District of Columbia Sentencing and Criminal Code Revision Commission
DCSC *(FZ0)*

MISSION

The mission of the District of Columbia Sentencing Commission is to implement, monitor, and support the District's voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research.

SUMMARY OF SERVICES

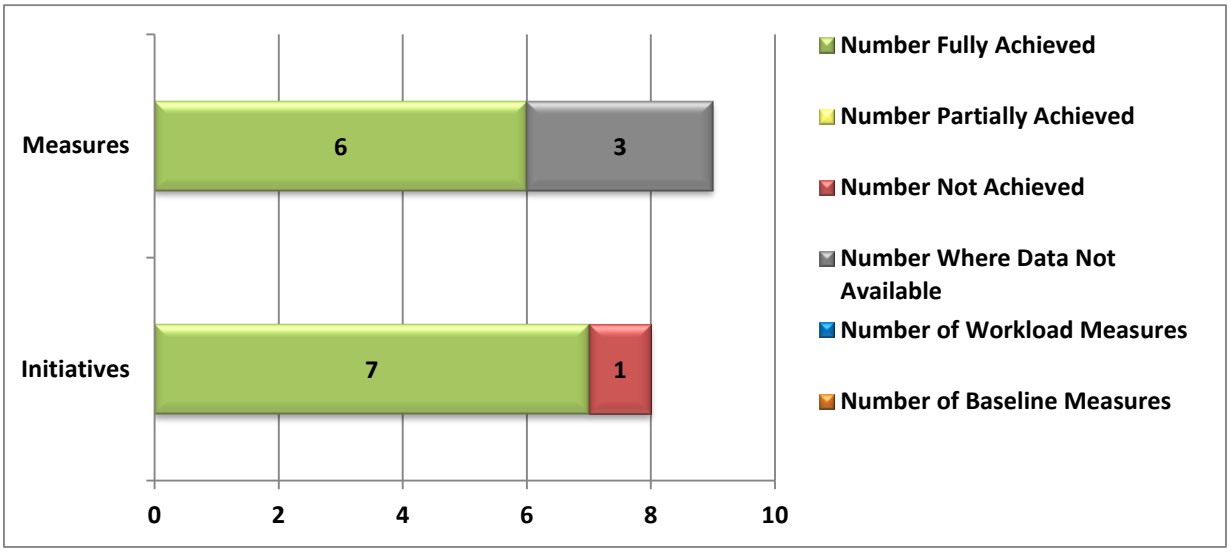
The Commission advises the District of Columbia on policy matters related to criminal law, sentencing and corrections policy. The Sentencing and Criminal Code Revision Commission Amendment Act of 2007 established a permanent voluntary felony sentencing guidelines and requires the Commission to monitor and make adjustments as needed to promote sentencing policies that limit unwarranted disparity while allowing adequate judicial discretion and proportionality. The sentencing guidelines provide recommended sentences that enhance fairness so that offenders, victims, the community, and all parties will understand the sentence, and sentences will be both more predictable and consistent. The commission provides analysis of sentencing trends and guideline compliance to the public and its representatives to assist in identifying sentencing patterns for felony convictions. In addition, the Advisory Commission on Sentencing Amendment Act of 2006 requires the Commission to conduct a multi-year study of the DC Criminal Code reform, including analysis of current criminal statutes and developing recommendations for the reorganization and reformulation of the District's Criminal Code.

ACCOMPLISHMENTS

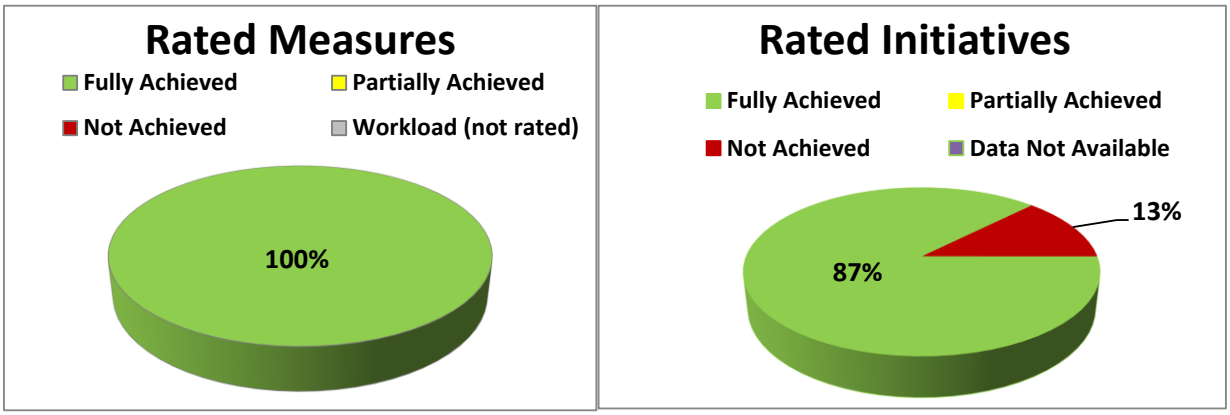
- ✓ Completed development and implementation of new data system, GRID.
- ✓ Developed and posted Standardized Data Reports on the agency webpage.
- ✓ Completed draft revisions of Property Offenses for the D.C. Criminal Code.

OVERALL AGENCY PERFORMANCE

TOTAL MEASURES AND INITIATIVES



RATED MEASURES AND INITIATIVES – PENDING FINAL REVIEW



Note: Workload and Baseline Measurements are not included

Default KPI Rating:	
>= 100%	Fully Achieved
75 - 99.99%	Partially Achieved
< 75%	Not Achieved

Performance Initiatives – Assessment Details

Performance Assessment Key:

Fully achieved | Partially achieved | Not achieved | Data not reported

Agency Management

OBJECTIVE 1: Promulgate the accurate, timely, and effective use of the sentencing guidelines in every felony case.

INITIATIVE 1.1: Reduce the time required to review and verify non-compliant Guideline sentences.

This initiative has been fully achieved. With the implementation of the agency's new data system, GRID, calculation of judicial compliance is done electronically through a Rules Engine that uses the criminal history score provided electronically from CSOSA and the sentence imposed by the court to calculate judicial compliance. When the sentenced imposed is identified as a "non-compliant" sentence a series of automatic checks are performed to verify the sentence is non-compliant. If the sentence is still designated non-compliant upon the completion of the verification checks, a letter is forwarded to the sentencing judge to verify the sentence was intended to be non-compliant. Prior to the GRID system all compliance calculations and verification checks were completed manually by staff and took between six and eight weeks. In addition, criminal history scores were provided to the Commission via email, which contributed to data quality issues. Utilizing the GRID system, information from the courts and CSOSA is transmitted to the Commission electronically and compliance is determined immediately. All sentences identified as "non-compliant" are either verified or disposed of within three weeks.

INITIATIVE 1.2: INITIATIVE 1.2: Update the FAQ section of the agency's Webpage Quarterly

This initiative has been fully achieved. In order to ensure that staff time is used efficiently, the agency's webpage was updated to include an expanded FAQ and Sentencing Guidelines Alert section that provides information related to changes to the guidelines, recent Supreme and Appellate Court decisions focused on sentencing issues, and clarification to sentencing guideline application issues. During FY14, the agency had a total of 10,681 webpage hits, reflecting an increase of 2,909 webpage hits in FY13. The webpage was updated 57 times in FY14, with sentencing guidelines related information to ensure that criminal justice practitioners and the public are aware of any changes to the guidelines or sentencing practices in the District in a timely manner, while reducing the staff time required to respond to inquiries.

INITIATIVE 1.3: INTIATIVE 1.3: Develop standardized trend data reports to be published on the agency's webpage.

This initiative has been fully achieved. In FY 2014, the Commission updated its webpage to include a Charts and Graph section that provides sentencing data for the District. Data is provided on the type of sentence imposed in FY 2013 for various offenses types; age of offender sentenced and percentage of males and females receiving various types of sentences. In addition, the webpage now displays four graphics that provide sentencing trends within the District from FY 2011 through FY 2013, which provide viewers data on the number, types, and

sentences imposed for felony offenses over time. By providing aggregate sentencing data, viewers are informed of the types of felony offenses sentenced, as well as, increases and decreases in specific felony offenses types. The data provided is intended to educate the public, to serve as a general deterrent, and to reduce the staff time required to respond to basic sentencing data requests.

OBJECTIVE 2: Promulgate compliance with the guidelines in at least 93% of all felony cases.

INITIATIVE 2.1: Complete the Development and Implementation the new Data System to ensure data transfer compatibility with DCSC's IJIS Outbound 12.1

This initiative was fully achieved. On December 13, 2013, the agency's new data system, GRID, was deployed into full production. The Commission contracted to develop a new IJIS 12.1 outbound data system in FY 2013 to retain data transfer compatibility with changes the DC Court made to the technical manner it shares data with criminal justice agencies. The GRID system receives daily transfers the court's unfiltered IJIS 12.1 data containing offender, conviction and sentencing data for all felony offenses from DC Superior Court. This data is used by the Commission to monitor the application of the Sentencing Guidelines and analyze sentencing trends for the District. The development and implementation of the GRID system involved four releases, which were all completed on schedule and within the project budget.

INITIATIVE 2.2: Design and Implement an XML Transfer of Criminal History Information from CSOSA

This initiative was fully achieved. Determining judicial compliance with the Sentencing Guidelines requires analysis of the offense of conviction and an offender's criminal history score, which is provided by Court Services and Offender Supervision Agency (CSOSA). A direct electronic transfer of criminal history scores from CSOSA was to be included in the development and deployment of the GRID system. The agency faced numerous security issues and technical challenges designing and implementing XML transfer capabilities with a federal agency. To ensure the new data system was completed within the project schedule, a short term solution was identified and implemented that enabled the Commission to receive criminal history scores from CSOSA via a SharePoint software and transfer the information through an XML interface into the GRID system, which then utilizes that data to electronically calculate judicial compliance. This capability was incorporated into Release #3 of the GRID system and was fully functional and operational by the December 13, 2013 deployment.

OBJECTIVE 3: Analyze the District of Columbia's current criminal code and propose reforms in the criminal code to create a uniform and coherent body of criminal law in the District of Columbia.

INITIATIVE 3.1: Reorganize all Title 22 offenses into eight categories Manager(s)

Responsible/Response to Initiatives: This initiative was fully achieved. The Criminal Code Revision project focused on reorganizing Title 22 by analyzing and categorizing offenses by general relationships – for example, Crimes Against Property, Crimes Against Persons, and Weapon Offenses etc. The reorganization of Title 22 will allow for a logical ordering and classification of offenses into seven categories, which accounted for 95% of felony convictions in 2012. It will also serve as the first step for undertaking revision of individual felony statutes within each of the seven categories within Title 22. This initiative was completed on October 15, 2014.

INITIATIVE 3.2: Draft revision the criminal code for Offenses against Property

This initiative was fully achieved. Ten specific property offenses were revised between October 2013 and May 2014, including various types of theft offenses, fraud, arson, malicious destruction of property and burglary. The revision process involved analyses of District law, legislative history, as well as model statutes in other jurisdictions and expert commentary.

INITIATIVE 3.3: Draft Revision to the criminal code for Drug Offenses

This initiative was fully achieved. Revision of five drug offenses were completed in FY 2104, including possession of a controlled substance, possession of a controlled substance with intent to distribute, distribution of a controlled substance, distribution of a controlled substance to a minor and enlistment of a minor to distribute a controlled substance. Work on the revision of drug offenses involved five committee meetings and was completed by July 30, 2014.

INITIATIVE 3.4: Draft Revision to the criminal code for Weapons Offenses

This initiative was not achieved due to recent court ruling on the constitutionality of a weapon offense in the district[1].

[1] This initiative targeted initial revisions to weapon offenses which were slated to begin on July 30, 2014 with a projected completion date of November 15, 2014. However, revision to weapon offense was deferred due to the recent federal court decision, Palmer v. District of Columbia, which found the District's ban on public carrying of handguns outside the home and associated criminal offenses to be unconstitutional. Given the likelihood of further litigation and/or emergency legislation, it was decided the revision of weapon offenses should be deferred until May 2015, when the law in this area should be settled. Revision of offenses against persons replaced weapon offenses in July. Revisions to weapons offenses are scheduled to begin May 30, 2015 and be completed by September 15, 2015. The switching of the order of the weapon offenses and offenses against persons is not projected to have any impact on the overall project completion schedule

Key Performance Indicators - Details

Performance Assessment Key:

Fully achieved | Partially achieved | Not achieved | Data not reported | Workload Measure

	KPI	Measure Name	FY 2013 YE Actual	FY 2014 YE Target	FY 2014 YE Revised Target	FY 2014 YE Actual	FY 2014 YE Rating	Budget Program
●	**1.1**	Automated Compliance Determination	N/A	75		91.78%	122.37%	DATA COLLECTION (AIP)
●	**1.2**	Guideline Information Requests	99	99		99.30%	100.30%	DATA COLLECTION (AIP)
●	**1.3**	Design Standardize Data Reports	2	2		4	No data reported	DATA COLLECTION (AIP)
●	**2.1**	Judicial Compliance Rate	96.7	97		97.94%	100.96%	DATA COLLECTION (AIP)
●	**2.2**	Electronic Transfer of Criminal History Information	N/A	80			No data reported	DATA COLLECTION (AIP)
●	**2.3**	Completion and Implementation of the GRID data system	2	2		2	No data reported	DATA COLLECTION (AIP)
●	**3.1**	# of Code Revision Committee Meetings	19	22		25	113.64%	MANAGEMENT
●	**3.2**	Hours of Code Revision Research	3,210	3,350		3,998	119.34%	MANAGEMENT
●	**3.3**	# Code Revision Memos for Committee	15	20		37	185%	MANAGEMENT