



District of Columbia Sentencing Commission

441 4th St, NW, Suite 430 South, Washington, DC 20001
Telephone (202) 727-8822 Fax (202) 727-7929

Honorable Milton E. Lee, Chairman

Barbara Tombs-Souvey, Executive Director

February 1, 2019

Honorable Charles Allen, Chairman
Committee on Judiciary and Public Safety
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Chairman Allen:

Respectfully provided below, please find the D.C. Sentencing Commission's responses to your performance Oversight Hearing Questions of January 15, 2019.

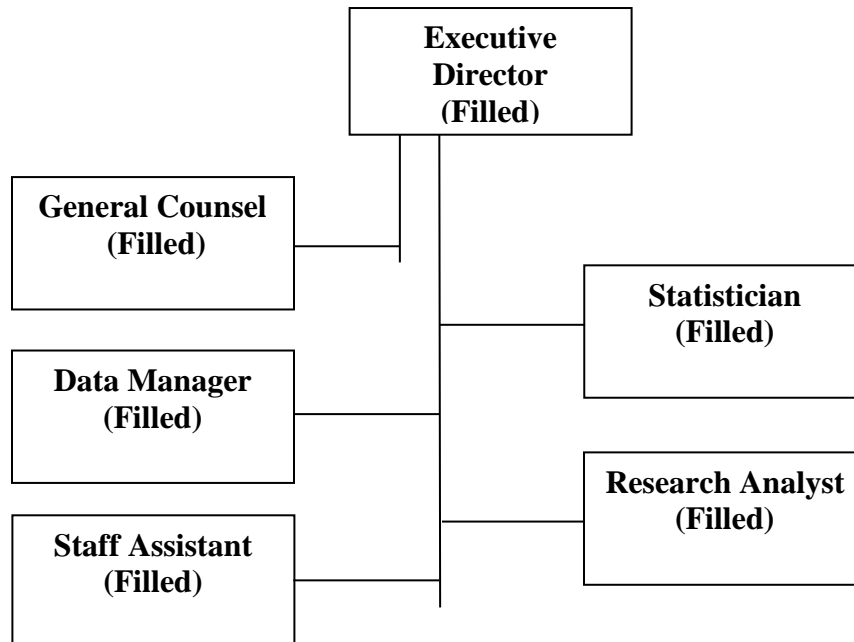
General Questions

1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel, and note the date that the information was collected on the chart.

DC Sentencing Commission Organizational Chart

January 24, 2019

Senior Personnel: Barbara Tombs-Souvey, Executive Director



- a. Please provide an explanation of the roles and responsibilities of each division and subdivision.

The DC Sentencing Commission is a single division agency, consisting of only the Sentencing Guideline Division. The Sentencing Guidelines Division oversees the development, monitoring, and application of the District's Voluntary Sentencing Guidelines that apply to all felony sentences imposed by the DC Superior Court. Specific responsibilities include: (1) computing judicial compliance with the Guidelines; (2) collecting, analyzing, and reporting data related to sentencing trends and policy impact; (3) conducting sentencing policy related research; (4) responding to sentencing related data requests; and (5) providing assistance and training to judges and criminal justice professional regarding the use of the Guidelines.

- b. Please provide a narrative explanation of any changes to the organizational chart made during the previous year.

The Sentencing Commission has not made any changes to the agency's organizational chart during the previous year.

2. Please provide a current Schedule A for the agency which identifies each position by program and activity, with the employee's title/position, salary, fringe benefits, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary or contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with a federal or local law.

Please see Attachment A for the agency's Schedule A.

No agency position is required to be filled by federal or local law.

3. Please list all employees detailed to or from your agency. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.

The agency does not have any employees detailed to or from another agency.

4. Please provide the Committee with:

- a. A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle accidents involving the agency's vehicles in FY18 and FY19, to date.

The agency does not own, lease, or have assigned any vehicles during FY18 or FY19 to date.

- b. A list of travel expenses, arranged by employee for FY18 and FY19, to date, including the justification for travel.

Employee: Barbara Tombs-Souvey (Executive Director)

Event	Date	Expenses	Description	Justification
National Association of Sentencing Commissions 2018 Conference (Columbus, OH)	8/13/18 to 8/15/18	\$892.78	Hotel, Airfare, Registration, Per Diem	Discuss and increase knowledge of new sentencing research, policies, and legal issues at the federal, state, and local level. Note: Employee was a presenter at Conference

Employee: Mehmet Ergun (Statistician)

Event	Date	Expenses	Description	Justification
National Association of Sentencing Commissions 2018 Conference (Columbus, OH)	8/13/18 to 8/15/18	\$946.64	Hotel, Airfare, Registration, Per Diem	Gain knowledge on various types of data analysis for sentencing and criminal history research.

5. For FY18 and FY19, to date, please list all intra-District transfers to or from the agency and the purpose for each.

FY 2018 List of Intra District Transfer – FZ0 as Buyer (Transfer to Other Agencies)					
Agency Name: DC Sentencing Commission (FZ0)					
Selling Agency	Project Code	Description	Amount	Start Date	End Date
OFRM	Various	Purchase/Travel Card – FZ0	\$31,318.00	10/1/2017	9/30/2018
T00	Various	Agency Shared IT Assessment	\$54,877.00	10/1/2017	9/30/2018
T00	Various	Agency RTS, DC-Net, Data Services	\$208.00	10/1/2017	9/30/2018
Total			\$86,403.00		
FY 2019 to date Intra District Transfer – FZ0 as Buyer (Transfer to other agencies)					
Agency Name: DC Sentencing Commission (FZ0)					
Selling Agency	Project Code	Description	Amount	Start Date	End Date
OFRM	Various	Purchase/Travel Card – FZ0	\$26,800.00	10/1/2018	9/30/2019
T00	Various	Agency Shared IT Assessment	\$43,675.66	10/1/2018	9/30/2019
T00	Various	Agency RTS, DC-Net, Data Services	\$226.00	10/21/2018	9/30/2019
Total			\$70,701.66		

6. For FY18 and FY19, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:
- The revenue source name and code;
 - The source of funding;
 - A description of the program that generates the funds;
 - The amount of funds generated by each source or program;
 - Expenditures of funds, including the purpose of each expenditure; and
 - The current fund balance.

The agency did not have any special purpose revenue funds maintained, used, or available for use in FY18 or FY19 to date.

7. For FY18 and FY19, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.

FY 2018 (10/1/2017-9/30/18)					
Cardholder	Purchase Purpose				Total Spent
Mia Hebb	Transportation/WMATA				\$ 3,721.00
Mia Hebb	Office Supplies/Serv				\$ 10,243.54
Mia Hebb	Printing				\$ 6,861.50
Mia Hebb	Lodging/Hotel				\$ 567.60
Mia Hebb	Commission/Staff Criminal History Training Retreat				\$ 3,276.34
Mia Hebb	Computer Supplies				\$ 6,435.77
Mia Hebb	Westlaw				\$ 1,180.54
Agency Card Holder Total Spent for FY 2018:					\$ 31,105.75
Cardholder	Purchase Purpose				Total Spent
Linden Fry	Travel fee/Airlines				\$ 311.92
Linden Fry	Conference Fees				\$ 650.00
Agency Card Holder Total Spent for FY 2018:					\$ 961.92
Total FY 2018 Agency P-Card Expenditures					\$ 32,067.67
FY 2019 (10/1/2018-1/24/19)					
Cardholder	Purchase Purpose				Total Spent
Mia Hebb	Transportation/WMATA				\$ 1,381.40
Mia Hebb	Office Supplies/Serv				\$ 554.10
Agency Card Holder Total Spent as of Jan. 24, 2019:					\$ 1,935.50
Cardholder	Purchase Purpose				Total Spent
Taylor Tarnalicki	Office Supplies/Serv				\$ 20.30
Agency Card Holder Total Spent as of Jan. 24, 2019:					\$ 20.30
Total FY 2019 Agency P-Card Expenditures as of Jan. 24, 2019					\$ 1,955.80

8. Please list all memoranda of understanding (“MOU”) entered into by your agency during FY18 and FY19, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.

New Agency MOU's			
Fiscal Year	Purpose	Start Date	End Date
FY 2018	BOP –DC Offender Yearly Snap Shot Data,	3/12/2018	No End Date
Ongoing Agency MOU's			
	Data Access IJIS 12.1 DC Superior Court	9/5/2006	No End Date
	Data Viewing Access via JUSTIS – DC Jail, USAO, Pre-Trial, MPD, CSOSA, and DC Superior Court	5/15/2012	No End Date
	Amended Data Access MOU - CJCC	12/22/2016	No End Date
	Arrest Feed Data Access with MPD	10/26/2016	No End Date

9. Please summarize and provide the status of all existing capital projects and those in the financial plan, including a brief description, the amount budgeted by fiscal year, actual dollars spent, and any remaining balances (by type of funds). In addition, please provide:

In FY18 the agency submitted a capital budget request in the amount of \$922,100 to develop an electronic interface to consume the MPD arrest feed data which contains approximately 700 arrest related data elements. This arrest data will be integrated with the current IJIS 12.1 data provided by DC Superior Court and criminal history information provided by Court Services and Offender Supervision Agency in the GRID system. Arrest data will be linked to felony case information and offender criminal history data to create a single comprehensive felony case record. This additional arrest related data will enable the agency to analyze felony cases from point of arrest through sentencing.

Although the MPD Arrest Data Feed Project was not funded directly through a specific Capital Budget award, the agency did receive \$129,566 in reprogrammed Pay Go funds on December 13, 2017, allowing the agency to obtain the services of an experienced project manager to begin the necessary planning and develop a Request for Proposal (RFP) for the project. The services of a part-time project manager were initially secured on January 3, 2018, and ended on January 15, 2019, when all available funding was expended.

The Project Director’s tasks focused on identifying the scope of work, identifying technical requirements for the MPD Data Feed Enhancement project, developing a project estimated cost distribution, creating a project timeline, deliverables and milestones, and finally identifying uncertainty risk factors associated with the project. Working with the Office of Contracting and Procurement (OCP), a concise statement of work was developed and subsequently a Request for Proposal (RFP) was prepared and is ready for distribution. The agency was informed at the beginning of FY 2019 that the remainder of the requested project funding would not be available in the current fiscal

year. Absent the necessary funding to move the project forward, the agency has not released the RFP to date. The agency has submitted a FY 2020 Capital Budget request in the amount of \$792,534 to complete the MPD Arrest Data Enhancement Project. It is estimated it will take one year to complete this project. The projected cost indicated includes development, implementation, equipment, and project management costs. The status of the FY2020 Capital Budget request is unknown at this time.

- a. An update on all capital projects concluded in FY17, FY18, and FY19, to date, including the amount budgeted, actual dollars spent, any remaining balances, and whether the project had an impact on the operating budget of the agency. If so, please provide an accounting of such impact.

The agency did not have any capital projects that concluded in FY17, FY18, or FY19.

10. Please provide a list of all budget enhancement requests (including capital improvement needs) for FY18 and FY19, to date. For each, include a description of the need and the amount of funding requested.

- a. In FY18, the agency submitted and received a one-time budget enhancement in the Mayor's proposed budget in the amount of \$85,000. This enhancement will be used to modify the agency's GRID data system

The DC Superior Court and the Metropolitan Police Department were awarded a Federal NCHIP Grant to undertake a Warrant Exchange Project that would expand the number of data elements contained in the IJIS 12.1 data feed, which is consumed by the DC Sentencing Commission for the GRID/GSS data systems by approximately 34 new data elements. The agency will be required to make changes to its JUSTIS interface and the GRID system to consume and display the additional data elements since IJIS 12.1 data is not filtered and recipient agencies are required to consume all IJIS12.1 data elements. The agency made the necessary technical adjustments to the GRID system by the end of FY18 and is in the final testing stage now that Federal government shutdown has been resolved.

The agency also requested an FY18 budget enhancement of \$110,000 to implement an Active-Passive server configuration, which was not funded. Currently the agency's data system resides on a single server hosted through OCTO, with backup provided through saved files. When the agency experiences a server or application failure, it is time consuming to restore the data system through backup files and has taken the agency anywhere from a few hours to four days, leaving the agency unable to access the data system during that time period. In addition, the agency has had to request partner agencies to re-trigger data that was transferred during the period the system was off-line to ensure that no data was lost. With the agency's intention to consume the MPD arrest data feed, it is critical to ensure that there is adequate and appropriate back-up and recovery systems implemented to respond in a timely and comprehensive manner when there is a server failure or other disruptions to data consumption. The agency hopefully can address this issue during in the development of the MPD Arrest Data Feed Enhancement Project.

In FY 2019 the agency requested and received a one-time budget enhancement in the amount of \$71,500 to cover the costs associated with modifying the manner in which criminal history scores are calculated under the Sentencing Guidelines. As the result of an evaluation of the Sentencing Guidelines completed by the Commission, the manner in which prior offenses are used to calculate criminal history scores under the Guidelines impacts both the type and length of sentences imposed and may be contributing to disparate sentences for specific populations. Given that one of the primary goals of the Sentencing Guidelines is to reduce disparity in sentencing, a thorough re-examination of criminal history score calculations is necessary to identify and address any unintended consequences of the current criminal history score calculations. The funds requested will be used to make any necessary technical modifications to the algorithms used by the GRID system to calculate criminal history scores, provide training related to any criminal history calculations changes for criminal justice partners, and undertake a one-time reprinting of reference materials such as Sentencing Grids, Sentencing Guidelines Manual, and Criminal History Score calculation material.

11. Please list, in chronological order, each reprogramming in FY18 and FY19, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, and within the agency. Include the revised, final budget for your agency after the reprogramming's for FY18 and FY19, to date. For each reprogramming, list the date, amount, rationale, and reprogramming number.

I. FY 2018 Reprogramming Funds within the Agency

Reprogramming Request #1: This request was necessary to fund the cost of VPN Access for employees. Funds were moved to a different object class only							
Date	Index	PCA	Object Class	Index	PCA	Object Class	Amount
10/26/2017	10000	10300	0210	10000	10300	0308	\$300
Reprogramming Request #2: This request was necessary to budget for P-card expenditures in FY18. The request moved funds from within specific agency funding lines into a single funding line to fund agency P-Card purchases. No impact on agency total budget							
Date	Index	PCA	Object Class	Index	PCA	Object Class	Amount
11/15/2017	10000	10100	0201	10000	10100	0410	\$6,000
11/15/2017	10000	10300	0416	10000	10100	0410	\$ 400
11/15/2017	20000	20100	0408	10000	10100	0410	\$5,500
11/15/2017	10000	10600	0401	10000	10100	0410	\$6,250
11/15/2017	10000	10600	0408	10000	10100	0410	\$1,250
11/15/2017	10000	10600	0204	10000	10100	0410	\$1,268
11/15/2017	20000	20500	0411	10000	10100	0410	\$4,000
11/15/2017	20000	20600	0201	10000	10100	0410	\$1,200
11/15/2017	20000	20500	0402	10000	10100	0410	\$5,500
Total Reprogramming #2							\$31,318

FY 2018 Reprogramming: Funds transferred into the Agency							
Reprogramming Request #3: Reprogrammed Capital Funds to begin the MPD Data Feed Project							
AY	AG	Project Number	Appro. Number	Index	PCA	Object Class	Amount
1998	KE0	SA311C	74181	ckc4a	Ckc49	0409	(119,189.85)
1998	KE0	SA311C	74184	ckc4b	Ckc49	0409	(4,900.00)
1998	KE0	SA311C	74185	Ck304	Ckc49	0409	(5,476.40)
KE0 Total Decrease						(\$129,566.25)	
2013	FZ0	FZ038C	13107	FZ11G	104FG	0409	124,666.25
2013	FZ0	FZ038C	13107	FZ113	104FC	0409	4,900.00
FZ0 Total Increase						\$129,566.25	

II. FY 2019 Reprogramming Requests:

The agency has not submitted any FY 2019 Reprogramming requests to date.

12. Please list each grant or sub-grant received or distributed by your agency in FY18 and FY19, to date. List the date, amount, source, purpose of the grant or sub-grant received or distributed, and amount expended.

The agency did not receive any grants for sub-grants in FY18 or FY19 to date.

- a. How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs?

The agency does not have any FTEs that are dependent on grant funding.

13. Please list each contract, procurement, and lease, entered into, extended, and option years exercised by your agency during FY18 and FY19, to date. For each contract, please provide the following information, where applicable:

- The name of the contracting party;
- The nature of the contract, including the end product or service;
- The dollar amount of the contract, including amount budgeted and amount actually spent;
- The term of the contract;
- Whether the contract was competitively bid;
- The name of the agency's contract monitor and the results of any monitoring activity; and funding source.

DC Sentencing Commission - Contracts and Leases FY18 and FY19 To Date								
FY 2018 Contracts and Leases								
Vendor	Product/ Service	Amount Budgeted	Amount Spent	FY	Term of Contract	Competitively Bid?	Contract Monitor/ Any Issues	Funding Source
BCS*	Data System Maintenance (FY 17 Option Year 4 Exercised)	\$49,449	\$49,449	18	10/1/17 to 12/20/17	Underlying Contract Competitively Bid	Barb Tombs- Souvey/ No Issues	Local Funds
MVS, Inc.	Copy Machine Lease and Usage	\$5,837	\$5,837	18	11/ 20/17 to 11/19/18	DC Supply Schedule	Barb Tombs- Souvey/ No Issues	Local Funds
CAI Pipeline	Contract Program Manager Master for MPD Arrest Feed Data Project	\$129,566	\$129,566	18	1/16/18 to 9/30/18	DC City Wide Contract	Barb Tombs- Souvey/ No Issues	Capital Funds
The Moss Group	Focus Group Facilitation	\$75,030	\$75,030	18	4/26/18 to 9/30/18	Competitive Bid	Barb Tombs- Souvey/ No Issues	Local Funds
BCS*	Data System Maintenance (FY 18 Year 5)	\$164,917	\$164,917	18	12/21/17 to 9/30/18	Sole Source	Barb Tombs- Souvey/ No Issues	Local Funds
FY 2019 Contracts and Leases – To date								
BCS*	Data System Maintenance (FY 18 Remainder Year 5)	\$47,223	\$47,223	19	10/1/18 to 12/20/18	Sole Source	Barb Tombs- Souvey/ No Issues to Date	Local Funds
MVS	Copy Machine Lease and Usage	\$5,837	\$5,837	19	11/20/18 to 11/19/19	DC Supply Schedule	Barb Tombs- Souvey/ No Issues to Date	Local Funds
CAI Pipeline	Contract Program Manager Master for MPD Arrest Feed Data Project Development	\$29,489	\$29,489	19	10/1/18 to 1/15/19	DC City Wide Contract	Barb Tombs- Souvey/ No Issues to Date	Local Funds
Mind cubed	Data System Maintenance – Base Year	\$208,568	\$208,568	19	12/21/18 to 9/30/19	Exempt from Competitive Bid	Barb Tombs- Souvey/ No Issues to Date	Local Funds

*Blueprint Consulting Services

14. Please list all pending lawsuits that name the agency as a party. Identify which cases on the list are lawsuits that potentially expose the District to significant financial liability or will result in a change in agency practices, and describe the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation about the issues involved in each case.

The agency is not named in any pending lawsuits.

15. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY18 or FY19, to date, and provide the parties' names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

The agency has not been involved in any settlements in FY 18 or FY 19 to date.

16. Please list the administrative complaints or grievances that the agency received in FY18 and FY19, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY18 or FY19, to date, describe the resolution.

The agency has not had any administrative complaints or grievances filed or resolved in FY18 or FY19 to date.

17. Please describe the agency's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY18 and FY19, to date, whether or not those allegations were resolved.

The agency follows the procedure set forth in the Mayor's 2017-313 Order on Sexual Harassment and employees are protected under the Human Rights Act of 1977. Agency employees complete mandatory training and are kept informed on their rights, responsibilities, and available resources by the agency's General Counsel.

The agency has not received any allegations of sexual harassment in FY18 or FY19 to date.

18. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during FY18 and FY19, to date.

Neither the agency nor any employee of the agency is involved in any ongoing or completed investigations, audits, or reports during FY18 or FY19 to date.

19. Please describe any spending pressures the agency experienced in FY18 and any anticipated spending pressures for the remainder of FY19. Include a description of the pressure and the estimated amount. If the spending pressure was in FY18, describe how it was resolved, and if the spending pressure is in FY19, describe any proposed solutions.

The agency did not experience any spending pressures in FY18 nor does it anticipate any spending pressures at this time for FY19.

20. Please provide a copy of the agency's FY18 performance plan. Please explain which performance plan objectives were completed in FY18 and whether they were completed on time and within budget. If they were not, please provide an explanation.

Please see Attachment B for a copy of the agency's FY18 Performance Plan.

The agency identified four initiatives that focused on achieving the stated objectives within its FY 2018 Performance Plan. The agency completed three of the four initiatives on time and within budget including:

- a. Develop and implement automatic data quality checks.
- b. Develop standardize data request response template.
- c. Increase Public Understanding of the Sentencing Guidelines.

The agency did not complete its fourth initiative - Develop and Implement the MPD Arrest Data Feed Interface. This initiative would have integrated MPD arrest data with the current court and criminal history data contained within the agency's GRID system to provide a comprehensive felony case record from time of arrest through sentencing. The necessary funding was not provided through year-end reprogramming to move this project forward. A FY 2020 Capital budget request has been submitted to complete this project.

The agency also achieved all eight of its Key Performance Indicators (KPIs) including: Percent of compliant Guideline sentences imposed, Compliant in-the-box sentences imposed, Compliant departures imposed, Effective Guideline training sessions, Guideline questions answered within 24 hours, GRID tickets resolved within 14 days, and Data request response time less than 20 days.

21. Please provide a copy of your agency's FY19 performance plan as submitted to the Office of the City Administrator.

Please see Attachment C for a copy of the agency's FY19 Performance Plan.

22. Please describe any regulations promulgated by the agency in FY18 or FY19, to date, and the status of each.

The agency did not promulgate any regulations in FY18 or FY19 to date.

23. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or for which it contracted in FY18 and FY19, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

- a. 2017 Sentencing Commission Annual Report – Completed. Provides an overview of felony sentencing trends and practices under the Sentencing Guidelines in 2017.
- b. 2018 Sentencing Commission Annual Report – In progress, will be completed in April 2019. Provides an overview of felony sentencing trends and practices under the Sentencing Guidelines in 2018.
- c. Focus Groups of Primary Users of the DC Voluntary Sentencing Guidelines: Findings and Recommendations - Completed The report was contracted through The Moss Group and summarizes feedback from focus groups of the primary Guideline users as to areas of the Guidelines that are working well and areas that

are problematic. The report also contains a series of recommendations for the Commission to consider that may improve the effectiveness of the Guidelines. The report was completed in September 2018.

24. Please separately list each employee whose salary was \$100,000 or more in FY18 and FY19, to date. Provide the name, position number, position title, program, activity, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.

25. DC Sentencing Commission										
FY 18 Employee Salaries of \$100,000 or More										
Agency Code	FY	Prog. #	Act. #	Name	Posit #	Title	Salary	Fringe	OT Pay	Bonus Pay
FZ0	18	2000	2040	Barbara Souvey	13485	Exe. Director	\$158,497	33,707	\$0.00	\$0.00
FZ0	18	2000	2050	Linden Fry	05771	General Counsel	\$104,416	22,136	\$0.00	\$0.00
FZ0	18	2000	2010	Mehmet Ergun	04048	Statistician	\$104,081	22,065	\$0.00	\$0.00

DC Sentencing Commission										
FY 19 Employee Salaries of \$100,000 or More										
Agency Code	FY	Prog. #	Act. #	Name	Posit #	Title	Salary	Fringe	OT Pay	Bonus Pay
FZ0	19	2000	2040	Barbara Souvey	13485	Executive Director	\$161,666	34,273	\$0.00	\$0.00
FZ0	19	2000	2050	Kara Dansky	05771	General Counsel	\$104,270	22,105	\$0.00	\$0.00
FZ0	19	2000	2010	Mehmet Ergun	04048	Statistician	\$108,286	22,957	\$0.00	\$0.00

25. Please list in descending order the top 25 overtime earners in your agency in FY18 and FY19, to date, if applicable. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned.

No agency employee received overtime pay in FY18 or FY19 to date.

26. For FY18 and FY19, to date, please provide a list of employee bonuses or special pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

No agency employee has received a bonus or special pay in FY18 or FY19 to date.

27. Please provide each collective bargaining agreement that is currently in effect, **and differs from that submitted last year**, for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.

All employees of the DC Sentencing Commission are Excepted Service employees and are not part of, nor have been part of, any collective bargaining unit or agreement.

28. If there are any boards or commissions associated with your agency, please provide a chart listing the names, confirmation dates, terms, wards of residence, and attendance of each member. Include any vacancies.

DC Sentencing Commission Members as of 1/22/19					
Commission Member	Confirmation Date	Term	Ward	Authority for Appointment	FY 18 Meeting Attend.
Hon. Milton C. Lee (Chairperson)	Not Applicable	No Term Limit	Not Applicable	Superior Court Judge Appointed by the Chief Judge	100%
Hon. Danya Dayson	Not Applicable	No Term Limit	Not Applicable	Superior Court Judge Appointed by the Chief Judge	91%
Hon. Frederick H. Weisberg	Not Applicable	No Term Limit	Not Applicable	Superior Court Judge Appointed by the Chief Judge	100%
Katerina Semyonova, Esq.	Not Applicable	No Term Limit	Not Applicable	Director of PDS (Designee)	100%
Cedric Hendricks	Not Applicable	No Term Limit	Not Applicable	Director of CSOSA (Designee)	33%
Renata Cooper, Esq.	Not Applicable	No Term Limit	Not Applicable	US Attorney for DC (Designee)	82%
Dave Rosenthal, Esq.	Not Applicable	No Term Limit	Not Applicable	DC Attorney General (Designee)	91%
William R. Martin, Esq.	January 11, 2018	3 Years	Not Applicable	DC Bar Member (Criminal Defense) Appointed by the Chief Judge	66%
Frederick D. Cooke, Jr. Esq.	January 11, 2018	3 Years	Not Applicable	DC Bar Member (Non-Criminal Law) Appointed by the Chief Judge	85%
Julie Samuels	January 11, 2018	3 Years	Not Applicable	Research Professional (Sentencing) Appointed by the Chief Judge	91%
Molly Gill, Esq.	November 1, 2018	3 Years	Ward 6	DC Citizen Member Appointed by the Council	85%
Marvin Turner	December 5, 2017	3 Years	Ward 8	DC Citizen Member Nominated by Mayor	85%
Maria Amato, Esq.*	Not Applicable	No Term Limit	Not Applicable	Director of the DC DOC or (Designee)	10%

Robert Conti*	Not Applicable	No Term Limit	Not Applicable	Chief of MPD (Designee)	91%
Stephen Husk*	Not Applicable	No Term Limit	Not Applicable	Chair of US Parole Commission (Designee)	85%
Judi Simon Garrett, Esq.*	Not Applicable	No Term Limit	Not Applicable	Director of the US Bureau of Prisons (Designee)	33%
Hon. Charles Allen*	Not Applicable	No Term Limit	Ward 6	Chair of the Comm. On the Judiciary and Public Safety	66%

*Non-Voting Member

29. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Provide a description of whether the agency is in compliance with these requirements, and if not, why not (e.g. the purpose behind the requirement is moot, etc.).

The Sentencing Commission is in compliance with the reporting requirements listed below:

- (a) Required by Statute:
 - D.C. Sentencing Commission Annual Report
 - D.C. Voluntary Sentencing Guideline Manual

Agency Operations

30. Please describe any initiatives that the agency implemented in FY18 or FY19, to date, to improve the internal operations of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.

The agency implemented several new initiatives in the past two fiscal years to improve efficiencies and collaboration with outside parties. A brief description of those initiatives is provided below:

- a. In FY 18 the agency developed a standardized template for the Annual Report that extracts the necessary data from the GRID system and automatically develops the required charts and graphics, as well as providing the accompanying text. The template also allows for the addition of new data analyses, as needed or required. This initiative helped reduce the staff resources necessary to develop the graphs and tables included in the agency's annual report, allowing more time for ad hoc data analysis and sentencing related research.
- b. A new process was implemented in FY18 to improve Departure Letter responses. A tracking process was designed to send out the initial departure letter to the court within 30 days of sentencing, with follow-up reminder emails every two weeks for a six week period before a sentence is deemed non-compliant. In cases where a judge may have several unanswered departure letters; a follow-up phone call by the Executive Director is made to chambers. The earlier a departure letter is sent to the court, the higher the probability of receiving a response from the court and

the fewer non-compliant sentences recorded. Response rates from departure letters increased 6% between FY17 to FY18 and demonstrate 13.4 % increase in response rates since FY16.

- c. In FY18, the Commission held an all-day retreat to discuss issues related to how prior criminal convictions are used to calculate criminal history scores under the Guidelines. The retreat was facilitated by Richard Frase from the Robina Institute, a leading scholar in area of Sentencing Guidelines. The retreat provided information regarding how criminal history is calculated in other jurisdiction and area where the District may consider modifications.
- d. Following up on one of the recommendations from the Sentencing Guideline Evaluation Report, a Sentencing Guideline Survey of primary users of the Guidelines was completed in March of 2018. The survey focused on obtaining an overall understanding of how the primary users of the Guidelines perceive various rules and components of the D.C. Sentencing Guidelines. The survey also sought feedback from respondents as to whether they thought the Guidelines were achieving their goals, what portions of the Guidelines they felt were problematic and could be improved, and any recommendations that would increase the effectiveness of the Guidelines. The survey provided respondents with the opportunity to provide direct feedback to the Commission on issues related to the Guidelines.
- e. A series of nine Focus Groups with key Guideline users were held over the summer of FY18 for the purpose of helping the Commission gain a better understanding of the issues and concerns identified in the Sentencing Guideline Survey responses. The Focus Groups were facilitated by The Moss Group and identified several key aspects of the Guidelines that users felt the Commission should revisit including: criminal history calculations, re-ranking of offenses, sentencing options, and expanded training opportunities. The Commission is currently examining these recommendations and considering modifications where appropriate.
- f. In FY19, the agency has developed a standardized list of 28 Data Quality Assurance (DQA) queries to improve the quality of sentencing data used for analysis purposes. These standardized queries are used for every data set or analysis undertaken by the Commission and identify key data quality issues that need to be addressed, such as sentence date before date of birth, sentence type is null, or age at offense is less than 15 years of age etc. By identifying and addressing data quality issues, the Commission ensures that its analysis and research results are accurate and valid.
- g. Automated database queries to calculate KPIs and Work Load Measures that are included in the agency's annual Performance Plan were implemented in the first quarter of FY19. These figures are calculated quarterly and reported through Quickbase. By automating the queries necessary to calculate these figures, (1) the agency reduces staff time required for this task, (2) ensures that reliability of the results/figures, and (3) ensures that data is reported in a timely manner.

31. What are the agency's top five priorities? Please explain how the agency expects to address these priorities in FY19. How did the agency address its top priorities listed for this question last year?

The agency's top five priorities for the agency during FY19 are as follows:

1. Continue to review and examine the manner in which Criminal History is calculated under the Sentencing Guidelines and identify potential modifications.

Based on information received at the Criminal History Retreat facilitated by Richard Frase from the Robina Institute, and feedback provided by both the Sentencing Guideline Survey and Focus Group participants last summer, the Commission has identified several priorities related to the manner in which criminal history scores are calculated including:

- a. Double counting provisions
- b. Offense patterning
- c. Inclusion of misdemeanor and juvenile adjudications
- d. Length of look back/decay period
- e. Current lapse and revival procedures
- f. Revisiting the point value assigned to prior convictions

The Commission intends to examine each of these issues by (1) conducting a jurisdiction by jurisdiction comparison; (2) undertaking data driven analyses to identify the potential impact of any policy change; and (3) identifying both long and short term implications of potential policy changes to determine if and how criminal history calculations should be modified.

2. Development of the MPD Arrest Data Feed

The development of the MPD Arrest Data Feed remains a priority for the Commission given that the inclusion of arrest data to the GRID database would allow for developing a comprehensive felony case record from arrest to sentencing – something that is not currently available in the District. The agency, with the assistance of a project manager, has completed all of the initial planning work for this project including: (1) identifying the technical and operational requirements, (2) developing a baseline cost estimate, (3) creating a project schedule, and (4) estimating the cost distribution for the project. The agency has worked with OCP to create a clear Statement of Work (SOW) and developed a Request for Proposal (RFP) that is ready for distribution when funding is available. If funding is provided, the agency would release the RFP immediately with a tentative start date for system development of October 2019. The project is anticipated to be one year in length.

3. Develop and implement a Comprehensive Sentencing Guideline Training Strategy

One of the recommendations set forth in the Focus Group Report was that Guideline users expressed the need for more training related to the application of the Guidelines, especially relating to how to calculate criminal history scores, long and short split sentences, and scoring out of District offenses. While most individuals received some

form of training, it was stated that it would be useful to have more in-person and interactive training opportunities. As a result of that recommendation, the Commission has developed a training strategy that includes organizational and individual level training sessions tailored around specific topics to better meet the needs of users. Training is provided several times monthly and participants can register online to attend any training of their choice. Among the trainings available are: (1) Introduction to Sentencing Guidelines; (2) Guideline refresher courses; (3) Lapse and revival; (4) Accessory and attempt charges; and (5) Split sentencing. The agency will continue to add additional training sessions as needs are identified. Ensuring that all users are guided in the same way will lessen the likelihood of errors and lower the need for double checking and corrective action.

4. Establish Quick Fact Sheets for Felony Offenses

Many of the data requests received by the agency focus on sentencing related information for a specific felony offense. Frequently questions include: how many sentences were imposed, length of average sentence, types of sentences imposed or distribution of sentences by gender. In FY 2019, the agency will begin to develop a series of Quick Fact Sheets for individual felony offenses that are one page in length and will display basic sentencing trends for a specific offense. The Quick Fact Sheets will present an overview of the frequency of sentencing, type and length of sentences imposed, and offender demographics. By making this information available in a clear and concise format, District residents will be informed regarding the types and lengths of sentences imposed for felony offenses. The agency intends to publish two Quick Fact Sheets in FY 2019 and potentially one each quarter in 2020.

5. Design and produce a Sentencing Guideline “Issue Paper”

The Sentencing Guidelines uses two basic factors to determine the recommended Guideline sentence – the offense of conviction and the criminal history of the offender. Even though it appears that the Guidelines calculation is fairly straight forward, there are a number of Guideline provisions and/or rules that can be confusing and complicated. Issue Papers will be two to four pages in length and will examine specific aspects of the Guidelines to help both frequent users and the general public gain a better understanding of how the Guideline actually work. Potential topics for Issue Papers include: (1) What does a compliant Guideline sentence mean, (2) what is a departure factor and when is it used, or (3) what is a short-split sentence. An Issue Paper is intended to address the more complicated and confusing Guideline issues in a very straightforward manner to improve the public’s understanding of the how the Guidelines operate. The agency intends to publish one Issue Paper in FY2019 and two semi-annually in FY 2020.

B. Status of Top Five Priorities from FY 2018

1. Complete the development, distribution, and analysis of the Sentencing Guideline Survey.

On February 12, 2018, the Commission distributed a Sentencing Guidelines related survey to members of the Public Defenders Service (PDS), United States Attorney’s Office (USAO), Court Services and Offender Supervision Agency (CSOSA), D.C. Superior Court (DCSC), and private practice law firms in order to obtain a general understanding of

how individuals of these select criminal justice agencies perceive various rules and components of the D.C. Sentencing Guidelines. Survey questions/topics that generated significant agreement or variance in responses would be explored in more detail through the Focus Groups.

Respondents were given six weeks to complete the survey before it was closed on March 26, 2018. The Commission received a total of 81 completed surveys¹ out of the 226 that were distributed, representing a 36% response rate. Upon completing the analysis of survey responses, several key findings were identified for review and discussion among Commission members. Many of these key findings related directly to the topics and recommendations that were discussed in the Guideline Evaluation Study, including the role of criminal history, the placement of short split and probation boxes, and the ranking of specific offenses on the Master Grid. The survey findings served as the basis for the development of questions for the Focus Groups.

2. Conduct Focus Groups with key agencies using the Sentencing Guidelines.

The Commission contracted with The Moss Group in April 2018 to design and facilitate a series of Focus Groups to learn how key partner agencies perceive the Guidelines in terms of their structure and application and to develop a report identifying components of the Guidelines that may warrant further evaluation by the Commission. Between June and August 2018, nine Focus Groups were completed with USAO, PDS, CSOSA, CJA Attorneys and Judges. The Focus Groups followed a structured question protocol with each group to allow for more in-depth discussion of key themes identified through survey responses. Upon completion of the Focus Groups, a report was prepared and distributed to the Commission which included a series of overall and agency specific findings, as well as, a set of recommendations for the Commission to consider implementing.

3. Review the manner in which criminal history is calculated under the Sentencing Guidelines and identify potential modifications.

The Commission spent the majority of its meeting in both FY18 and FY19 to date examining the various factors used to calculate criminal history scores. Utilizing information provided by other Sentencing Commissions and reviewing sentencing data, issues including double counting, offense patterning, points allocated for prior convictions, and the impact of juvenile adjudications and misdemeanor offenses have been reviewed and discussed. The Commission did choose re-rank one offense, Felon in Possession, to address the double counting issue that was identified. Ongoing discussions and data review continue as the Commission works towards identifying additional modifications it deems appropriate.

4. Develop and distribute a Request for Proposal (RFP) for the MPD Arrest Data Feed Enhancement Project.

The agency received approximately \$129,500 in December 2017 to secure the services of a part-time Project Director for the MPD Arrest Data Feed Enhancement Project. A Project Director was hired and the system's technical and operational requirements were

¹ Not every respondent answered every question on the survey. For example some questions received 78,79,or 80 responses, as opposed to the full 81 who completed the survey

developed, along with a project schedule, test strategy, and project deliverables. The agency worked with the Office of Contracting and Procurement to define a Statement of Work and Request for Proposal was developed. However, the funding required to release the RFP was not available so the project could not move forward.

5. Award MPD Arrest Data Feed Enhancement Project Contract and begin development.

The agency did not receive the necessary funding to award this contract in FY18 or FY19. A FY20 Capital Budget request has been submitted in an attempt to secure the necessary funding to complete the project.

32. Please list each new program implemented by the agency during FY18 and FY19, to date. For each initiative please provide:

a. A description of the initiative;

Beginning in FY 2019, the agency initiated the implementation of a comprehensive Sentencing Guideline training strategy that focuses on both training availability and content. This new program was developed in direct response to a recommendation contained in the Sentencing Guideline Focus Group Report. The new training program builds on the agency's previous training materials by adding more in-person training opportunities, along with interactive activities including case scenarios, practice calculations, and quizzes. One of the goals of the new training strategy is to ensure all users are trained in a similar manner to lessen the likelihood of errors and the need for double checking and/or corrective action. Individuals can now access training schedules and enroll in training online through the agency's webpage.

The new training curriculum includes: (1) overview sessions (for individuals who are new to the Guidelines), (2) topic-specific sessions (which focus on specific aspects of the Guidelines that can occasionally be difficult to implement), (3) refresher courses (for individuals who may be familiar with the Guidelines and want a brief overview of how the Guidelines operate), and (4) agency-specific courses (where the training focuses on the specific needs or interest of a single agency).

The new training courses now available include:

- Guidelines Training 101
- Guidelines Refresher
- Scoring Out-of-District Offenses
- Lapse and Revival Rules
- How to Split a Sentence
- Scoring Prior Adjudications and Misdemeanors
- Handling Accessory and Attempt Charges
- Determining Offense Severity in Unusual Cases
- Handling Accessory and Attempt Charges
- Mandatories, Enhancements, and Rule 11

b. The funding required to implement to the initiative; and

No additional funding was required to implement this initiative.

c. Any documented results of the initiative.

This initiative was only implemented during the first quarter of FY 2019, thus sufficient time has not elapsed to document results to date. It is anticipated that a successful training strategy will reduce the number of Guideline questions answered by the agency, reduce the number of errors in criminal history score calculations, and increase the consistent application of the Guidelines by various criminal justice agencies.

33. What are the top metrics regularly used by the agency to evaluate its operations? Please be specific about which data points are monitored by the agency.

The agency utilizes the following data points to evaluate its operations:

- a. Number of felony cases, counts, and offenders sentenced
- b. Percentage of Guideline compliant sentences imposed
- c. Percentage of Guideline compliant “in-the-box” sentences imposed
- d. Percentage of Compliant Departures
- e. Percentage of “in-the-box” 11(c)(1)(c) Pleas
- f. Percentage of effective Guideline Trainings
- g. Number of Guideline Questions answered within 24 hours
- h. Percentage of GRID/GSS tickets resolved within 14 days
- i. Percentage of responses to data requests provided within 20 days
- j. Number of agency website updates completed

34. Please list the task forces and organizations of which the agency is a member.

- | | | |
|----|-------|--|
| a. | NASC | National Association of Sentencing Commissions |
| b. | NAJIS | National Association for Justice Information Systems |
| c. | IWG | Inter-agency Information Work Group |
| d. | ITAC | Information Technology Advisory Committee |
| e. | ISW | Inter-agency Security Work Group |
| f. | IDQ | Inter-agency Data Quality Work Group |
| g. | MPD | Gun STAT |
| h. | OCTO | Data Science Work Group |
| i. | OCTO | Interagency Data Team |
| j. | OCTO | Information Security Officer Team |

35. Please explain the impact on your agency of any legislation passed at the federal level during FY18 and FY19, to date, which significantly affected agency operations.

There was no legislation passed at the federal level during FY18 or FY19 to date that has significantly affected the agency’s operations.

36. Please identify all electronic databases maintained by your agency, including the following:

The agency designed, developed, implemented, uses, and maintains the Guidelines Reporting Information Data (GRID) system and the GRID Scoring System (GSS) module to the GRID system described below.

- a. A detailed description of the information tracked within each system; and

The GRID System is an independent web-based application platform, with an electronic database system backend. It enables the Commission to capture sentencing information, analyze Guidelines compliance, and perform numerous types of data analysis. Its core capabilities include: receiving and processing information storing, displaying, and exporting data; calculating compliance; and performing analytics/analysis. It utilizes data from three sources: the Superior Court, CSOSA, and individual judges.

The Superior Court provides the Commission with all offense, conviction, and sentencing-related data. This data is transmitted from the Superior Court to the Commission electronically through the CJCC's Integrated Justice Information System Outbound Data Feed (IJIS 12.1). CSOSA officers directly input offender criminal history and demographic information into the GRID system via the GRID Scoring System (GSS) module. Finally, individual judges provide specific case information in response to Commission staff inquiries regarding perceived non-compliant departures from the Guidelines.

Using the data received from the Superior Court and CSOSA, the GRID system can determine judicial compliance with the sentencing Guidelines for felony convictions sentenced in Superior Court, identify sentencing trends, and perform numerous sentencing related data analyses required to respond to data requests.

GSS also provides a bi-direction exchange of sentencing information between the Commission and CSOSA. After a judge sentences an offender, GSS electronically informs CSOSA if the judge followed the CSOSA recommended sentence and notes any changes made to the offender's criminal history score.

- b. The age of the system and any discussion of substantial upgrades that have been made or are planned for the system.

The GRID system was fully implemented in December 2013. Commission staff and CSOSA officers began to fully utilize the GSS module in March 2015. Since implementation, modifications have been made to both the GRID system and the GSS module to better capture data, improve usability, add new functionality, ensure correct Guidelines compliance calculations, and improve system reliability and security.

The agency has no major updates planned for FY 2019, but has submitted a FY 2020 Capital Budget request to undertake a substantial upgrade to the GRID system that will enable the Commission to access, consume and analyze MPD's arrest data. Such an upgrade will allow the Commission to conduct "entry to exit" analysis of felony offenses, offenders, and cases in the District. This project will greatly expand the amount of data consumed by the system and involves building a new interface with

MPD and a modified data base and system application that will be capable of consuming and integrating arrest with current court and criminal history data at the case level.

37. Please provide a detailed description of any new technology acquired in FY18 and FY19, to date, including the cost, where it is used, and what it does. Please explain if there have been any issues with implementation.

The agency has not acquired any new technology in FY18 or FY19 to date.

38. Please describe the MPD Arrest Data Enhancement Project. What are the remaining costs to complete the project?

The D.C. Sentencing Commission's current GRID system tracks and analyzes defendant and felony case information from the time a case is filed in D.C. Superior court until the final disposition of the case. However, the system does not receive, track, and analyze arrest related data. Consequently, it does not permit analysis on a key element of a criminal case's life cycle: arrest. The MPD Arrest Data Enhancement Project is intended to incorporate arrest information into the Commission's current data system, thus allowing the Commission to receive, track, and analyze case and defendant information from the time of arrest through sentencing.

The project has two key components. The first involves establishing a XML interface with MPD to transfer arrest related data on a daily basis into an arrest database. The second component of the project is to integrate arrest data with case/offender information contained within the GRID system to create a single record for each felony case processed by the court, allowing for analysis to be completed and trends identified between arrest factors, court procedures, and sentencing outcomes.

The total cost of the project is estimated to be \$922,100. To date the agency has received \$129,566.25, which was used to obtain the services of a Project Director to identify the project's functional and technical requirements, develop baseline cost estimate, and assist with preparation of the Statement of Work (SOW) and Request for Proposal (RFP). A detailed project budget has been entered into PROMS. At a summary level, the remaining project related costs are estimated to be \$795,024 and include the following:

a. Project Management	\$126,456	
b. Baseline development costs	\$517,200	(Includes \$60,000 for Risk)
c. Equipment	\$124,450	
d. Training	\$ 13,998	
e. Enterprise App. Software	<u>\$ 12,920</u>	
Total	\$795,024	

39. How many data requests did the agency receive in FY18 and FY19, to date? Please provide a detailed explanation of the data requested, whether it was approved or denied, and the average response time.

FY 2018 Data Requests	
Request Description	Approved
(1)Percentage of executed-prison sentences that come from low or medium severity offenses but an elevated criminal history score moves the offender into prison-only Guidelines cells; (2)percentage of non-violent offenses sentenced in these cells;(3) percentage of sentences in these cells where offenders did not have violent crimes among either their instant offenses or their prior convictions.	Yes
(1)Number of offenders aged 40 or more sentenced for low or medium severity offenses but an elevated criminal history score moves the offender into prison-only Guidelines cells; (2) frequency distribution of types of prior and instant offenses associated with these sentences.	Yes
(1)Percent contribution of prior juvenile adjudications and prior misdemeanor convictions to offenders' criminal history score total by type of prior and instant offense; (2)frequency with which prior juvenile adjudications and/or prior misdemeanor convictions move offenders into prison-only Guidelines cells for low or medium severity instant offenses, (3)Percent contribution of high- and low-severity prior felony convictions to offenders' criminal history score total by type of prior and instant offense; (4) frequency with which high- and/or low-severity prior felony convictions moves offenders into prison-only Guidelines cells for low or medium severity instant offenses.	Yes
Percent of sex offenses conviction attributed to juveniles under age of 16. Agency does not have sentencing data for juvenile offenders.	Denied
Percent contribution of prior juvenile adjudications and prior misdemeanor convictions to offenders' criminal history score total by type of prior and instant offense; frequency with which prior juvenile adjudications and/or prior misdemeanor convictions moves offenders into prison-only Guidelines cells for low or medium severity instant offenses, Percent contribution of high- and low-severity prior felony convictions to offenders' criminal history score total by type of prior and instant offense; frequency with which high- and/or low-severity prior felony convictions move offenders into prison-only Guidelines cells for low or medium severity instant offenses.	Yes
Type of sentence imposed by age group for: Felon in Possession, Carrying a Pistol without License and Possession of an Unregistered Firearm	Yes
Percent contribution of lapsed-and-revived convictions to offenders' criminal history score total by type of prior and instant offense; frequency with which lapsed-and-revived prior convictions move offenders into prison-only Guidelines cells for low or medium severity instant offenses.	Yes
Frequency with which a prior juvenile adjudication, prior misdemeanor, prior high-weighted felony, or prior lapsed-and-revived felony move an offender into a higher criminal history score group.	Yes
Breakdown (by offense severity group) of felony sentences where an offender's criminal history score total is 6 or more and sentence imposed was more than a hypothetical ceiling as specified by Robina Institute.	Yes
Number of sentences by instant offense name, years sentenced, and severity group, for offenses that fall into the Commission's "Sex" and "Violent" offense categories.	Yes
Frequency table of sentences by sentence type whereby "prison" was defined as "incarceration for more than a year and a day."	Yes
Number of weapons offenses sentenced by Ward – Agency does not have sentencing data by Ward	Denied
Number of males over the age of 50 sentenced for a violent offense	Yes

Number of offenders over the age of 50 or age of 60 with no prior CH sentenced to incarceration	Yes
Juveniles sentenced for First Degree Murder in past 10-20 years. Agency does not have juvenile data, only data on juveniles certified as adult.	Denied /Resubmitted
Sentencing disposition for all contempt charges filed (both sentenced and not sentenced) between 2010 and July 17, 2018. Specifically requested: # contempt counts were filed, # sentenced/not sentenced, and the total number of counts resolved via each disposition type.	Yes
Sentencing information for juveniles (ages 16 and 17 at the time of the offense), who were charged as adults for one or more of the following offenses: murder, first degree sexual abuse, first degree burglary, robbery while armed, carjacking, or assault with intent to commit any such offense; under D.C. Code § 16-2301(3)(A) between 2010-2018.	Yes
Sentencing information for females convicted of (1) Carrying a pistol w/o license, and (2) Unregistered firearm	Yes
An Excel data set contained sentencing information for all felony cases sentenced between 2013 and February 2018. The data file contained variables such as the sentence imposed (length and type), the sentence date, the offense of conviction, criminal history score, compliance status, and demographic variables of the defendant.	Yes
FY 2018 Average Response Time	18.93 Days
FY 2019 Data Request to Date	
Request Description	Approved
Requested sentencing information for counts sentenced to either Murder II or Involuntary Manslaughter involving convictions arising from vehicular manslaughter – 2 separate requests	Yes
Average sentence imposed for homicide by weapon type	Yes
Median incarceration sentences imposed by Master and Drug Grid boxes	Yes
# Sentences imposed for vehicular homicide – DC does not have this statute instead uses negligent homicide. Number of sentences imposed for negligent homicide.	Denied/ Resubmitted
# Criminal History scores that include prior misdemeanor convictions: 2015-2018.	Yes
Average increase in sentence length due to counting prior juvenile adjudications in CH scores.	Yes
Sentencing trends for both Felon in Possession and Carrying Pistol w/o Licenses 2015-2019	Yes
# Felon in Possession counts in single versus multiple count cases – sentence imposed	Yes
# of Offenders sentenced for violent offenses in 2016-2018 with prior Juvenile Adjudications for violent offenses.	Yes
FY 2019 Average Response Time	14.5 Days

40. Please discuss any modifications made to the Voluntary Sentencing Guidelines in FY18 and FY19, to date, including a description of the modification.

Based on recommendations from both the Guideline Evaluation Study and the Criminal History Retreat, the Commission began examining specific offenses that were identified as potentially inconsistent with the underlying Sentencing Guideline principles. The Guideline ranking of Offense Severity Group (OSG) 7 for Felon in Possession (FIP) was identified by Commission members as problematic for several reasons.

First there is a “Double Counting” issue related to criminal history. Felon in Possession is elevated from OSG 8, (the same OSG that Carrying a Pistol without a License to Offense is ranked) to OSG 7 due only to fact the individual had a prior felony conviction—the underlying criminal behavior - possession an illegal firearm – is the same. Given that it is the prior felony conviction that increases the OSG, that same prior felony conviction is then also counted in the individual’s criminal history score, increasing the CH score from

Category A to Category B or higher. For this offense, Felon in Possession, the individual's prior conviction of any felony is counted twice – first to elevate the OSG and second – to increase the individual's CH score category. Given that this double counting does not occur for other offenses, it raises a fair, just, and equitable sentencing issue under the Guidelines.

The second issue discussed by the Commission is that Felon in Possession has a Mandatory Minimum sentence of one year, which usurps the recommended guideline sentence. Regardless of which OSG the Guidelines rank Felon in Possession, the Mandatory Minimum sentence of 1 year remains applicable. The re-ranking the FIP from OSG 7 to OSG 8, had no impact on the one year mandatory minimum sentence that applies to this offense.

Finally, Felon in Possession ranked as an OSG 7 results in the imposition of a non-compliant sentence under the Guidelines. In OSG 7, Criminal History Category B, the minimum recommended Guideline sentence is 18 months, whereas the Mandatory Minimum sentence for this offense is 12 months. When the mandatory minimum sentence is imposed, as required by law, the sentence becomes non-compliant with the Guidelines, resulting in an increase in the number of non-compliant Guideline sentences imposed due to this one specific offense.

The Commission voted on June 19, 2018 to re-rank Felon in Possession from OSG 7 to OSG 8 to address the above issues, without any impact on the Mandatory Minimum penalty set by the D.C. Council for the offense. This change went into effect for any pleas or verdicts on or after July 16, 2018.

- a. For any offense modified in the Voluntary Sentencing Guidelines, please summarize sentencing trends in the 12-month period before modifications were made and sentencing trends since that modification.

Displayed on the chart below is an overview of sentencing trends before and after the Commission's re-ranking of Felon in Possession from OSG 7 to OSG 8. FIP only accounted for slightly less than 10% of all felony counts sentenced in the prior 12 months and only slightly more than 5% of all counts sentenced in the past six months since the re-ranking occurred. The re-ranking of FIP has resulted in a decrease in the average sentence length difference of 4.5 months to date.

It should be noted that the vast majority of FIP counts are sentenced as part of multi-count cases in which the sentence for FIP runs concurrently to sentences for more serious counts such as ADW, AWIK, or Robbery. In these multi-count cases, the FIP sentence was not the controlling or longest sentence imposed. Cases in which all charges are dismissed other than FIP; typically involve dismissed charges such as carrying a pistol w/o license, unlawful possession of ammunition, or possession of an unregistered firearm. Given that FIP is subject to a one year mandatory minimum period of incarceration, it often represents the longest sentence in these cases.

Impact of Felon in Possession (FIP) Re-ranking : From M7 to M8		
Effective Date of Plea or Verdict - July 16, 2018		
	Pre Change - M7 July 15, 2017- July 15, 2018	Post Change - M8 July 16, 2018- January 23, 2019
Total # of Felony Counts Sentenced	2379	1086
Total # of FIP Counts Sentenced	231	61
Average FIP Sentence	20.89 months	16.34 months
Median FIP Sentence	24 months	14 months
Single Count Cases	15	7
Multi Count Cases	216	54
Consecutive	10	5
Concurrent	83	15
Consecutive / Concurrent	11	3
FIP ONLY - all other charges dismissed	112	32
Total Compliant Sent.	215	56
Total Non-Compliant Sent.	16	5
Total Number 11(c)(1)(c) Pleas	22	6

- b. What changes to the Voluntary Sentencing Guidelines, if any, is the agency considering for the remainder of FY19?

The Commission is currently examining a number of specific issues related to how criminal history scores are calculated under the Guidelines. To date, offense patterning, CH points allocated for prior convictions by OSG, and Lapse and Revival issues have been discussed. The Commission is carefully researching and reviewing the potential impact of any change to ensure there are no unintended consequences of any policy change. It is likely that the Commission will continue its data driven analysis of criminal history related issues and collectively bring forth any criminal history calculation changes it deems appropriate and necessary.

41. Please describe any training or educational components located on the Sentencing Commission's website.

The Commission currently has six (6) separate training or educational components available in the training module of the agency's webpage. A brief overview of those components is provided below:

- **An Introduction to Sentencing:** This is an introductory training that focuses on the sentencing process in the District of Columbia Superior Court. It was created solely for people who are unfamiliar with sentencing or the legal process, especially those

who are interacting with the process for the first time (victim, defendant, family members, etc.). The training does not focus on the Sentencing Guidelines, but shows users how the Guidelines fit into the sentencing process.

- **Basic Voluntary Sentencing Guidelines Training:** This is an introductory training for individuals with limited or no exposure to the D.C. Voluntary Sentencing Guidelines. It is designed so that legal practitioners and members of the public can learn the basic information about the application of the Sentencing Guidelines in the District. The training also provides an overview of how the Sentencing Guidelines are used by practitioners and judges.
- **How the Commission Determines Judicial Compliance with the Sentencing Guidelines:** This training explains how the Commission determines if a sentence imposed is compliant with the Guidelines. It is useful to anyone reviewing Commission compliance data so they fully understand the Commission compliance classification methods. It is also helpful to practitioners who want to ensure they understand what makes a sentence compliant with the Guidelines.
- **Calculating Prior Criminal History:** This is an advanced training focusing on how a defendant's prior criminal history score is calculated. Criminal history score calculations are one of the more complex aspects of the Sentencing Guidelines, and a majority of the questions the Commission receives from practitioners involve the calculation of a defendant's prior criminal history score. The training was developed to help those working with the Guidelines to better understand how a defendant's criminal history score is calculated and what can be done to challenge a criminal history score in court.
- **The Scoring of Prior Marijuana Convictions:** This training is designed for practitioners. It focuses on the recent changes the Commission made to the scoring of prior marijuana convictions under the Guidelines. Following marijuana legalization, the Commission created a new rule on how the Guidelines treat and score prior marijuana convictions. This was necessary because the conduct underlying those convictions may have been decriminalized and/or legalized. The training provides a step-by-step explanation of how to apply the rule.
- **DC Voluntary Sentencing Guidelines Quick Reference Sheet:** This is a reference guide for practitioners to print out and take with them. It contains sentencing and Guidelines information that is useful to have during a hearing (such as Guidelines aggravating and mitigating departure factors, any applicable mandatory minimum sentence, and supervised release periods for different offenses). The Commission hopes the reference is beneficial to attorneys and judges.

Additionally, the Commission has added three separate FAQ sections to the website. The FAQs educate the public about the Commission, the Sentencing Guidelines, and the Commission's Data.

- **Sentencing Commission Frequently Asked Questions:** This FAQ reviews the composition of the Commission, its mission, what it does, when it meets, and how to contact the Commission. It also notes the difference between the Sentencing Commission and the Criminal Code Revision Commission.
- **Sentencing Commission Data Frequently Asked Questions:** This FAQ discusses the data used by the Commission, the Commission's Data Sharing Policy, what data is available to the public, how and where the Commission publishes data, and how unpublished data can be requested.
- **Voluntary Sentencing Guidelines Frequently Asked Questions:** This FAQ answers the Commission's most common general and specific Guidelines inquiries, such as the difference between the DC and Federal Guidelines, how to get assistance applying the Guidelines, whether the Guidelines apply to misdemeanor or juvenile convictions/adjudications, the Youth Rehabilitation Act's effect on the Guidelines range, and whether a judge is legally obligated to follow the Guidelines.

42. How has and will the Sentencing Commission improve departure letter response rates in FY19?

During the past year the agency enacted a new internal process to improve the response rate for Departure Letters that are sent to the court when the sentence imposed, after review by the Commission staff, appears to be a non-compliant sentence. Often, the sentence imposed is in fact a compliant Guideline sentence but information concerning departures, incorrect criminal history scores, or missing sentencing enhancements may not be indicated in the electronic data received by the Commission. A Departure Letter provides the court an opportunity to review the sentence and provide any missing or additional information that may impact the compliance status of a sentence imposed. In the past responses to departure letters have been limited, which has a direct impact on the overall Guideline compliance rate.

To improve the departure letter response rate, the agency implemented a structured manual review process for any sentence initially designated as "non-compliant" by the GRID system that checks for data quality issues and the sentence imposed is also verified using JUSTIS. The new timeline is six weeks in length, which starts the day that the original Departure Letter is sent which is within 30 days of sentencing. The second notice letter is sent two weeks later and the third letter sent two weeks after the second notice. By week six, the Executive Director contacts the judge's chambers directly if no response has been received. If no response is received after contact from the Executive Director, the case status is changed from Non-compliant to Confirmed Non-compliant with a justification of "No response from court" entered in the GRID system. The goal of this initiative is to improve the response rates from the court by at least 10%.

In FY 2016, the Departure Letter response rate was only 71.7%, demonstrating a no-response rate of approximately 28%. However, in FY 2018, after the new procedure was

implemented, the response rate increased to 85.1%. This reflects an increase in the response rate of 14%, exceeding the Commission's projected increase of 10%.

43. How many trainings did the Sentencing Commission conduct on the Voluntary Sentencing Guidelines in FY18 and FY19, to date?

Sentencing Guideline Trainings (FY18 and FY19 to date by Quarter)

Quarter	Number of Trainings	Number of Individuals Trained
FY18 Q1 (Oct.-Dec.)	5	42
FY18 Q2 (Jan.-March)	7	56
FY18 Q3 (April-June)	5	35
FY18 Q4 (July-Sept.)	2	16
FY19 Q1 (Oct.-Dec.)	3	24
FY 19 Q2(Jan – March)	2	65
Total	24	238

44. Please briefly describe the Moss Group's 2018 Focus Group Report and the Sentencing Commission's intended next steps concerning the report's recommendations. How does the Commission intend to study the validity and reliability of the Guidelines' current methodology for calculating criminal history scores?

The Commission contracted with The Moss Group in the spring of 2018 to conduct a series of focus groups representing the primary users of the Sentencing Guidelines to follow-up on several Guideline related themes that were identified through a previous survey of these same users. A total of nine focus groups were held with representatives from the Judiciary, United States Attorney's Office, Public Defender's Service, Court Services and Offender Supervision Agency, and Criminal Justice Act Attorneys participating.

The report's key findings included:

- Focus group participants were in general agreement that the Guidelines are achieving their goals of certainty, consistency, and adequacy of punishment.
- Given the width of the Guidelines ranges, there may be inconsistency in sentencing even among Guidelines compliant sentences.
- Participants made several suggestions for amending the Grids by adding more probation and non-prison boxes on both Grids.
- Participants believed the Commission should consider re-ranking the following offenses: car-jacking while armed, carrying a pistol without a license, assault with intent to kill, first degree child sex abuse, and fraud crimes of a more egregious nature and involving larger financial amounts.
- Commission may want to reconsider a ranking for the offense of distribution of a controlled substance when the defendant is more of a go-between than a major distributor.
- All agency groups were interested in amending the criminal history scoring rules regarding misdemeanors, lapse and revival, and juvenile adjudications.
- Suggestions were made for updating the lists of aggravating and mitigating factors.

- Participants requested that the Commission offer additional guidance, training, and online resources.

The report's recommendations address several aspects of the Guidelines. Initially, the Commission has focused on two areas. The first involves the restructuring of the Sentencing Guideline training strategy to include increased training opportunities for guideline users to address the types and frequency of training indicated. A diverse training schedule is available on the agency's webpage for both agencies and individuals who desire additional information regarding the application of the Guidelines.

Second, the Commission decided to focus on issues related to the current calculation of criminal history scores since all focus group participants identified this as an area of the Guidelines that should be revisited given that the process is difficult, confusing, and often error prone. Criminal history scores are composed of several different factors, such as which offenses to include, lapse and revival policies for prior convictions, the number of points to assign to prior convictions, and decay periods. The Commission is looking at each of these factors individually to determine the impact they currently have on criminal history scores. In addition, the Commission is reviewing policies from other Sentencing Guideline jurisdictions to determine if there is a more appropriate approach. Finally, using current sentencing data, various scenarios are developed incorporating potential policy changes to determine the impact. This final step is extremely important given that it allows the Commission to review and discuss the potential impacts prior to enacting any policy change. Often discussions result in a second or third analysis of a potential policy change to incorporate issues or concerns of Commission members. This data driven policy approach helps to avoid policy making based on emotion or headlines.

45. Please list any reports or analyses that the Sentencing Commission plans to release in the remainder of FY 2019.
- a. 2018 D.C. Sentencing Commission Annual Report
 - b. 2019 Voluntary Sentencing Guideline Manual
 - c. Issue Paper (2)
 - d. Quick Facts (1)
46. What is the Sentencing Commission's protocol regarding follow-up on published reports?

The agency has a two prong approach for follow-up on any published report. If the agency receives specific questions on the information presented in the report, it responds within 24 hours or the next business day via phone or email. If additional information is requested or necessary, the agency responds within seven business days in writing. If the report identifies a specific sentencing issue/trend or includes recommendations for the Commission to consider further, then it is listed as an agenda item for a Commission meeting, at which time the Commission will discuss the issue or recommendation and identify a course of action to either research the issue further or take the appropriate action to address the issue to ensure that the goals of the Sentencing Guidelines are being achieved.

47. How does the Sentencing Commission stay up-to-date on changes or trends in sentencing policy across the country? How does the Commission then communicate these changes or trends to its stakeholders such as the Council?

Agency staff attends the annual meeting of the National Association of Sentencing Commission, which provides an excellent opportunity to learn about new and emerging sentencing issue across the nation. In addition, there are presentations on innovative research and data related topics, sentencing disparity, effective non-prison sanctions, use of risk assessment at sentencing, and evaluation of sentencing and criminal justice policies. Staff follows state and Supreme Court decisions related to sentencing issues and participate in Bureau of Justice Assistance (BJA) and Bureau of Justice Statistics (BJS) trainings that are held locally. Finally, publications from Sentencing Project, National Council of State Legislatures, and National Criminal Justice Reference Service are provided to staff to increase their exposure and knowledge of sentencing issues.

The Commission communicates emerging trends and policy issues to stakeholders, including the Council, in a number of ways. The agency's Annual Report presents sentencing trends and analysis that are compared to or reference sentencing policy nationwide. In addition, the agency participates in roundtables, public meetings and hearings related to sentencing policy related issues.

The agency also has a robust webpage that enables the sentencing policy issues to be shared to a large audience in a very timely manner through its Guideline Alerts section. Specifically, "Guideline Alerts" are used to highlight any new or important Sentencing Guideline issue or action by the Commission that both local and federal partners need to know.

48. Describe any community outreach efforts undertaken by the agency in FY18 and FY19, to date. How does the Sentencing Commission solicit feedback from residents and stakeholders and help them understand the sentencing process?

During FY18, the agency has made a concerted effort to increase the general public's understanding of the D.C. Sentencing Guidelines. With the help of our citizen representative on the Commission, the agency identified three specific populations that will benefit from a Guidelines information session. These populations include: (1) juveniles/youth, (2) ex-offenders, and (3) the general public (including Faith Based Groups, Advisory Neighborhood Commissions, and Civic Groups). To make the public Guideline presentations more effective, three different approaches to presentations have been developed, each focusing on the needs and interests of a specific audience. These presentations have been piloted with the Commission's citizen representative and feedback incorporated.

The agency has currently scheduled four interactive presentations with District youth/juvenile organizations and will be reaching out to the ANC's in March to begin scheduling presentations. The final group to include ex-offenders will be contacted in late FY 2019 or early FY 2020. The presentations focus providing an overview of how the Guidelines function, the role of criminal history, and the various sentencing options available under the Guidelines. In addition, the impact of the Guidelines on each specific population is highlighted, such as youth, communities or ex-offenders. Each presentation includes a question and answer period to address the specific concerns of the participants.

District of Columbia Sentencing Commission (FZ0)
Schedule A as of January 24, 2019

Position Number	Title	Name	Hire Date	Status	Salary	Fringe Benefits	FY	Fund	Program Code	Activity Code	F/P/T	Reg/Temp/ Term
00004048	Statistician	Ergun,Mehmet A	4/10/2017	F	108,286	22,957	19	0100	2010	2000	F	Reg
00005771	Gen Counsel	Dansky,Kara P	9/4/2018	F	104,270	22,105	19	0100	2050	2000	F	Reg
00013485	Executive Director	Souvey,Barbara S	12/7/2009	F	161,666	34,273	19	0100	2040	2000	F	Reg
00027231	Staff Assistant	Hebb,Mia A	3/15/2010	F	63,897	13,546	19	0100	1010	1000	F	Reg
00035394	Data Management Specialist	Sesay,Miatta	9/6/2016	F	64,555	13,686	19	0100	2060	2000	F	Reg
00087491	Research Analyst	Tarnalicki,Taylor A	4/3/2017	F	77,084	16,342	19	0100	2010	2000	F	Reg

District of Columbia Sentencing Commission FY2018

Agency District of Columbia Sentencing Commission

Agency Code FZO

Fiscal Year 2018

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.

2018 Strategic Objectives

Objective Number	Strategic Objective	# of Measures	# of Operations
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	2
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	3
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	2
4	Create and maintain a highly efficient, transparent and responsive District government.**	0	0
TOT		7	7

2018 Key Performance Indicators

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target
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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		98.2%	94%	97.7%	96%	95.8%	96.5%	96.4%	96.7%
Compliant Departures		96.2%	95%	91.9%	92.5%	88.7%	93%	91.1%	93.2%
Compliant In-The-Box Sentences Imposed		86.7%	85%	85.8%	86.5%	89.3%	86.5%	87.8%	87%

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	✓	Not available	Not available	Not Available	Not Available	Not Available	New Measure	90.6%	82%
Guideline Questions Answered		99.3%	97%	99.6%	99.7%	99.5%	99.5%	98.2%	99.5%

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)

Measure	New Measure/ Benchmark Year	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target
Data Request Response Time	✓	Not available	Not available	Not Available	Not Available	Not Available	New Measure	95%	75.5%
GRID/GSS tickets resolved within 14 days	✓	Not available	Not available	Not Available	Not Available	Not Available	New Measure	74.4%	65%

**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 Operations

Operations Header	Operations Title	Operations Description	Type of Operations	# of Measures	# of Strategic Initiatives
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 Activities)					
SENTENCING GUIDELINE MONITORING	Identify Irregularities and Inconsistencies in Felony Sentences Imposed.	Review sentencing data received from the D.C. Superior Court to identify data quality issues to be resolved; identify sentences that are outside the recommended guideline sentence; and identify emerging sentencing trends that may require review by the Commission and potential policy modifications	Daily Service	1	1
SENTENCING GUIDELINE MONITORING	Review and Verify All Felony Sentences.	Review and verify each felony sentence imposed by the D.C. Superior Court is accurate, legal; and complete. Once the verification process is completed, calculate whether the sentence imposed matches the recommended guideline sentence in an accurate and timely manner	Daily Service	6	1
TOT				7	2
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 Activities)					
SENTENCING GUIDELINES TRAINING	Maintain and Update Agency Website.	Update the agency's website with "Guideline Alerts" to ensure the public and criminal justice community are notified of changes to sentencing policy or practices under the sentencing guidelines. Monthly update training and other guideline related materials to ensure public access to accurate and timely information about sentencing in the District of Columbia	Daily Service	1	0
SENTENCING GUIDELINES TRAINING	Provide Sentencing Guideline Training.	Provide Sentencing Guideline training to criminal justice professional that will increase their understanding of sentencing practices under the Guidelines and ensure proper application of the Guidelines thus reducing potential sentencing errors.	Daily Service	2	2
SENTENCING GUIDELINES TRAINING	Respond to Guideline Questions	On an ongoing basis the agency responds to questions from a number of sources including, Court Services and Offender Supervision Agency, judges, attorneys, and the public regarding criminal history scoring, sentence options, and offense rankings.	Daily Service	0	0

Operations Header	Operations Title	Operations Description	Type of Operations	# of Measures	# of Strategic Initiatives
		Responding to these questions in an accurate and timely manner avoids procedural delays and ensure that the parties understand the sentencing options available under the Sentencing Guidelines			
TOT				3	2
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 Activities)					
POLICY REPORTS AND PROPOSALS	Respond to Data Requests.	Effectively and efficiently respond to data requests from legislators, criminal justice professionals, and the public by providing accurate and timely sentencing information	Daily Service	1	1
SENTENCING GUIDELINE MONITORING	Monitor and Maintain the GRID System.	Monitor and maintain the data analysis module of the agency's data system (GRID) used to identify and evaluate sentencing trends throughout the year to inform the development of effective sentencing policy for the District. Technical and operational issues identified will be reported to the vendor for resolution within 14 days.	Daily Service	3	1
TOT				4	2
TOT				14	6

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

Measure	Freq	Q1	Q2	Q3	Q4	FY 2018
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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
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
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Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
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 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.	03-30-2018
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.	09-03-2018
Arrest Data Feed	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.	08-16-2019
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	03-30-2018

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
	after 2010. The four critical data checks will include: (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. 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.	
Increase Public Understanding of Sentencing Guidelines	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.	09-30-2018

District of Columbia Sentencing Commission FY2019

Agency District of Columbia Sentencing Commission

Agency Code FZO

Fiscal Year 2019

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.

2019 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.

2019 Key Performance Indicators

Measure	Directionality	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Target
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. (4 Measures)					
Percent of Compliant Guideline Sentences	Up is Better	95.8%	96.4%	96.8%	96.5%
Compliant Departures	Up is Better	88.7%	91.1%	94.1%	93%
Compliant In-The-Box Sentences Imposed	Up is Better	89.3%	87.8%	89.9%	87.5%
Percent of compliant sentences that represent 11(C)(1)(c) pleas	Up is Better	Not Available	Not Available	Not Available	12%
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	Up is Better	Not Available	90.6%	90.7%	83%
Guideline Questions Answered	Up is Better	99.5%	98.2%	99.5%	98.5%
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	Up is Better	Not Available	95%	90.9%	76%
GRID/GSS tickets resolved within 14 days	Up is Better	Not Available	74.4%	75.8%	68%

2019 Operations

Operations Header	Operations Title	Operations Description	Type of Operations
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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 Activities)

Operations Header	Operations Title	Operations Description	Type of Operations
SENTENCING GUIDELINE MONITORING	Identify Irregularities and Inconsistencies in Felony Sentences Imposed	Review sentencing data received from the D.C. Superior Court to identify data quality issues to be resolved; identify sentences that are outside the recommended guideline sentence; and identify emerging sentencing trends that may require review by the Commission and potential policy modifications.	Daily Service
SENTENCING GUIDELINE MONITORING	Review and Verify All Felony Sentences	Review and verify each felony sentence imposed by the D.C. Superior Court is accurate, legal; and complete. Once the verification process is completed, calculate whether the sentence imposed matches the recommended guideline sentence in an accurate and timely manner.	Daily Service

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. (4 Activities)

SENTENCING GUIDELINES TRAINING	Maintain and Update Agency Website	Update the agency's website with "Guideline Alerts" to ensure the public and criminal justice community are notified of changes to sentencing policy or practices under the sentencing guidelines. Monthly update training and other guideline related materials to ensure public access to accurate and timely information about sentencing in the District of Columbia.	Daily Service
SENTENCING GUIDELINES TRAINING	Provide Sentencing Guideline Training	Provide Sentencing Guideline training to criminal justice professional that will increase their understanding of sentencing practices under the Guidelines and ensure proper application of the Guidelines thus reducing potential sentencing errors.	Daily Service
SENTENCING GUIDELINES TRAINING	Respond to Guideline Questions	On an ongoing basis the agency responds to questions from a number of sources including, Court Services and Offender Supervision Agency, judges, attorneys, and the public regarding criminal history scoring, sentence options, and offense rankings. Responding to these questions in an accurate and timely manner avoids procedural delays and ensure that the parties understand the sentencing options available under the Sentencing Guidelines.	Daily Service
SENTENCING GUIDELINE MONITORING	Public Access to Sentencing Data	Provide a yearly data set on the agency's website to allow researchers and the public direct access to felony sentencing related data in the District.	Key Project

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 Activities)

POLICY REPORTS AND PROPOSALS	Respond to Data Requests	Effectively and efficiently respond to data requests from legislators, criminal justice professionals, and the public by providing accurate and timely sentencing information.	Daily Service
SENTENCING GUIDELINE MONITORING	Monitor and Maintain the Guideline Reporting Information Data (GRID) System	Monitor and maintain the data analysis module of the agency's GRID system used to identify and evaluate sentencing trends throughout the year to inform the development of effective sentencing policy for the District. Technical and operational issues identified will be reported to the vendor for resolution within 14 days.	Daily Service

▼ **2019 Workload Measures**

Measure	FY 2016	FY 2017	FY 2018
1 - Identify Irregularities and Inconsistencies in Felony Sentences Imposed (1 Measure)			
Number of Sealed Cases	1690	2144	3026
1 - Review and Verify All Felony Sentences (7 Measures)			
Number of CSOSA Criminal History Scores Submitted	1656	2004	2833
Number of Felony Cases Sentenced	1843	2182	1813

Measure	FY 2016	FY 2017	FY 2018
Number of Felony Counts Sentenced	2388	2658	2316
Number of Departure Letters Sent	60	124	114
Departure Letter Responses	71.7%	79.1%	85.1%
Number of Probation Revocations Sentenced	Not Available	Not Available	355
Number of sentences imposed as the result of 11(C)(1)(c) pleas	Not Available	Not Available	Not Available

2 - Maintain and Update Agency Website (1 Measure)

Number of Agency Website Hits	23,424	14,495	19,151
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2 - Provide Sentencing Guideline Training (3 Measures)

Number of Sentencing Guideline Trainings Provided	20	15	19
Agency Website Updates Completed	42	64	43
Number of individuals receiving Sentencing Guideline Training	Not Available	Not Available	Not Available

3 - Monitor and Maintain the Guideline Reporting Information Data (GRID) System (3 Measures)

Number Hours required to complete data requests	826	1688	971
Number of GRID Tickets Entered	67	45	69
Number of new charge codes mapped in GRID	Not Available	Not Available	21

3 - Respond to Data Requests (1 Measure)

Number of Data Requests Received	47	38	47
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2019 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update
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Provide Sentencing Guideline Training (1 Strategic Initiative)

Modifications to Guideline Trainings	The Evaluation Study of the Sentencing Guidelines contained several recommendations regarding modifications to criminal history calculations and application of the Guidelines. As the Commission implements these modifications, there will need to be specific trainings to ensure regular users of the Guidelines understand the changes and properly apply the Guidelines. At a minimum, the Commission will enact two Guideline Policy related changes by September 30, 2019. For each modification, two trainings will be completed within 30 days of the enactment of the policy change and a Guideline Alert will be developed and placed on the agency's webpage within 10 days of the policy change. In addition any required modifications to Guideline Reference material will be developed semi-annually and distributed electronically and in hard copy format when requested.	09-30-2019	
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Public Access to Sentencing Data (1 Strategic Initiative)

Annual Public Data Set	Provide a yearly data set on the agency's website to allow researchers and the public direct access to felony sentencing related data in the District. All felony sentences imposed during calendar year 2018 will be downloaded from the Guideline Information Reporting Data (GRID) system will be downloaded on January 1, 2019. The all personal identifying information will be removed from the data set and the data set will be cleaned by March 15, 2019, and posted on the agency's website by April 30, 2019.	04-30-2019	
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Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update
Respond to Guideline Questions (1 Strategic Initiative)			
Classification of Guideline Questions	The agency responds to Sentencing Guideline related questions from practitioners and policy makers on a daily basis. To streamline the response time to Guideline related questions, the agency will categorize questions into three specific categories: (1) Criminal history related, (2) Guideline application, and (3) Other. These groupings will be monitored and will serve as the basis for a minimum of two new FAQs that will be added to the agency's website by the end of each quarter. These FAQs will provide guidance to the most frequently asked Guideline questions and identify specific areas that should be highlighted in future Guideline Trainings.	09-30-2019	
Review and Verify All Felony Sentences (1 Strategic Initiative)			
11(c)(1)(c) Pleas	An 11(c)(1)(c) plea represents an agreement between a prosecutor, defense counsel, and the judge to a sentence that is considered compliant regardless of whether it falls within the recommended Guideline Sentence range. This initiative will identify and track quarterly the percentage of the total number of compliant Guideline Sentences that are the result of 11(c)(1)(c) pleas.	09-27-2019	