

District of Columbia Sentencing Commission FY2018

FY2018 Performance Accountability Report

The Performance Accountability Report (PAR) measures each agency's performance for the fiscal year against the agency's performance plan and includes major accomplishments, updates on initiatives, and key performance indicators (KPIs).

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.

FY18 Top Accomplishments

What is the accomplishment that your agency wants to highlight?	How did this accomplishment impact residents of DC?	How did this accomplishment impact your agency?
The Commission held an all-day retreat facilitated by Richard Frase, a national sentencing law and policy expert, to share with members the various ways in which criminal history is calculated and the direct and indirect impact criminal history has on offenders and sentences imposed. As a result of the retreat, the Commission identified several criminal history related policy issues such as look back periods and double counting to revisit and examine in more detail.	What should and should not be considered in the calculation of an individual's criminal history score directly impacts every District resident who is sentenced for a felony offense, either by the type of sentence imposed or the length of sentence imposed. Any changes to how a criminal history score is calculated affects not only the individual being sentenced, but their family, employer, and the community at large.	As a result of the criminal history information discussed at the retreat, the agency has researched a number of criminal history related issues and completed data analysis on the potential impact on sentencing practices in the District. The Commission has made adopted one modification to criminal history scores and is considering action on several others.
Data driven analysis of the Sentencing Guidelines indicates that overall the Guidelines are achieving their statutory goals of certainty, consistency and adequacy of punishment. However, the Commission, through the use of a questionnaire and a series of focus groups, have identified specific aspects of the Guidelines, such as criminal history calculations, ranking of specific felony offenses, and sentencing options that warrant further examination to ensure that sentencing policies in the District promotes fairness and limits disparity in sentencing.	Through the use of focus groups, the Commission was able to identify a number of issues surrounding the structure and application of the Sentencing Guidelines that impact the consistency of sentences imposed for similar offenses. Addressing these issues in a timely manner will reduce any sentencing disparity and ensure that similar individuals sentenced for similar offenses receive similar sentences.	The primary impact on the agency is an increase in the number and type of statistical analysis required to evaluate potential sentencing policy changes.
The Commission developed an interactive training curriculum which is tailored to members of general public with the goal of increasing their understanding of the Sentencing Guidelines. Specifically the curriculum focuses on how the Guidelines	Explaining the key factors that are considered in determining the recommended Guideline sentence, will help residents understand how sentencing works under the Guidelines. In addition, it will provide a	The impact of this accomplishment is that most community presentations are done in the evening. This requires changes in agency staffing patterns.

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operate, the role of criminal history, and the various sentencing options available under the Guidelines. Unlike Guideline trainings to criminal justice professionals which focus on the application of the Guidelines, the public presentations are structured to help individuals understand what factors are included in determining the recommended Guideline sentence.	forum to discuss issues such as factors that can enhance a sentence or why some individuals may receive a prison sentence, while other a non-prison sentence for the same offense. Issues similar to these can be very confusing and often lead to mistrust of the criminal justice system.	

2018 Strategic Objectives

Objective Number	Strategic Objective
1	Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences.
2	Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process.
3	Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarranted disparity in sentences.
4	Create and maintain a highly efficient, transparent and responsive District government. **

2018 Key Performance Indicators

Measure	Freq	Target	Q1	Q2	Q3	Q4	FY2018	KPI Status	Explanation
1 - Provide fair, consistent and transparent sentencing policy for felony sentences imposed in the District of Columbia to ensure that similar offenders who are convicted of similar offenses receive similar sentences. (3 Measures)									
Percentage of Compliant Guideline Sentences	Quarterly	96.7%	97.2%	95.1%	96.7%	98%	96.8%	Met	
Compliant Departures	Quarterly	93.2%	90%	100%	100%	90.9%	94.1%	Met	
Compliant In-The-Box Sentences Imposed	Quarterly	87%	90.9%	89%	92.7%	86.3%	89.9%	Met	
2 - Provide effective education and support to improve understanding and awareness of the District's Voluntary Sentencing Guidelines to ensure citizens of the District have a clear understanding of the sentencing process. (2 Measures)									
Effective Guideline Trainings	Quarterly	82%	90.2%	100%	87.5%	91%	90.7%	Met	
Guideline Questions Answered	Quarterly	99.5%	99.4%	99.3%	100%	99.4%	99.5%	Met	

Measure	Freq	Target	Q1	Q2	Q3	Q4	FY2018	KPI Status	Explanation
3 - Provide high quality analysis and evaluation of sentencing data to inform the development of effective sentencing policy in the District of Columbia that increases public safety while decreasing unwarranted disparity in sentences. (2 Measures)									
Data Request Response Time	Quarterly	75.5%	84.2%	93.3%	100%	92.3%	90.9%	Met	
GRID/GSS tickets resolved within 14 days	Quarterly	65%	78.3%	75%	73.3%	75%	75.8%	Met	

**We've revisited a project to standardize District wide measures for the Objective "Create and maintain a highly efficient, transparent and responsive District government." New measures will be tracked in FY18 and FY19 and published starting in the FY19 Performance Plan.

2018 Workload Measures

Measure	Freq	Q1	Q2	Q3	Q4	FY 2018
1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed. (1 Measure)						
Number of Sealed Cases	Quarterly	459	1365	610	592	3026
1 - Review and Verify All Felony Sentences. (6 Measures)						
Number of CSOSA Criminal History Scores Submitted	Quarterly	607	740	671	815	2833
Number of Felony Cases Sentenced	Quarterly	438	427	497	451	1813
Number of Felony Counts Sentenced	Quarterly	527	509	690	590	2316
Number of Departure Letters Sent	Quarterly	40	17	22	35	114
Departure Letter Responses	Quarterly	80%	94.1%	81.8%	88.6%	85.1%
Number of Probation Revocations Sentenced	Quarterly	96	82	85	92	355
2 - Maintain and Update Agency Website. (1 Measure)						
Number of Agency Website Hits	Quarterly	4328	5194	4752	4877	19,151
2 - Provide Sentencing Guideline Training. (2 Measures)						
Number of Sentencing Guideline Trainings Provided	Quarterly	3	1	4	11	19
Agency Website Updates Completed	Quarterly	11	5	10	17	43
3 - Monitor and Maintain the GRID System. (3 Measures)						
Number Hours required to complete data requests.	Semi-Annually	Annual Measure	Annual Measure	Annual Measure	Annual Measure	971
Number of GRID Tickets Entered	Quarterly	23	19	15	12	69

Measure	Freq	Q1	Q2	Q3	Q4	FY 2018
Number of new charge codes mapped in GRID	Quarterly	7	5	3	6	21
3 - Respond to Data Requests. (1 Measure)						
Number of Data Requests Received	Quarterly	11	15	8	13	47

2018 Strategic Initiatives

Title	Description	Complete to Date	Status Update	Explanation
POLICY REPORTS AND PROPOSALS (1 Strategic Initiative)				
Develop standardized data request response template	The agency will develop a template for responding to data request that will include standardized charts and graphs, allowing for visual display of the data requested, as well as, a written analysis. The use of a template will reduce the time required to respond to data requests from 20 days to 17 days given that the presentation of findings will be inserted into the template. The template will be designed with sufficient flexibility to allow for a wide range of data requests, while still incorporating a level of standardization. This initiative will decrease data request response time, improve efficiencies and reduce staff resources required to respond to the data requests. Drafts of the template will be completed by December 31, 2017. The template will be used as a piloted for 4 months to determine if any modifications to the template are necessary. The template will be formally implemented by September 3, 2018.	Complete	The agency developed six data request response templates to help standardize how sentencing related data is shared. Three of the templates were designed to focus on sentence type and sentence length imposed; two of the templates describe offender characteristics and the final template is focused on offense types. These categories represent the most frequent data requested of the Commission. The templates were developed, tested, modified and fully implemented by August 31, 2018. The templates have been used successfully for the last two data requests fulfilled by the agency in FY18, reducing response time by 4 hours per data request.	
SENTENCING GUIDELINE MONITORING (3 Strategic initiatives)				
Data Quality Checks	Data quality issues are often created by common data entry errors that occur when data is manually entered into electronic data sharing systems. These data quality issues can be resource intensive to correct and can directly impact research and analysis results. The agency's Guideline Data Information Reporting System, has the capability to electronically perform 13 data quality checks on data consumed by the system, including checks such as sentencing date cannot be less than date of birth or age at offense cannot be less than 15 years of age. To improve data quality, the data system will be modified to electronically send out an alert to research staff to verify when any of the four most critical data checks fail on any case sentenced after 2010. The four critical data checks will include: (1) age	Complete	The four electronic alerts: (1) age at offense is less than 15 years of age; (2) sentence date is greater than the current date; (3) criminal history score is less than 0; and (4) felony field is null have been developed, tested and were fully implemented by August 31, 2018. The alerts are now fully operational within the agency's GRID data system. Alerts are monitored daily and analyzed on a bi-weekly basis, with data corrections made. On average,	

Title	Description	Complete to Date	Status Update	Explanation
	<p>at offense is less than 15 years of age; (2) sentence date is greater than the current date; (3) criminal history score is less than 0; and (4) felony field is null. Research staff will then review, verify and submit a request for correction from the providing agency if necessary within 72 hours of each notification. This new process will increase efficiency and data accuracy for analysis and research purpose. The electronic alert system will be developed by December 31, 2017 and tested and fully operational by March 30, 2018.</p>		<p>alerts have identified 12 data quality issues per week.</p>	
<p>Arrest Data Feed</p>	<p>Dependent on available funding to be provided through year-end reprogramming, the agency will develop an electronic arrest data feed from the Metropolitan Police Department that will provide arrest data that will be matched with felony case information provided by the DC Superior Court to provide a complete felony case record from arrest through sentencing with in the agency's Guideline Reporting Information Data (GRID) System. Currently the agency receives all felony criminal history and court related data but does not have arrest related information. With the addition of the arrest data feed, the agency will be able to create a complete and comprehensive record for every felony case sentenced in the District. With this additional data, the agency will be able to better analyze sentencing differences for similar offenses and make modifications to the Guidelines if appropriate. This multi-year project will involve several stages including: (1) identifying the data system technical requirements and business needs to be completed by November 15, 2017; (2) developing and issuing a request for proposal and selection of a vendor to be completed by April 30, 2018; (3) designing and developing of the data system will start on May 1, 2018 and be completed by February 28, 2019, and (4) testing and full implementation to be completed by August 16, 2019.</p>	<p>0-24%</p>	<p>The agency did not achieve this initiative due to receiving only a portion of the capital funding required to complete this project. With the funds received, the agency obtained the services of a Project Manager to assist in developing a comprehensive statement of work and a request for proposal by September 10, 2018. Given the funding issue, the agency was not able to release the request for proposal for bid by prospective vendors.</p>	<p>The necessary Capital Funds to complete this project were not allocated to the agency within FY18. With the partial funding available a Statement of Work and a Request for Proposal were developed and submitted to the Office of Contract and Procurement. Due to funding issues, the RFP was not released for bid. If funds are allocated to the agency in its FY20 budget, the agency will move forward with the MPD Arrest Data Feed Enhancement.</p>
<p>Data Quality Checks</p>	<p>Data quality issues are often created by common data entry errors that occur when data is manually entered into electronic data sharing systems. These data quality issues can be resource intensive to correct and can directly impact research and analysis results. The agency's Guideline Data Information Reporting System, has the capability to electronically perform 13 data quality checks on data consumed by the system, including checks such as sentencing date cannot be less than date of birth or age at offense cannot be less than 15 years of age. To improve data quality, the data system will be modified to electronically send out an alert to research staff to verify when any of the four most critical data checks fail on any case sentenced after 2010. The four critical data checks will include: (1) age</p>	<p>Complete</p>	<p>The four electronic alerts: (1) age at offense is less than 15 years of age; (2) sentence date is greater than the current date; (3) criminal history score is less than 0; and (4) felony field is null have been developed, tested and were fully implemented by August 31, 2018. The alerts are now fully operational within the agency's Guideline Reporting Information Data system. Alerts are monitored daily and analyzed on a bi-weekly basis, with data corrections made. On average, alerts have identified</p>	

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	<p>at offense is less than 15 years of age; (2) sentence date is greater than the current date; (3) criminal history score is less than 0; and (4) felony field is null. Research staff will then review, verify and submit a request for correction from the providing agency if necessary within 72 hours of each notification. This new process will increase efficiency and data accuracy for analysis and research purpose. The electronic alert system will be developed by December 31, 2017 and tested and fully operational by March 30, 2018.</p>		<p>approximately 8 data quality issues per week.</p>	
SENTENCING GUIDELINES TRAINING (2 Strategic initiatives)				
<p>Increase Public Understanding of Sentencing Guidelines</p>	<p>In FY 2018, the agency will expand the scope of its training activities to focus on community and citizens groups with the goal of increasing the public's general understanding of how the DC Voluntary Sentencing Guideline operate. An interactive training agenda will be developed specifically for community organizations by November 15, 2017, which will focus on how the guidelines are structured and how sentences are calculated and the role of criminal history, as well as, a brief overview of sentencing trends in the District. A minimum of three community based Sentencing Guideline trainings will be completed between January 1, 2018 and September 30, 2018. Training evaluation forms will distributed at the end of each training secession to gather feedback from participants and to ensure the information provided is beneficial to participants.</p>	<p>Complete</p>	<p>This initiative involved a two prong approach to increasing the public's knowledge and understanding of the Sentencing Guidelines. An informative community based training was developed and placed on the agency's web page to enable DC residents to learn what the Sentencing Guidelines are and the basics of how they operate. In addition, a interactive training agenda was developed to be used with community based presentations such as Boys & Girls Clubs, ANC's or Faith Based Programs. These presentations were piloted with three organizations and refined during the later part of the fiscal year. A full community educational training series will be implemented in FY 2019.</p>	