Commission is the long-lasting relationships I have built with the agency staff and Commission members.

WHAT DO YOU LIKE TO DO IN YOUR FREE TIME?

I really enjoy the performing arts. In my leisure time, I love to attend ballet and dance productions. I spend a lot of quality time with my grandchildren and family. I also like to travel to new and relaxing places.

WHAT IS ONE OF YOUR FAVORITE PROJECTS YOU HAVE WORKED ON WHILE WORKING WITH THE COMMISSION?

One of my favorite projects that I have worked on while with this agency was the Commission Retreat that I planned in 2017. This retreat brought Commission members and judges together to receive training on criminal history score from the Robina Institute. I really enjoyed organizing with vendors and picking the perfect location. During the event, I ensured that everything ran smoothly. I really enjoyed making use of my organizational and problem-solving skills.

THE COMMISSION WELCOMES TWO NEW STAFF MEMBERS

Linden Fry rejoined the DC Sentencing Commission staff in November as the Interim Executive Director. We are excited to announce his appointment as the Commission's new permanent Executive Director. Mr. Fry has a wealth of experience and knowledge on sentencing in the District. For more information on Mr. Fry, view our recent press release.

Welcome back, Linden!

Emily Blume joined the Commission staff in late February 2022. We are excited to welcome her as the new Research Analyst. Emily is a recent graduate of the University of Maryland with a double major in Criminology/Criminal Justice and Psychology. Before joining the Commission, she worked as a Research Assistant for the Applied Research Laboratory for Intelligence and Security. Emily will use her education and research background to help the Commission evaluate judicial compliance and felony sentencing trends in the District.

Welcome Emily!

1ST QUARTER OF 2022 SENTENCING FACTS

- There was a total of **378** felony counts sentenced
- **296** individuals were sentenced, made up of **21** females and **275** males
- Approximately **61%** of individuals sentenced were between the ages of 18 and 30
- Weapon offenses and Violent offenses combined represented approximately **three-quarters** of all counts sentenced
- Incarceration and Probation were imposed at similar rates, each representing about **34%** of all counts sentenced

