



## D.C. Criminal Code Reform Commission

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### Advisory Group Memorandum #41

**To:** Advisory Group Members  
**From:** Criminal Code Reform Commission (CCRC)  
**Date:** January 15, 2021  
**Re:** Supplemental Materials to the First Draft of Report #69

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In support of your review of the First Draft of Report #69 - Cumulative Update to Class Imprisonment Terms and Classification of RCC Offenses, this memo provides five attached documents:

1. Appendix A – Table of Correspondence – RCC to Current D.C. Code Statutes;
2. Appendix D3 – Disposition of Advisory Group Comments & Other Changes to Draft Documents;
3. Appendix G – Correspondence of RCC to D.C. Code Penalties (2010-2019);
4. Appendix G – Correspondence of RCC to D.C. Code Penalties (2015-2019); and
5. Appendix G – Correspondence of RCC to D.C. Code Penalties - Technical Notes

Appendix A lists D.C. Code statutory citations corresponding to RCC offenses. Appendix D3 addresses the few remaining Advisory Group comments that were not addressed in Report #68 (currently under your review) concerning penalty matters. Appendix G is a melding of the latest RCC offenses and their penalty recommendations with an excerpt of the court data analysis in Research Memo #40. There is one sheet covering 2010-2019 and another covering 2015-2019, both using the last-in-time data. The sheet allows for (relatively) quick comparison of how the RCC penalty recommendations align with current court practice for corresponding offenses. The Technical notes sheet describes the method for how we aligned some of the RCC with the DC Court charge codes. Please beware of printing Appendix G on normal size paper—it is formatted for legal paper and even then is very fine print.

<b>RCC Statute Citation</b>	<b>RCC Statute Name</b>	<b>D.C. Code Closely Related Statute(s)</b> (Not an exhaustive list of all statutes with overlapping elements)	<b>D.C. Code General Enhancements</b> (Excluding statutes with RCC Chapter 6 enhancements: 22-1804, 22-1804a, 22-3703, and 23-1328)
§ 22E-101	Short Title and Effective Date	none	none
§ 22E-102	Rules of Interpretation	none	none
§ 22E-103	Interaction of Title 22E with Other District Laws	none	none
§ 22E-104	Applicability of the General Part	none	none
§ 22E-105	Jurisdiction	none	none
§ 22E-201	Proof of Offense Elements Beyond a Reasonable Doubt	none	none
§ 22E-202	Conduct Requirement	none	none
§ 22E-203	Voluntariness Requirement	none	none
§ 22E-204	Causation Requirement	none	none
§ 22E-205	Culpable Mental State Requirement	none	none
§ 22E-206	Hierarchy of Culpable Mental States	none	none
§ 22E-207	Rules of Interpretation Applicable to Culpable Mental State Requirement	none	none
§ 22E-208	Principles of Liability Governing Accident, Mistake, and Ignorance	none	none
§ 22E-209	Principles of Liability Governing Intoxication	none	none
§ 22E-210	Accomplice Liability	22-1805	varies by offense
§ 22E-211	Liability for the Conduct of an Innocent or Irresponsible Person	none	none
§ 22E-212	Exclusions from Liability for Conduct of Another Person	none	none
§ 22E-213	Withdrawal Defense	none	none
§ 22E-214	Merger of Related Offenses	none	none
§ 22E-215	De Minimis Defense	none	none
§ 22E-301	Criminal Attempt	22-1803	none
§ 22E-302	Solicitation	22-2107	none
§ 22E-303	Criminal Conspiracy	22-1805a	none
§ 22E-304	Limitation on Vicarious Liability for Conspirators	none	none
§ 22E-305	Exceptions to General Inchoate Liability	none	none
§ 22E-306	Renunciation Defense to Attempt, Conspiracy, and Solicitation	none	none
§ 22E-401	Lesser Harm	none	none
§ 22E-402	Execution of Public Duty	none	none
§ 22E-403	Defense of Self or Another Person	none	none
§ 22E-404	Defense of Property	none	none
§ 22E-408	Special Responsibility Defenses	none	none
§ 22E-501	Duress	none	none
§ 22E-502	Temporary Possession	none	none
§ 22E-503	Entrapment	none	none
§ 22E-504	Mental Disability Defense	none	none
§ 22E-505	Developmental Incapacity Defense	none	none
§ 22E-601	Offense Classifications	none	none
§ 22E-602	Authorized Dispositions	none	none
§ 22E-603	Authorized Terms of Imprisonment	none	none
§ 22E-604	Authorized Fines	22-3571.01; 22-3571.02	none
§ 22E-605	Charging and Proof of Penalty Enhancements	none	none
§ 22E-606	Repeat Offender Penalty Enhancements (Misdemeanor)	22-1804; 22-1804a	none
§ 22E-606	Repeat Offender Penalty Enhancements (Felony)		
§ 22E-607	Pretrial Release Penalty Enhancement	23-1328	none
§ 22E-608	Hate Crime Penalty Enhancement	22-3701; 22-3703	none
§ 22E-609	Hate Crime Penalty Enhancement Civil Provisions	22-3702; 22-3704	none
§ 22E-610	Abuse of Government Power Penalty Enhancement	none	none
§ 22E-701	Generally Applicable Definitions	none	none
§ 22E-1101(a)	Murder (Enhanced 1st Degree)	22-2101; 22-2102; 22-2103; 22-2104; 22-2104.01; 22-2106; 24-403.01(b-2)	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1101(a)	Murder (1st Degree)		
§ 22E-1101(b)	Murder (Enhanced 2nd Degree)		
§ 22E-1101(b)	Murder (2nd Degree)		
§ 22E-1102(a)	Manslaughter (Enhanced Voluntary)	22-2105	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1102(a)	Manslaughter (Voluntary)		
§ 22E-1102(b)	Manslaughter (Enhanced Involuntary)		
§ 22E-1102(b)	Manslaughter (involuntary)		

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§ 22E-1103	Negligent Homicide	50-2203.01	none
§ 22E-1201(a)	Robbery (Enhanced 1st Degree)	22-2801; 22-2802; 22-2803; 24-403.01(b-2), (e)	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1201(a)	Robbery (1st Degree)		
§ 22E-1201(b)	Robbery (Enhanced 2nd Degree - significant bodily injury by dang weapon)		
§ 22E-1201(b)	Robbery (Enhanced 2nd Degree)		
§ 22E-1201(b)	Robbery (2nd Degree)		
§ 22E-1201(c)	Robbery (Enhanced 3rd Degree - significant bodily injury by dang weapon)		
§ 22E-1201(c)	Robbery (Enhanced 3rd Degree)		
§ 22E-1201(c)	Robbery (3rd Degree)		
§ 22E-1202(a)	Assault (1st Degree)	22-401 – 22-405; 22-406; 24-403.01(e), (f)(1)	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1202(b)	Assault (Enhanced 2nd Degree)		
§ 22E-1202(b)	Assault (2nd Degree)		
§ 22E-1202(c)	Assault (Enhanced 3rd Degree - weapon)		
§ 22E-1202(c)	Assault (Enhanced 3rd Degree - protected person)		
§ 22E-1202(c)	Assault (3rd Degree)		
§ 22E-1202(d)	Assault (Enhanced 4th Degree - weapon)		
§ 22E-1202(d)	Assault (Enhanced 4th Degree - protected person)		
§ 22E-1202(d)	Assault (4th Degree)	22-402; 22-404; 22-407; 22-1810	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1204(a)	Criminal Threats (Enhanced 1st Degree)		
§ 22E-1204(a)	Criminal Threats (1st Degree)		
§ 22E-1204(b)	Criminal Threats (Enhanced 2nd Degree)		
§ 22E-1204(b)	Criminal Threats (2nd Degree)		
§ 22E-1204(c)	Criminal Threats (Enhanced 3rd Degree)		
§ 22E-1204(c)	Criminal Threats (3rd Degree)	22-401 – 22-405; 24-403.01(e), (f)(1)	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1205(a)	Offensive Physical Contact (Enhanced 1st Degree)		
§ 22E-1205(a)	Offensive Physical Contact (1st Degree)		
§ 22E-1205(b)	Offensive Physical Contact (Enhanced 2nd Degree)		
§ 22E-1205(b)	Offensive Physical Contact (2nd Degree)	22-3002; 22-3003; 22-3004; 22-3005; 22-3007; 22-3018; 22-3019; 24-403.01(b-2), (e)	22-3020; 22-3601; 22-3611; 22-4502
§ 22E-1301(a)	Sexual Assault (Enhanced 1st Degree)		
§ 22E-1301(a)	Sexual Assault (1st Degree)		
§ 22E-1301(b)	Sexual Assault (Enhanced 2nd Degree)		
§ 22E-1301(b)	Sexual Assault (2nd Degree)		
§ 22E-1301(c)	Sexual Assault (Enhanced 3rd Degree)		
§ 22E-1301(c)	Sexual Assault (3rd Degree)		
§ 22E-1301(d)	Sexual Assault (Enhanced 4th Degree)		
§ 22E-1301(d)	Sexual Assault (4th Degree)	22-3008; 22-3009; 22-3009.01; 22-3009.02; 22-3011; 22-3012; 22-3018; 22-3019; 22-3611; 24-403.01(b-2), (e)	22-3020; 22-3611; 22-4502
§ 22E-1302(a)	Sexual Abuse of a Minor (Enhanced 1st Degree)		
§ 22E-1302(a)	Sexual Abuse of a Minor (1st Degree)		
§ 22E-1302(b)	Sexual Abuse of a Minor (Enhanced 2nd Degree)		
§ 22E-1302(b)	Sexual Abuse of a Minor (2nd Degree)		
§ 22E-1302(c)	Sexual Abuse of a Minor (Enhanced 3rd Degree)		
§ 22E-1302(c)	Sexual Abuse of a Minor (3rd Degree)		
§ 22E-1302(d)	Sexual Abuse of a Minor (Enhanced 4th Degree)		
§ 22E-1302(d)	Sexual Abuse of a Minor (4th Degree)		
§ 22E-1302(e)	Sexual Abuse of a Minor (Enhanced 5th Degree)		
§ 22E-1302(e)	Sexual Abuse of a Minor (5th Degree)	22-3009.03; 22-3009.04; 22-3013; 22-3014; 22-3015; 22-3016; 22-3017; 22-3018; 22-3019	22-3020
§ 22E-1302(f)	Sexual Abuse of a Minor (Enhanced 6th Degree)		
§ 22E-1302(f)	Sexual Abuse of a Minor (6th Degree)	22-3010.01; 22-3011; 22-3018; 22-3019	22-3020
§ 22E-1303(a)	Sexual Abuse by Exploitation (1st Degree)		
§ 22E-1303(b)	Sexual Abuse by Exploitation (2nd Degree)	22-3010.01; 22-3011; 22-3018; 22-3019	22-3020
§ 22E-1304	Sexually Suggestive Conduct with a Minor		
§ 22E-1305	Enticing a Minor into Sexual Conduct	22-1312; 22-3010; 22-3011; 22-3012; 22-3018; 22-3019	22-3020

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§ 22E-1306	Arranging for Sexual Conduct with a Minor or Person Incapable of Consenting	22-3010.02; 22-3018; 22-3019	22-3020
§ 22E-1307(a)	Nonconsensual Sexual Conduct (1st Degree)	22-3006; 22-3007; 22-3018; 22-3019	22-3020
§ 22E-1307(b)	Nonconsensual Sexual Conduct (2nd Degree)		
§ 22E-1308(a)	Incest (1st Degree)	22-1901	none
§ 22E-1308(b)	Incest (2nd Degree)		
§ 22E-1309	Civil Provisions on the Duty to Report a Sex Crime	22-3020.51; 22-3020.52; 22-3020.53; 22-3020.54; 22-3020.55	none
§ 22E-1310	Admission of Evidence in Sexual Assault and Related Cases	22-3021; 22-3022; 22-3023; 22-3024	none
§ 22E-1401(a)	Kidnapping (Enhanced 1st Degree)	22-2001; 22-2704; 22-2705; 22-2706; 22-2708; 22-2709	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1401(a)	Kidnapping (1st Degree)		
§ 22E-1401(b)	Kidnapping (Enhanced 2nd Degree)		
§ 22E-1401(b)	Kidnapping (2nd Degree)		
§ 22E-1402	Criminal Restraint (Enhanced)	22-2001; 22-2704; 22-2705; 22-2706; 22-2708; 22-2709	22-851; 22-3601; 22-3602; 22-3611; 22-3751; 22-3751.01; 22-3752; 22-4502
§ 22E-1402	Criminal Restraint		
§ 22E-1403	Blackmail	22-3252	none
§ 22E-1501(a)	Criminal Abuse of a Minor (1st Degree)	22-1101; 22-1102	22-3611
§ 22E-1501(b)	Criminal Abuse of a Minor (2nd Degree)		
§ 22E-1501(c)	Criminal Abuse of a Minor (3rd Degree)		
§ 22E-1502(a)	Criminal Neglect of a Minor (1st Degree)	22-1101; 22-1102	none
§ 22E-1502(b)	Criminal Neglect of a Minor (2nd Degree)		
§ 22E-1502(c)	Criminal Neglect of a Minor (3rd Degree)		
§ 22E-1503(a)	Criminal Abuse of a Vulnerable Adult or Elderly Person (1st Degree)	22-933; 22-934; 22-935; 22-936	none
§ 22E-1503(b)	Criminal Abuse of a Vulnerable Adult or Elderly Person (2nd Degree)		
§ 22E-1503(c)	Criminal Abuse of a Vulnerable Adult or Elderly Person (3rd Degree)		
§ 22E-1504(a)	Criminal Neglect of a Vulnerable Adult or Elderly Person (1st Degree)	22-933; 22-934; 22-935; 22-936	none
§ 22E-1504(b)	Criminal Neglect of a Vulnerable Adult or Elderly Person (2nd Degree)		
§ 22E-1504(c)	Criminal Neglect of a Vulnerable Adult or Elderly Person (3rd Degree)		
§ 22E-1601	Forced Labor (Enhanced)	22-1832; 22-1837	none
§ 22E-1601	Forced Labor		
§ 22E-1602	Forced Commercial Sex (Enhanced)	22-2705; 22-2706; 22-2708	none
§ 22E-1602	Forced Commercial Sex		
§ 22E-1603	Trafficking in Labor or Services (Enhanced)	22-1833; 22-1837	none
§ 22E-1603	Trafficking in Labor or Services		
§ 22E-1604	Trafficking in Forced Commercial Sex (Enhanced)	22-1833; 22-1837	none
§ 22E-1604	Trafficking in Forced Commercial Sex		
§ 22E-1605	Sex Trafficking of a Minor or Adult Incapable of Consenting (Enhanced)	22-1834; 22-1837, 22-2704	none
§ 22E-1605	Sex Trafficking of a Minor or Adult Incapable of Consenting		
§ 22E-1606(a)	Benefitting from Human Trafficking (1st Degree)	22-1836, 22-1837	none
§ 22E-1606(b)	Benefitting from Human Trafficking (2nd Degree)		
§ 22E-1607(a)	Misuse of Documents in Furtherance of Human Trafficking (1st Degree)	22-1835; 22-1837	none
§ 22E-1607(b)	Misuse of Documents in Furtherance of Human Trafficking (2nd Degree)		
§ 22E-1608(a)	Commercial Sex with a Trafficked Person (1st Degree)	none	none
§ 22E-1608(b)	Commercial Sex with a Trafficked Person (2nd Degree)		
§ 22E-1609	Forfeiture	22-1838	none
§ 22E-1610	Reputation or Opinion Evidence	22-1839	none

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§ 22E-1611	Civil Action	22-1840	none
§ 22E-1612	Limitation on Liabilities and Sentencing for RCC Chapter 16 Offenses	none	none
§ 22E-1613	Civil Forfeiture	22-2723	none
§ 22E-1801	Stalking (Enhanced)	22-3131 – 3135	none
§ 22E-1801	Stalking		
§ 22E-1802	Electronic Stalking (Enhanced)	22-3131 – 3135	none
§ 22E-1802	Electronic Stalking		
§ 22E-1803(a)	Voyeurism (Enhanced 1st Degree)	22-3531	none
§ 22E-1803(a)	Voyeurism (1st Degree)		
§ 22E-1803(b)	Voyeurism (Enhanced 2nd Degree)		
§ 22E-1803(b)	Voyeurism (2nd Degree)		
§ 22E-1804	Unauthorized Disclosure of a Sexual Recording (Enhanced)	22-3051 – 3057; 22-3531(f)(2)	none
§ 22E-1804	Unauthorized Disclosure of a Sexual Recording		
§ 22E-1805	Distribution of an Obscene Image	22-2201(a)	none
§ 22E-1806	Distribution of an Obscene Image to a Minor	22-2201(b)	none
§ 22E-1807(a)	Creating or Trafficking an Obscene Image of a Minor (1st Degree)	22-3101 – 3104	none
§ 22E-1807(b)	Creating or Trafficking an Obscene Image of a Minor (2nd Degree)		
§ 22E-1808(a)	Possession of an Obscene Image of a Minor (1st Degree)	22-3101 – 3104	none
§ 22E-1808(b)	Possession of an Obscene Image of a Minor (2nd Degree)		
§ 22E-1809(a)	Arranging a Live Sexual Performance of a Minor (1st Degree)	22-3101 – 3104	none
§ 22E-1809(b)	Arranging a Live Sexual Performance of a Minor (2nd Degree)		
§ 22E-1810(a)	Attending or Viewing a Live Sexual Performance of a Minor (1st Degree)	22-3101 – 3104	none
§ 22E-1810(b)	Attending or Viewing a Live Sexual Performance of a Minor (2nd Degree)		
§ 22E-2001	Aggregation to Determine Property Offense Grades	22-3202	none
§ 22E-2101(a)	Theft (1st Degree)	22-601; 22-3211; 22-3212	none
§ 22E-2101(b)	Theft (2nd Degree)		
§ 22E-2101(c)	Theft (3rd Degree)		
§ 22E-2101(d)	Theft (4th Degree)		
§ 22E-2101(e)	Theft (5th Degree)		
§ 22E-2102	Unauthorized Use of Property	22-3216	none
§ 22E-2103	Unauthorized Use of a Motor Vehicle	22-3215	none
§ 22E-2104	Shoplifting	22-3213	none
§ 22E-2105(a)	Unlawful Creation or Possession of a Recording (1st Degree)	22-3214	none
§ 22E-2105(b)	Unlawful Creation or Possession of a Recording (2nd Degree)		
§ 22E-2106	Unlawful Operation of a Recording Device in a Motion Picture Theater	22-3214.02	none
§ 22E-2201(a)	Fraud (1st Degree)	22-3221; 22-3222; 22-3224.01	none
§ 22E-2201(b)	Fraud (2nd Degree)		
§ 22E-2201(c)	Fraud (3rd Degree)		
§ 22E-2201(d)	Fraud (4th Degree)		
§ 22E-2201(e)	Fraud (5th Degree)		
§ 22E-2202(a)	Payment Card Fraud (1st Degree)	22-3223; 22-3224.01	none
§ 22E-2202(b)	Payment Card Fraud (2nd Degree)		
§ 22E-2202(c)	Payment Card Fraud (3rd Degree)		
§ 22E-2202(d)	Payment Card Fraud (4th Degree)		
§ 22E-2202(e)	Payment Card Fraud (5th Degree)		
§ 22E-2203(a)	Check Fraud (1st Degree)	22-1510	none
§ 22E-2203(b)	Check Fraud (2nd Degree)		
§ 22E-2203(c)	Check Fraud (3rd Degree)		
§ 22E-2204(a)	Forgery (1st Degree)	22-3241; 22-3242	none
§ 22E-2204(b)	Forgery (2nd Degree)		
§ 22E-2204(c)	Forgery (3rd Degree)		

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§ 22E-2205(a)	Identity Theft (1st Degree)	22-3227.01 - 22-3227.04; 22-3227.06 - 22-3227.08	none
§ 22E-2205(b)	Identity Theft (2nd Degree)		
§ 22E-2205(c)	Identity Theft (3rd Degree)		
§ 22E-2205(d)	Identity Theft (4th Degree)		
§ 22E-2205(e)	Identity Theft (5th Degree)		
§ 22E-2206	Identity Theft Civil Provisions	22-3227.05	none
§ 22E-2207(a)	Unlawful Labeling of a Recording (1st Degree)	22-3214.01	none
§ 22E-2207(b)	Unlawful Labeling of a Recording (2nd Degree)		
§ 22E-2208(a)	Financial Exploitation of a Vulnerable Adult or Elderly Person (1st Degree)	22-933.01	none
§ 22E-2208(b)	Financial Exploitation of a Vulnerable Adult or Elderly Person (2nd Degree)		
§ 22E-2208(c)	Financial Exploitation of a Vulnerable Adult or Elderly Person (3rd Degree)		
§ 22E-2208(d)	Financial Exploitation of a Vulnerable Adult or Elderly Person (4th Degree)		
§ 22E-2208(e)	Financial Exploitation of a Vulnerable Adult or Elderly Person (5th Degree)		
§ 22E-2209	Financial Exploitation of a Vulnerable Adult or Elderly Person Civil Provisions	22-937 – 22-938	none
§ 22E-2210(a)	Trademark Counterfeiting (1st Degree)	22-901 – 902; 22-1502	none
§ 22E-2210(b)	Trademark Counterfeiting (2nd Degree)		
§ 22E-2301(a)	Extortion (1st Degree)	22-3251	none
§ 22E-2301(b)	Extortion (2nd Degree)		
§ 22E-2301(c)	Extortion (3rd Degree)		
§ 22E-2301(d)	Extortion (4th Degree)		
§ 22E-2301(e)	Extortion (5th Degree)		
§ 22E-2401(a)	Possession of Stolen Property (1st Degree)	22-3232	none
§ 22E-2401(b)	Possession of Stolen Property (2nd Degree)		
§ 22E-2401(c)	Possession of Stolen Property (3rd Degree)		
§ 22E-2401(d)	Possession of Stolen Property (4th Degree)		
§ 22E-2401(e)	Possession of Stolen Property (5th Degree)		
§ 22E-2402(a)	Trafficking of Stolen Property (1st Degree)	22-3231	none
§ 22E-2402(b)	Trafficking of Stolen Property (2nd Degree)		
§ 22E-2402(c)	Trafficking of Stolen Property (3rd Degree)		
§ 22E-2402(d)	Trafficking of Stolen Property (4th Degree)		
§ 22E-2402(e)	Trafficking of Stolen Property (5th Degree)		
§ 22E-2403(a)	Alteration of Motor Vehicle Identification Number (1st Degree)	22-3233	none
§ 22E-2403(b)	Alteration of Motor Vehicle Identification Number (2nd Degree)		
§ 22E-2404	Alteration of Bicycle Identification Number	22-3234	none
§ 22E-2501(a)	Arson (1st Degree)	22-301; 22-302; 22-3305	none
§ 22E-2501(b)	Arson (2nd Degree)		
§ 22E-2501(c)	Arson (3rd Degree)		
§ 22E-2502	Reckless Burning	22-301; 22-302; 22-3305	none
§ 22E-2503(a)	Criminal Damage to Property (1st Degree)	22-303; 22-3305; 22-3307; 22-3309; 22-3310; 22-3312.01; 22-3312.04(a), (c); 22-3312.05; 22-3313; 22-3314	none
§ 22E-2503(b)	Criminal Damage to Property (2nd Degree)		
§ 22E-2503(c)	Criminal Damage to Property (3rd Degree)		
§ 22E-2503(d)	Criminal Damage to Property (4th Degree)		
§ 22E-2503(e)	Criminal Damage to Property (5th Degree)		
§ 22E-2504	Criminal Graffiti	22-3312.01; 22-3312.04(a), (c), (d), (e); 22-3312.05	none
§ 22E-2601(a)	Trespass (1st Degree)	22-1341; 22-3301; 22-3302	none
§ 22E-2601(b)	Trespass (2nd Degree)		
§ 22E-2601(c)	Trespass (3rd Degree)		

<b>RCC Statute Citation</b>	<b>RCC Statute Name</b>	<b>D.C. Code Closely Related Statute(s)</b> (Not an exhaustive list of all statutes with overlapping elements)	<b>D.C. Code General Enhancements</b> (Excluding statutes with RCC Chapter 6 enhancements: 22-1804, 22-1804a, 22-3703, and 23-1328)
§ 22E-2701(a)	Burglary (Enhanced 1st Degree)	22-801	none
§ 22E-2701(a)	Burglary (1st Degree)		
§ 22E-2701(b)	Burglary (Enhanced 2nd Degree)		
§ 22E-2701(b)	Burglary (2nd Degree)		
§ 22E-2701(c)	Burglary (Enhanced 3rd Degree)		
§ 22E-2701(c)	Burglary (3rd Degree)		
§ 22E-2702	Possession of Tools to Commit Property Crime	22-2501; 24-403.01(f)(3)	none
§ 22E-3201(a)	Impersonation of an Official (1st Degree)	22-1404 – 1406; 22-1409	none
§ 22E-3201(b)	Impersonation of an Official (2nd Degree)		
§ 22E-3202	Misrepresentation as a District of Columbia Entity	22-3401-3403	none
§ 22E-3401(a)	Escape from a Correctional Facility or Officer (1st Degree)	22-2601; 10-509.01a	none
§ 22E-3401(b)	Escape from a Correctional Facility or Officer (2nd Degree)		
§ 22E-3401(c)	Escape from a Correctional Facility or Officer (3rd Degree)		
§ 22E-3402	Tampering with a Detection Device	22-1211	none
§ 22E-3403(a)	Correctional Facility Contraband (1st Degree)	22-2603.01 – 22-2603.04	none
§ 22E-3403(b)	Correctional Facility Contraband (2nd Degree)		
§ 22E-4101(a)	Possession of a Prohibited Weapon or Accessory (1st Degree)	7-2506.01(a)(3); 7-2506.01(b); 22-4514(a); 22-4515a(a) and (c)	none
§ 22E-4101(b)	Possession of a Prohibited Weapon or Accessory (2nd Degree)		
§ 22E-4102(a)	Carrying a Dangerous Weapon (1st Degree)	22-4502.01; 22-4504(a) – (a-1); 22-4504.01	none
§ 22E-4102(b)	Carrying a Dangerous Weapon (2nd Degree)		
§ 22E-4102(c)	Carrying a Dangerous Weapon (3rd Degree)		
§ 22E-4103(a)	Possession of a Dangerous Weapon with Intent to Commit Crime (1st Degree)	22-4514(b); 22-4515a(b)	none
§ 22E-4103(b)	Possession of a Dangerous Weapon with Intent to Commit Crime (2nd Degree)		
§ 22E-4104(a)	Possession of a Dangerous Weapon During a Crime (1st Degree)	22-4502; 22-4504(b)	none
§ 22E-4104(b)	Possession of a Dangerous Weapon During a Crime (2nd Degree)		
§ 22E-4105(a)	Possession of a Firearm by an Unauthorized Person (1st Degree)	22-4503; 24-403.01(f)(2)	none
§ 22E-4105(b)	Possession of a Firearm by an Unauthorized Person (2nd Degree)		
§ 22E-4106	Negligent Discharge of Firearm	22-4503.01; 24 DCMR § 2300.1 – 3	none
§ 22E-4107	Alteration of a Firearm Identification Mark	7-2505.03(d); 22-4512	none
§ 22E-4108	Civil Provisions for Prohibitions of Firearms on Public or Private Property	22-4503.02	none
§ 22E-4109	Civil Provisions for Lawful Transportation of a Firearm or Ammunition	22-4504.02	none
§ 22E-4110	Civil Provisions for Issuance of a License to Carry a Pistol	22-4506	none
§ 22E-4111	Unlawful Sale of a Pistol	22-4507	none
§ 22E-4112	Unlawful Transfer of a Firearm	22-4508	none
§ 22E-4113	Sale of Firearm Without a License	22-4509	none
§ 22E-4114	Civil Provisions for Licenses of Firearms Dealers	22-4510	none
§ 22E-4115	Unlawful Sale of a Firearm by a Licensed Dealer	22-4510	none
§ 22E-4116	Use of False Information for Purchase or Licensure of a Firearm	22-4511	none
§ 22E-4117	Civil Provisions for Taking and Destruction of Dangerous Articles	22-4517	none
§ 22E-4118	Exclusions from Liability for Weapon Offenses	22-4504.01; 22-4505	none
§ 22E-4119	Limitation on Convictions for Multiple Related Weapon Offenses	none	none
§ 22E-4120	Endangerment with a Firearm	none	none
§ 22E-4201	Disorderly Conduct	22-1301; 22-1321; 22-1809	none
§ 22E-4202	Public Nuisance	22-1321	none

<b>RCC Statute Citation</b>	<b>RCC Statute Name</b>	<b>D.C. Code Closely Related Statute(s)</b> (Not an exhaustive list of all statutes with overlapping elements)	<b>D.C. Code General Enhancements</b> (Excluding statutes with RCC Chapter 6 enhancements: 22-1804, 22-1804a, 22-3703, and 23-1328)
§ 22E-4203	Blocking a Public Way	22-1307; 22-1318; 22-1323; 22-3319; 22-3321; 22-3322	none
§ 22E-4204	Unlawful Demonstration	10-503.17; 22-1307	none
§ 22E-4205	Breach of Home Privacy	22-1321(f)	none
§ 22E-4206(a)	Indecent Exposure (1st Degree)	22-1312	none
§ 22E-4206(b)	Indecent Exposure (2nd Degree)		
§ 22E-4301	Rioting	22-1322	none
§ 22E-4302	Failure to Disperse	none	none
§ 22E-4401	Prostitution	22-2701; 22-2701.01; 22-2703; 22-2713 – 22-2720; 22-2724; 22-2725	none
§ 22E-4402	Patronizing Prostitution (Enhanced)	22-2701; 22-2701.01; 22-2703; 22-2713 – 22-2720; 22-2724; 22-2725	none
§ 22E-4402	Patronizing Prostitution		
§ 22E-4403	Trafficking in Commercial Sex (Enhanced)	22-2701.01; 22-2705; 22-2707; 22-2710; 22-2711; 22-2712; 22-2713 – 22-2720; 22-2722; 22-2724; 22-2725	none
§ 22E-4403	Trafficking in Commercial Sex		
§ 22E-4404	Civil Forfeiture	22-2723; 22-2724; 22-2725	none
§ 22E-4601	Contributing to the Delinquency of a Minor	22-811	none
§ 7-2502.01A(a)	Possession of an Unregistered Firearm, Destructive Device, or Ammunition (1st Degree)	7-2502.01(a); 7-2506.01(a); 7-2507.06(a)(2) – (4) and (b); 24 DCMR § 2343.2	none
§ 7-2502.01A(b)	Possession of an Unregistered Firearm, Destructive Device, or Ammunition (2nd Degree)		
§ 7-2502.15	Possession of a Stun Gun	7-2502.15; 7-2507.06(b)(1)(E)	none
§ 7-2502.17	Carrying an Air or Spring Gun	24 DCMR § 2301	none
§ 7-2507.02A	Unlawful Storage of a Firearm (Enhanced)	7-2507.02; 24 DCMR § 2348	none
§ 7-2507.02A	Unlawful Storage of a Firearm		
§ 7-2509.06A	Carrying a Pistol in an Unlawful Manner	24 DCMR §§ 2343.1; 2344	none
§ 16-705	Jury trial; trial by court	16-705	none
§ 16-1005A	Criminal Contempt for Violation of a Civil Protection Order	16-1005(f) – (i)	none
§ 16-1021	Parental Kidnapping Definitions	16-1021	none
§ 16-1022(a)	Parental Kidnapping Criminal Offense (1st Degree)	16-1022-1025	none
§ 16-1022(b)	Parental Kidnapping Criminal Offense (2nd Degree)		
§ 16-1022(c)	Parental Kidnapping Criminal Offense (3rd Degree)		
§ 16-1022(d)	Parental Kidnapping Criminal Offense (4th Degree)		
§ 16-1023	Protective Custody and Return of Child	16-1023	none
§ 16-1024	Expungement of Parental Kidnapping Conviction	16-1026	none
§ 23-586(a)	Failure to Appear after Release on Citation or Bench Warrant Bond (1st Degree)	23-585(b)	none
§ 23-586(b)	Failure to Appear after Release on Citation or Bench Warrant Bond (2nd Degree)		
§ 23-1327(a)	Failure to Appear in Violation of a Court Order (1st Degree)	23-1327	none
§ 23-1327(b)	Failure to Appear in Violation of a Court Order (2nd Degree)		
§ 23-1329A	Criminal Contempt for Violation of a Release Condition	23-1329(a-1) and (c)	none
§ 24-241.05A	Violation of Work Release	24-241.05(b)	none
§ 24-403.01	Sentencing, supervised release, and good time credit for felonies committed on or after August 5, 2000.	§ 24-403.01	none
§ 24-403.03	Modification of an imposed term of imprisonment	§ 24-403.03	none
§ 25-1001	Possession of an Open Container or Consumption of Alcohol in a Motor Vehicle	25-1001	none
§ 48-904.01a(a)	Possession of a Controlled Substance (1st Degree)	48-904.01(d)(1); 48-904.08; 48-904.09	none
§ 48-904.01a(b)	Possession of a Controlled Substance (2nd Degree)		



<b>RCC Statute Citation</b>	<b>RCC Statute Name</b>	<b>D.C. Code Closely Related Statute(s)</b> (Not an exhaustive list of all statutes with overlapping elements)	<b>D.C. Code General Enhancements</b> (Excluding statutes with RCC Chapter 6 enhancements: 22-1804, 22-1804a, 22-3703, and 23-1328)
§ 48-904.01b(a)	Trafficking of a Controlled Substance (Enhanced 1st Degree)	48-904.01(a)(1); 48-904.06; 48-904.07; 48-904.07a; 48-904.08; 48-904.09	none
§ 48-904.01b(a)	Trafficking of a Controlled Substance (1st Degree)		
§ 48-904.01b(b)	Trafficking of a Controlled Substance (Enhanced 2nd Degree)		
§ 48-904.01b(b)	Trafficking of a Controlled Substance (2nd Degree)		
§ 48-904.01b(c)	Trafficking of a Controlled Substance (Enhanced 3rd Degree)		
§ 48-904.01b(c)	Trafficking of a Controlled Substance (3rd Degree)		
§ 48-904.01b(d)	Trafficking of a Controlled Substance (Enhanced 4th Degree)		
§ 48-904.01b(d)	Trafficking of a Controlled Substance (4th Degree)		
§ 48-904.01b(e)	Trafficking of a Controlled Substance (Enhanced 5th Degree)		
§ 48-904.01b(e)	Trafficking of a Controlled Substance (5th Degree)		
§ 48-904.01c(a)	Trafficking of a Counterfeit Substance (Enhanced 1st Degree)	48-904.01(b)(1); 48-904.08; 48-904.09	none
§ 48-904.01c(a)	Trafficking of a Counterfeit Substance (1st Degree)		
§ 48-904.01c(b)	Trafficking of a Counterfeit Substance (Enhanced 2nd Degree)		
§ 48-904.01c(b)	Trafficking of a Counterfeit Substance (2nd Degree)		
§ 48-904.01c(c)	Trafficking of a Counterfeit Substance (Enhanced 3rd Degree)		
§ 48-904.01c(c)	Trafficking of a Counterfeit Substance (3rd Degree)		
§ 48-904.01c(d)	Trafficking of a Counterfeit Substance (Enhanced 4th Degree)		
§ 48-904.01c(d)	Trafficking of a Counterfeit Substance (4th Degree)		
§ 48-904.01c(e)	Trafficking of a Counterfeit Substance (Enhanced 5th Degree)		
§ 48-904.01c(e)	Trafficking of a Counterfeit Substance (5th Degree)		
§ 48-904.10	Possession of Drug Manufacturing Paraphernalia	48-904.10; 48-1102; § 48-1101 (3) ; 48-1103(a)(1)	none
§ 48-904.11	Trafficking of Drug Paraphernalia	48-1102; 48-1103(b)(1)	none
§ 48-904.12	Maintaining Methamphetamine Production	48-904.03a	none

**APPENDIX D3:**

**DISPOSITION OF ADVISORY GROUP COMMENTS  
& OTHER CHANGES TO DRAFT DOCUMENTS**

**RCC § 22E-602. Authorized Dispositions.**

*PDS, App. C at 584, reiterates its previous recommendation, App. C at 491 that the CCRC create a general provision that allows for the judicial dismissal of proceedings for all offenses up to a certain class, similar to the deferred disposition subsection in RCC § 22E-4401(c), 4402 (b), and 48-904.01a (g).*

- The RCC now incorporates this recommendation. RCC § 22E-602 is amended to include a new subsection (c) that allows a judge to defer proceedings when a defendant is convicted of any Class C, D, or E offense. Under this subsection, if a defendant is convicted of a Class C, D, or E offense, the judge may defer further proceedings without entering a judgment of guilty, and place the defendant on probation subject to reasonable conditions. If the defendant does not violate the terms of probation, the judge shall dismiss the proceedings against the defendant without entering a judgment of guilty.
- Under current District law and prior versions of the RCC, deferred disposition was only available for possession of a controlled substance (a Class C or Class D offense under the RCC), and prostitution and patronizing prostitution (both Class D offenses under the RCC). This change makes deferred disposition available to all other Class C, D, and E offenses.
- In addition, the CCRC recommends that the deferred disposition provisions be deleted from RCC §§ 22E-4401, 22E-4402, and 48-904.01a. When a defendant is found guilty under either of those statutes, a judge may still defer disposition under RCC § 22E-602.
- This change improves the proportionality and consistency of the revised criminal code.

### **RCC § 22E-603. Authorized Terms of Imprisonment.**

- (1) *PDS, App. C at 531 recommends lowering the statutory maximum for Classes 1, 2, and 3 to 30 years, 28 years, and 26 years, respectively. PDS says that the draft RCC penalty recommendations for these classes “will perpetuate the mass incarceration has caused the United States to have the highest incarceration rate in the world” and “will further an incredible racial disparity in incarceration.” PDS, citing to the epilogue in the Pulitzer prize book “Locking Up Our Own,”<sup>1</sup> says that, “[w]hile reducing sentences for non-violent offenses is an important step in ending the cruelty of mass incarceration, it cannot be undone without reducing sentences for violent offenses.” PDS argues and cites research that most incarcerated people are parents, that individuals “age out” of crime, that the “the overwhelming majority of criminal justice system relies too heavily on incarceration and strongly prefer investments in prevention and treatment to more spending on prisons and jail,”<sup>2</sup> and that there is no evidence of a meaningful additional deterrent effect between a 60 year and 30 year sentence.*
- The RCC partially incorporates this recommendation by revising maximum imprisonment penalties for classes 1, 2, and 3 to 45 years, 40 years, and 30 years respectively. The RCC § 22E-603 commentary further explains the rationale for this change. This change improves the proportionality of the revised statutes.
- (2) *USAO, App. C at 552, recommends increasing the penalties for Creating or Trafficking an Obscene Image of a Minor, and for Possession of an Obscene Image of a Minor to “align more closely with federal law.” USAO cites federal statutes providing a mandatory minimum of 15 years and a maximum of 30 years for producing child pornography, and possession of child pornography offenses with maxima of 10 or 20 years depending on the age of the child. USAO does not provide a rationale (deterrence, severity of the offense, etc.) for its recommendation or provide other explanation.*
- The RCC does not incorporate this recommendation because doing so would result in disproportionate penalties. Federal penalties for child pornography have received sharp criticism from sentencing experts and many federal judges,<sup>3</sup> and the CCRC does not seek to change District law to follow federal precedent on this matter.
  - The CCRC notes that court data for 2010-2019 shows that the 97.5% quantile of sentences for all charges under D.C. Code § 22– 3102(b) (Sexual Performance Using Minors (Attend, Transmit, or Possess)) was 17.7

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<sup>1</sup> James Forman Jr., *Locking Up Our Own: Crime and Punishment in Black America* (2018).

<sup>2</sup> Alliance for Safety and Justice, *Report: Crime Survivors Speak: The First-Ever National Survey of Victims’ Views on Safety and Justice* (2016). Available at: <https://allianceforsafetyandjustice.org/wp-content/uploads/2019/04/Crime-Survivors-Speak-Report-1.pdf>.

<sup>3</sup> See, e.g., Melissa Hamilton, *The Efficacy of Severe Child Pornography Sentencing: Empirical Validity or Political Rhetoric?*, 22 Stan. L. & Pol’y Rev. 545 (2011).

months.<sup>4</sup> The CCRC recommendation here is consistent with current District practice.

(3) *USAO, App. C at 541-542, recommends increasing the maximum possible penalty for a Class 7 felony from 8 years to 10 years. Specific to the RCC robbery statute, USAO states that third degree robbery is “comparable to” armed robbery under current D.C. Code §§ 22-2801, -4502, which has a maximum possible penalty of 30 years incarceration where bodily injury results from a dangerous weapon or to a protected person; and armed carjacking under current D.C. Code § 22-22-2803, which has a maximum possible penalty of 30 years unless other conditions are met that would increase the maximum. USAO states that it “does not believe that the maximum penalt[y]” should be lowered from 10 years’ incarceration to 8 years’ incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*

- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. Since the USAO comment was made, robbery with significant bodily injury or involving seizure of a motor vehicle has been re-graded to be second degree robbery, and classified as a Class 8 offense unless the complainant is a protected person (then it is a Class 7 offense), or a dangerous weapon is used or displayed (then it is a Class 6 offense).
- The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>5</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter opinion survey of relative offense seriousness;<sup>6</sup> 5) relative ordering of related RCC offenses;<sup>7</sup> and 6) national data on sentencing and time served.<sup>8</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.
- The CCRC notes that notwithstanding the extremely high 45 year statutorily authorized penalties for armed robbery armed under current D.C. Code §§ 22-2801 and 22-4502,<sup>9</sup> and 30+ year statutorily authorized penalties for armed carjacking under D.C. Code § 22-2803, actual practice in the District has been sharply different. Court data for 2015-2019 shows that the 97.5% quantile of all sentences for all forms of robbery, including robberies committed while armed and inflicting *serious* bodily injury (which is classified higher under the RCC as first degree or enhanced first degree

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<sup>4</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>5</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>6</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

<sup>7</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>8</sup> See Danielle Kaeble, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).

<sup>9</sup> Note that D.C. Code 22-4502 provides up to an *additional* 30 years and a mandatory minimum of 5 years for commission of robbery while armed—on the first offense.

robbery) was 96 months (8 years).<sup>10</sup> The 97.5% quantile of unenhanced (not while-armed or a protected person) robbery sentences during this period was 72 months (6 years) and included robberies involving a serious bodily injury (again, the equivalent in the RCC of first degree robbery).<sup>11</sup> As for carjacking, it appears virtually all sentences (at least 97.5%) are at the District's current mandatory minimum of 15 years. The CCRC recommendation here is comparable to robbery penalties and significantly lower than current carjacking penalties in current court practice.

(4) *USAO, App. C at 541-542, recommends increasing the maximum possible penalty for a Class 7 felony from 8 years to 10 years. In relevant part, USAO states that the RCC involuntary manslaughter is "comparable to" manslaughter under current D.C. Code § 22-2105, which has a maximum possible penalty of 30 years incarceration. USAO states that it "does not believe that the maximum penalt[y]" should be lowered from 10 years' incarceration to 8 years' incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*

- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. While the only comparable statute in the D.C. Code is current D.C. Code § 22-2105, manslaughter, District case law has long recognized a distinction within this offense between voluntary and involuntary manslaughter. Involuntary manslaughter is the less serious of the two forms.
- The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>12</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter opinion survey of relative offense seriousness;<sup>13</sup> 5) relative ordering of related RCC offenses;<sup>14</sup> and 6) national data on sentencing and time served.<sup>15</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.
- The CCRC notes that notwithstanding the extremely high 30 year statutorily authorized penalties for involuntary manslaughter under current D.C. Code § 22-2105, actual practice in the District has been sharply different. Court data for the 2015-2019 term shows the 97.5 quantile of all sentences for involuntary manslaughter was 86.6 months (7.2 years). The CCRC recommendation here is generally consistent with involuntary manslaughter penalties in current court practice.

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<sup>10</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>11</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>12</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>13</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

<sup>14</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>15</sup> See Danielle Kaeble, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).

(5) *USAO, App. C at 542-543, recommends increasing the maximum possible penalty for a Class 6 felony from 12 years<sup>16</sup> to 15 years. In relevant part, USAO states that the RCC enhanced involuntary manslaughter is “comparable to” manslaughter under current D.C. Code § 22-2105, which has a maximum possible penalty of 30 years incarceration. USAO states that it “does not believe that the maximum penalt[y]” should be lowered from 15 years’ incarceration to 12 years’ incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*

- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. While the only comparable statute in the D.C. Code is current D.C. Code § 22-2105, manslaughter, District case law has long recognized a distinction within this offense between voluntary and involuntary manslaughter. Involuntary manslaughter is the less serious of the two forms, and under the RCC an enhancement applies primarily when the complainant is a protected person.
- The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>17</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter opinion survey of relative offense seriousness;<sup>18</sup> 5) relative ordering of related RCC offenses;<sup>19</sup> and 6) national data on sentencing and time served.<sup>20</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.
- The CCRC notes that notwithstanding the extremely high 30 year statutorily authorized penalties for involuntary manslaughter under current D.C. Code § 22-2105, actual practice in the District has been sharply different. Court data for the 2015-2019 term shows the 97.5 quantile of all sentences for involuntary manslaughter was 86.6 months (7.2 years). The CCRC recommendation here encompasses involuntary manslaughter penalties in current court practice.

(6) *USAO, App. C at 543, recommends increasing the maximum possible penalty for a Class 5 felony from 18 years to 20 years. In relevant part, USAO states that the RCC kidnapping is “comparable to” kidnapping under current D.C. Code § 22-2001, which has a maximum possible penalty of 30 years incarceration. USAO states that it “does not believe that the maximum penalt[y]” should be lowered*

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<sup>16</sup> The USAO comment actually refers to the RCC recommendation as being “10 year,” however that appears to be a typo. At the time the comment was made (and currently), the RCC recommends Class 6 felonies be subject to a 12 year maximum imprisonment penalty.

<sup>17</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>18</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

<sup>19</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>20</sup> See Danielle Kaeble, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).

*from 20 years' incarceration to 18 years' incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*

- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. Notably, since the USAO provided its comment the CCRC has recommended a different organization for the offense such that the prior comment referring to “kidnapping” appears to apply to conduct that is now split between both first and second degree kidnapping under RCC § 22E-1401(a) and (b). The RCC now recommends classifying first degree kidnapping as a class 5 offense (18 years max) and a class 7 offense (8 years max).
  - The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>21</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter opinion survey of relative offense seriousness;<sup>22</sup> 5) relative ordering of related RCC offenses;<sup>23</sup> and 6) national data on sentencing and time served.<sup>24</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.
  - The CCRC notes that notwithstanding the extremely high 30 year statutorily authorized penalties for kidnapping under current D.C. Code § 22-2001, actual practice in the District has been sharply different. Court data for the 2015-2019 term shows the 97.5 quantile of all sentences for all kidnapping offenses (including while-armed and protected person complainants which are subject to higher penalties in the RCC) was 204 months (17 years). The CCRC recommendation here is generally consistent with penalties in current court practice.
- (7) *USAO, App. C at 543, recommends increasing the maximum possible penalty for a Class 5 felony from 18 years to 20 years. In relevant part, USAO states that the RCC voluntary manslaughter is “comparable to” manslaughter under current D.C. Code § 22-2001, which has a maximum possible penalty of 30 years incarceration. USAO states that it “does not believe that the maximum penalt[y]” should be lowered from 20 years' incarceration to 18 years' incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*
- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. While the only comparable statute in the D.C. Code is current D.C. Code § 22-2105, manslaughter, District case

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<sup>21</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>22</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

<sup>23</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>24</sup> See Danielle Kaebler, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).



law has long recognized a distinction within this offense between voluntary and involuntary manslaughter. Voluntary manslaughter is the more serious of the two forms, and under the RCC an enhancement applies primarily when the complainant is a protected person.

- The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>25</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter opinion survey of relative offense seriousness;<sup>26</sup> 5) relative ordering of related RCC offenses;<sup>27</sup> and 6) national data on sentencing and time served.<sup>28</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.
- The CCRC notes that notwithstanding the extremely high 30 year statutorily authorized penalties for voluntary manslaughter under current D.C. Code § 22-2105, actual practice in the District has been sharply different. Court data for the 2015-2019 term shows the 97.5 quantile of all sentences for voluntary manslaughter was 180 months (15 years). The CCRC recommendation here encompasses voluntary manslaughter penalties in current court practice.

(8) *USAO, App. C at 543-544, recommends increasing the maximum possible penalty for a Class 4 felony from 24 years to 30 years. In relevant part, USAO states that the RCC second degree murder is “comparable to”:* 1) *second degree murder under current D.C. Code § 22-2103 -2104, which has a maximum possible penalty of 40 years incarceration unless aggravators are present; and 2) first degree murder with respect to felony murder under D.C. Code § 22-2101 -2014 which has a maximum possible penalty of 60 years incarceration unless aggravators are present. USAO states that it “does not believe that the maximum penalt[y]” should be lowered from 30 years’ incarceration to 24 years’ incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*

- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. The RCC does not include felony murder within first degree murder unless the actor also (in addition to committing the murder in the course of a specified felony) has the culpable mental state otherwise required for first degree murder. However, it is unclear from existing court data whether and to what extent what is now sentenced as felony murder would only be prosecutable as second degree murder in the RCC.

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<sup>25</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>26</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

<sup>27</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>28</sup> See Danielle Kaeble, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).

- The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>29</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter opinion survey of relative offense seriousness;<sup>30</sup> 5) relative ordering of related RCC offenses;<sup>31</sup> and 6) national data on sentencing and time served.<sup>32</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.
  - The CCRC notes that notwithstanding the extremely high 40 year statutorily authorized penalties for second degree under current D.C. Code § 22-2105, actual practice in the District has been sharply different. Court data for the 2015-2019 term shows the 97.5 quantile of all sentences for all second degree murder, including enhanced penalties, was 324 months (27 years).<sup>33</sup> The 97.5 quantile for unenhanced second degree murder was 308.2 months (25.7 years).<sup>34</sup> The CCRC recommendation here is somewhat lower than penalties in current court practice for second degree murder.
- (9) *USAO, App. C at 543-544, recommends increasing the maximum possible penalty for a Class 4 felony from 24 years to 30 years. In relevant part, USAO states that the RCC enhanced voluntary manslaughter is “comparable to” manslaughter under current D.C. Code § 22-2105, which has a maximum possible penalty of 30 years incarceration unless aggravators are present. USAO states that it “does not believe that the maximum penalt[y]” should be lowered from 30 years’ incarceration to 24 years’ incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*
- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. While the only comparable statute in the D.C. Code is current D.C. Code § 22-2105, manslaughter, District case law has long recognized a distinction within this offense between voluntary and involuntary manslaughter. Voluntary manslaughter is the more serious of the two forms, and under the RCC an enhancement applies primarily when the complainant is a protected person.
  - The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>35</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter

<sup>29</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>30</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

<sup>31</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>32</sup> See Danielle Kaeble, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).

<sup>33</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>34</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>35</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

opinion survey of relative offense seriousness;<sup>36</sup> 5) relative ordering of related RCC offenses;<sup>37</sup> and 6) national data on sentencing and time served.<sup>38</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.

- The CCRC notes that notwithstanding the extremely high 30 year statutorily authorized penalties for voluntary manslaughter under current D.C. Code § 22-2105, actual practice in the District has been sharply different. Court data for the 2015-2019 term shows the 97.5 quantile of all sentences for voluntary manslaughter (including sentences with enhancements) was 180 months (15 years). The CCRC recommendation here encompasses voluntary manslaughter penalties in current court practice.

(10) *USAO, App. C at 544-545, recommends increasing the maximum possible penalty for a Class 3 felony from 36 years to 40 years. In relevant part, USAO states that the RCC enhanced second degree murder is “comparable to”: 1) second degree murder under current D.C. Code § 22-2103 -2104 with aggravators under D.C. Code § 24-403.01(b-2), which has a maximum possible penalty of life incarceration; and 2) first degree murder with respect to felony murder under D.C. Code § 22-2101 -2014 with enhancements, which has a maximum possible penalty of life imprisonment. USAO states that it “does not believe that the maximum penalt[y]” should be lowered from 40 years’ incarceration to 36 years’ incarceration. USAO does not state specifically how much higher the revised penalty should be for this offense, or whether it would accept the CCRC recommendation for the offense were the maximum for the penalty classification changed.*

- The RCC does not incorporate this recommendation because doing so may result in disproportionate penalties. The RCC does not include felony murder within first degree murder unless the actor also (in addition to committing the murder in the course of a specified felony) has the culpable mental state otherwise required for first degree murder. However, it is unclear from existing court data whether and to what extent what is now sentenced as felony murder would only be prosecutable as second degree murder in the RCC. Notably, the CCRC now recommends that class 3 felonies be subject to a maximum of 30 years imprisonment.
- The CCRC penalty recommendations for all revised offenses have been issued in light of multiple considerations, including: 1) the current D.C. Code maximum (and minimum) imprisonment penalty; 2) D.C. Court data from recent years on actual sentences imposed for comparable offenses;<sup>39</sup> 3) D.C. Voluntary Sentencing Guidelines relative ranking; 4) District voter opinion survey of relative offense seriousness;<sup>40</sup> 5) relative ordering of

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<sup>36</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

<sup>37</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>38</sup> See Danielle Kaeble, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).

<sup>39</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>40</sup> CCRC Advisory Group Memo #27 – Public Opinion Surveys on Ordinal Ranking of Offenses.

related RCC offenses;<sup>41</sup> and 6) national data on sentencing and time served.<sup>42</sup> Information and analysis has been provided to the Advisory Group and updates will be shared as they become available.

- The CCRC notes that notwithstanding the extremely high life imprisonment authorized penalty for aggravated second degree murder under current D.C. Code § 22-2103, -2104 and D.C. Code § 24-403.01(b-2), actual practice in the District has been sharply different. Court data for the 2015-2019 term shows the 97.5 quantile of all sentences for all second degree murder, including enhanced penalties, was 324 months (27 years).<sup>43</sup> The 97.5 quantile for unenhanced second degree murder was 308.2 months (25.7 years).<sup>44</sup> The CCRC recommendation here is generally consistent with current court practice for second degree murder.

(11) *USAO, App. C at 545, recommends the CCRC codify “codify the CCRC’s intent to have an increased reliance on consecutive sentences, rather than concurrent sentences.” USAO says that: “At the CCRC Advisory Group meeting on May 6, 2020, there was discussion between Advisory Group members and the CCRC about the intent to have increased reliance on consecutive sentences, rather than concurrent sentences. As noted in the minutes from that meeting, the purpose of this is to capture the full scope of a defendant’s conduct, to ensure that one offense is not doing all of the work, and to evaluate each type of criminal behavior involved in the situation. USAO recommends that this intent be codified in the Commentary so that attorneys and judges can understand the CCRC’s intent in this respect when sentencing defendants under the RCC.” USAO does not provide any specific language for its recommendation.*

- The CCRC does not incorporate this recommendation because doing so would make the revised statutes less clear and may result in disproportionate penalties. As the CCRC Director clarified at the June 2020 Advisory Group meeting, the CCRC does not intend that there be increased reliance on consecutive sentencing as described by USAO. Rather, the CCRC has pointed out that consecutive sentencing remains an option under the RCC just as in current law, and that in many cases increased use of consecutive sentencing by District sentencing judges may result in overall imprisonment terms that offset the reduced incarceration terms under the RCC. The CCRC takes no position as to whether a sentencing judge should, in a particular case or in the aggregate, make greater use of consecutive sentencing authority. Moreover, codifying language as suggested by USAO would be extremely difficult to do with clarity as to which cases are or are not suitable for consecutive sentencing and is a matter more appropriate for sentencing guidelines and individual judicial discretion.

(12) *The CCRC recommends changing the maximum imprisonment penalties for felony classes 1 and 2 from 60 and 45 years (respectively) to 45 and 40 years,*

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<sup>41</sup> CCRC Fourth Draft of Report #41 – Ordinal Ranking of Maximum Imprisonment Penalties.

<sup>42</sup> See Danielle Kaeble, *Time Served in State Prison 2016*, U.S. Department of Justice, Bureau of Justice Statistics, NCJ 252205 (November 2018).

<sup>43</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

<sup>44</sup> CCRC Advisory Group Memo #40 - Statistics on District Adult Criminal Charges and Convictions.

*changing class 3 from 36 to 30 years, changing felony classes 8 and 9 from 5 and 3 years (respectively) to 4 and 2 years, as well as changing the misdemeanor Classes C and D from 90 days and 30 days (respectively) to 60 days and 10 days. The RCC § 22E-603 commentary further explains the rationale for these changes.*

- This change improves the proportionality of the revised statutes.

Appendix G. Correspondence of RCC to D.C. Code Penalties (2010-2019)

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
18DCMR1101	Loaning Vehicle Registration and Misuse of Tags (Improper Tags)	1	None	No Recommendation To Date			< 20	None	None	0.3	0.3	0.3	0.3	0.3
18DCMR1101.1	Loaning Vehicle Registration and Misuse of Tags	1	None	No Recommendation To Date			< 20	None	None	0.3	0.3	0.3	0.3	0.3
18DCMR1101.1-X	Loaning Vehicle Registration and Misuse of Tags (Display of Tags)	1	None	No Recommendation To Date			< 20	None	None	0.2	0.2	0.3	0.3	0.3
18DCMR1110.2	Improper Conduct with Vehicle License (Loaning Permit)	0.3	None	No Recommendation To Date			< 20	None	None	0.3	0.3	0.3	0.3	0.3
18DCMR2000.2	Failure to Obey Police Officer	0	None	No Recommendation To Date			< 20	None	None	0	0	0	0	0
19DCMR1309.1	Gambling On or Near Public Property	0	None	No Recommendation To Date			< 20	None	None	0	0	0	0	0
24DCMR502.2	Vending Without a License	0	None	Repeal			< 20	None	None	1	2	2.6	2.8	2.9
24DCMR2301.3	Possession of BB Gun	0	None	7-2502.17; Carrying an Air or Spring Gun	0.3	NA	< 20	None	None	0	0	1.8	2.4	2.7
01DC1102.03	Unlawful Cash Campaign Expenditure, Aiding, and Abetting	Repealed	Repealed	None, repealed in D.C. Code 2012			< 20	None	None	1	1	1	1	1
03DC1210.01	Practicing Health Occupation Without License	12	None	No Recommendation To Date			< 20	None	None	9.1	10.6	11.6	11.9	12
05DC115.03	Police Neglect to Make Arrest for Offense Committed in Presence	24	None	Repeal			< 20	None	None	6	6	6	6	6
05DC117.05	False Report to Police	1	None	No Recommendation To Date			< 20	None	None	1	1	1	1	1
05DC121.05	Withholding Information from Judicial Authorities	0	None	No Recommendation To Date			< 20	At least 75%	None	6	6	6	6	6
07DC2502.01(a)	Possession or Control of a Destructive Device or Unregistered Firearm	60	None				918	3.4%	< 25%	6	12	12	12	12.2
07DC2502.01(a)-X	Possession or Control of a Destructive Device or Unregistered Firearm (Unregistered Firearm)	60	None	7-2502.01A(a); First Degree Possession of an Unregistered Firearm, Destructive Device, or Ammunition	12	NA	< 20	None	None	6	9	12	12	12
07DC2502.01(a)-Y	Possession or Control of a Destructive Device or Unregistered Firearm (Possession of Destructive Device)	12	None				< 20	< 50%	None	2	2	2	2	2
07DC2506.01(a)	Unlawful Possession of Ammunition	120	12	7-2502.01A(b); Second Degree Possession of an Unregistered Firearm, Destructive Device, or Ammunition	5.9	NA	784	4.7%	< 25%	6	12	12	12	12
07DC2506.01(b)	Unlawful Possession of a Large Capacity Ammunition Feeding Device	36	None	22-4101(b); Second Degree Possession of a Prohibited Weapon or Accessory	24	NA	112	< 25%	< 25%	6	9	12	12	12
07DC2508.07	Violation of Gun Offender Registry Registration Requirements	12	None	No Recommendation To Date			< 20	< 50%	None	1.7	3.8	5.1	5.5	5.8
08DC902	Illegal Disposal of Waste	60	None	No Recommendation To Date			42	< 25%	None	0.2	1	1.3	2.3	3
10DC503.15	Removal or Injury of US Capitol Grounds Property	6	None	No Recommendation To Date			< 20	None	None	0.1	0.1	0.1	0.1	0.1
10DC503.16(b)(4)	Unlawful Conduct on US Capitol Grounds or Buildings (Disruption of Session)	6	None	No Recommendation To Date			39	< 25%	None	0.3	1	2.9	3	3.7
10DC503.17	Unlawful Assembly or Display on US Capitol Grounds	6	None	No Recommendation To Date			22	< 25%	None	0.3	0.3	0.3	0.6	0.8
11DC944-F	Contempt (Felony)	None	None	No Recommendation To Date			189	None	< 25%	9	12	17	20	24
11DC944-M	Contempt (Misdemeanor)	None	None	No Recommendation To Date			88	None	None	3	3.3	6	6	6
16DC1005(f)	Contempt of Protection Order	5.9	None	16-1005A; Criminal Contempt for Violation of a Civil Protection Order	5.9	NA	< 20	None	None	6	6	6	6	6
16DC1005(g)-X	Violation of Protection Order (Civil)	5.9	None	16-1005A; Criminal Contempt for Violation of a Civil Protection Order	5.9	NA	79	None	None	6	6	6	6	6
16DC1005(g)-Y	Violation of Protection Order (Temporary)	5.9	None	16-1005A; Criminal Contempt for Violation of a Civil Protection Order	5.9	NA	< 20	None	None	1	2.2	4.5	5.2	5.6
16DC1024	Parental Kidnapping (Concealed)	Cannot Determine	None	16-1022(a); First Degree Parental Kidnapping 16-1022(b); Second Degree Parental Kidnapping	12 5.9	NA NA	< 20	None	None	0	0	0	0	0
16DC1024	Parental Kidnapping (From Custodian)	Cannot Determine	None	16-1022(c); Third Degree Parental Kidnapping 16-1022(d); Fourth Degree Parental Kidnapping	0.3 0	NA NA	< 20	None	None	1	1	1	1	1
16DC1024(a)	Parental Kidnapping (Within DC) (From Custodian)	0	None	16-1022(d); Fourth Degree Parental Kidnapping	0	NA	< 20	None	None	0	0	0	0	0
16DC1024(b)(1)	Parental Kidnapping (30D/Less)(From Parent)	6	None	16-1022(b); Second Degree Parental Kidnapping 16-1022(c); Third Degree Parental Kidnapping 16-1022(d); Fourth Degree Parental Kidnapping	5.9 0.3 0	NA NA	< 20	None	None	6	6	6	6	6
22DC301	Arson	120	None	22E-2501(a); First Degree Arson 22E-2501(b); Second Degree Arson 22E-2501(c); Third Degree Arson 22E-2502; Reckless Burning	216 96 24 12	NA NA NA NA	28	< 25%	< 25%	36	51	60	64.2	68.1
22DC303	Destruction of Property	120	None	22E-2503(a); First Degree Criminal Damage to Property 22E-2503(b); Second Degree Criminal Damage to Property 22E-2503(c)(1); Third Degree Criminal Damage to Property 22E-2503(c)(2); Third Degree Criminal Damage to Property 22E-2503(d); Fourth Degree Criminal Damage to Property 22E-2503(e); Fifth Degree Criminal Damage to Property	96 48 24 24 12 2	NA NA NA NA NA NA	< 20	None	None	6	6	6	6	6

See Advisory Group Memorandum #40 and Appendices (available at <https://ccrc.dc.gov/page/ccrc-documents>) for explanation and more information. Analysis by CCRC based on Superior Court data.

Appendix G. Correspondence of RCC to D.C. Code Penalties (2010-2019)

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
22DC303-F	Destruction of Property \$1000 or More	120	None	22E-2503(a); First Degree Criminal Damage to Property 22E-2503(b); Second Degree Criminal Damage to Property 22E-2503(c)(1); Third Degree Criminal Damage to Property 22E-2503(c)(2); Third Degree Criminal Damage to Property	96 48 24 24	NA NA NA NA	151	None	< 25%	14.5	23.8	29	35	47.5
22DC303-F	Destruction of Property over \$200	120	None	22E-2503(a); First Degree Criminal Damage to Property 22E-2503(b); Second Degree Criminal Damage to Property 22E-2503(c)(1); Third Degree Criminal Damage to Property 22E-2503(c)(2); Third Degree Criminal Damage to Property 22E-2503(d); Fourth Degree Criminal Damage to Property	96 48 24 24 12	NA NA NA NA NA	84	None	None	12	18	24	32	32
22DC303-M	Destruction of Property less than \$1000	5.9	None	22E-2503(d); Fourth Degree Criminal Damage to Property 22E-2503(e); Fifth Degree Criminal Damage to Property	12 2	NA NA	379	< 25%	None	3	6	6	6	6
22DC303-M	Destruction of Property less than \$200	5.9	None	22E-2503(e); Fifth Degree Criminal Damage to Property	2	NA	1396	< 25%	< 25%	2	4	6	6	6
22DC401-S	Assault With Intent to Kill, Rob, Commit Sexual Abuse (Third Degree Sexual Abuse)	60	None	22E-301, 22E-1301(c), (f)(5); Attempted Enhanced Third Degree Sexual Abuse 22E-301, 22E-1301(c); Attempted Third Degree Sexual Abuse	72 (1/2 the predicate) 48 (1/2 the predicate)	96 60	< 20	None	None	11.5	16.5	21	22.5	23.2
22DC401-U	Assault With Intent to Kill	180	None	22E-301, 22E-1101(a), (d)(3); Attempted Enhanced First Degree Murder 22E-301, 22E-1101(a); Attempted First Degree Murder	270 (1/2 the predicate) 240 (1/2 the predicate)	342 312	273	< 25%	58.6%	102	150	202.8	204	204
22DC401-V	Assault With Intent to Commit First Degree Sexual Abuse	180	None	22E-301, 22E-1301(a), (f)(5); Attempted Enhanced First Degree Sexual Assault 22E-301, 22E-1301(a); Attempted First Degree Sexual Assault	180 (1/2 the predicate) 144 (1/2 the predicate)	228 192	< 20	None	< 50%	57	63	75.6	79.8	81.9
22DC401-V	Assault With Intent to Kill, Rob, Commit Sexual Abuse (First Degree Sexual Abuse by Force)	180	None	22E-301, 22E-1301(a)(2)(A), (f)(5); Attempted Enhanced First Degree Sexual Assault 22E-301, 22E-1301(a)(2)(A); Attempted First Degree Sexual Assault	180 (1/2 the predicate) 144 (1/2 the predicate)	228 192	< 20	None	None	46.5	63	104.4	142.2	161.1
22DC401-V	Assault With Intent to Kill, Rob, Commit Sexual Abuse (First Degree Sexual Abuse by Threatening)	180	None	22E-301, 22E-1301(a)(2)(B), (f)(5); Attempted Enhanced First Degree Sexual Assault 22E-301, 22E-1301(a)(2)(B); Attempted First Degree Sexual Assault	180 (1/2 the predicate) 144 (1/2 the predicate)	228 192	< 20	None	None	72	78	81.6	82.8	83.4
22DC401-X	Assault With Intent to Kill, Rob, Commit Sexual Abuse (Robbery)	180	None	22E-301, 22E-1201(a); Attempted First Degree Robbery 22E-301, 22E-1201(b); Attempted Second Degree Robbery 22E-301, 22E-1201(c); Attempted Third Degree Robbery 22E-301, 22E-1201(d); Attempted Fourth Degree Robbery 22E-301, 22E-1201(e); Attempted Fifth Degree Robbery	108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate)	132 96 60 36 18	169	< 25%	45.6%	42	60	85.8	120	169.5
22DC401-Y	Assault With Intent to Kill, Rob, Commit Sexual Abuse (First Degree Child Sexual Abuse)	180	None	22E-301, 22E-1302(a), (h)(7); Attempted Enhanced First Degree Sexual Abuse of a Minor 22E-301, 22E-1302(a); Attempted First Degree Sexual Abuse of a Minor 22E-301, 22E-1302(b), (h)(7); Attempted Enhanced Second Degree Sexual Abuse of a Minor 22E-301, 22E-1302(b); Attempted Second Degree Sexual Abuse of a Minor	180 (1/2 the predicate) 144 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate)	228 192 192 132	< 20	None	None	52	52	52	52	52
22DC402-X	Assault with Intent to Commit Mayhem or with a Dangerous Weapon (Mayhem)	120	None	22E-301, 22E-1202(a); Attempted First Degree Assault 22E-301, 22E-1202(b), (h)(5); Attempted Enhanced Second Degree Assault 22E-301, 22E-1202(b); Attempted Second Degree Assault	72 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate)	96 96 60	< 20	None	None	24	30	33.6	34.8	35.4
22DC402-Y	Assault with Intent to Commit Mayhem or with a Dangerous Weapon (Dangerous Weapon)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5)(B); Enhanced Second Degree Assault 22E-1202(c), (h)(6)(B); Enhanced Third Degree Assault 22E-1202(d), (h)(7)(B); Enhanced Fourth Degree Assault 22E-1204(a), (d)(4)(B); Enhanced First Degree Criminal Threats 22E-1204(b), (d)(4)(B); Enhanced Second Degree Criminal Threats 22E-1204(c), (d)(4)(B); Enhanced Third Degree Criminal Threats	144 144 96 48 48 24 5.9	168 168 108 60 60 30 8	1438	32.8%	3.5%	24	42	60	66	72
22DC403	Assault with Intent to Commit Any Other Offense	60	None	22E-301 Attempt and any Class 1 Crime 22E-301 Attempt and any Class 2 Crime 22E-301 Attempt and any Class 3 Crime 22E-301 Attempt and any Class 4 Crime 22E-301 Attempt and any Class 5 Crime 22E-301 Attempt and any Class 6 Crime 22E-301 Attempt and any Class 7 Crime 22E-301 Attempt and any Class 8 Crime 22E-301 Attempt and any Class 9 Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate)	342 312 228 192 132 96 60 36 18	< 20	None	None	24	24	24	24	24

Appendix G. Correspondence of RCC to D.C. Code Penalties (2010-2019)

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
22DC404(a)(1)	Simple Assault	5.9	None	22E-1202(d), (h)(7)(B); Enhanced Fourth Degree Assault (weapon) 22E-1202(d), (h)(7)(A); Enhanced Fourth Degree Assault (protected person) 22E-1202(d); Fourth Degree Assault 22E-1204(a), (d)(4); Enhanced First Degree Criminal Threats 22E-1204(a); First Degree Criminal Threats 22E-1204(b), (d)(4); Enhanced Second Degree Criminal Threats 22E-1204(b); Second Degree Criminal Threats 22E-1204(c), (d)(4); Enhanced Third Degree Criminal Threats 22E-1204(c); Third Degree Criminal Threats 22E-1205(a), (e)(3); Enhanced First Degree Offensive Physical Contact 22E-1205(b), (e)(3); Enhanced Second Degree Offensive Physical Contact 22E-1205(a); First Degree Offensive Physical Contact 22E-1205(b); Second Degree Offensive Physical Contact	48 12 5.9 48 24 24 5.9 5.9 2 5.9 2 2 0.3	60 14 8 60 30 30 8 8 2.3 8 2.3 2.3 0.6	6083	< 25%	0.5%	3	6	6	6	6
22DC404(a)(2)	Assault with Significant Bodily Injury	36	None	22E-1202(c), (h)(6)(B); Enhanced Third Degree Assault (weapon) 22E-1202(c), (h)(6)(A); Enhanced Third Degree Assault (protected person) 22E-1202(c); Third Degree Assault	96 48 24	108 60 30	689	< 25%	4.9%	18	24	24	32	59.7
22DC404.01	Aggravated Assault	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	20	< 25%	At least 75%	60	76.5	120	120	120
22DC404.01(a)(1)	Aggravated Assault (Causes Serious Bodily Injury)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	312	< 25%	57.1%	66	96	120	144	147
22DC404.01(a)(2)	Aggravated Assault (Grave Risk)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	< 20	None	< 75%	78	96	108	116.4	124.2
22DC405(b)	Assault on a Police Officer (Simple assault)	6	None	22E-1202(d), (h)(7)(B); Enhanced Fourth Degree Assault (weapon) 22E-1202(d), (h)(7)(A); Enhanced Fourth Degree Assault (protected person) 22E-1202(d); Fourth Degree Assault 22E-1204(a), (d)(4); Enhanced First Degree Criminal Threats 22E-1204(a); First Degree Criminal Threats 22E-1204(b), (d)(4); Enhanced Second Degree Criminal Threats 22E-1204(b); Second Degree Criminal Threats 22E-1204(c), (d)(4); Enhanced Third Degree Criminal Threats 22E-1204(c); Third Degree Criminal Threats 22E-1205(a), (e)(3); Enhanced First Degree Offensive Physical Contact 22E-1205(b), (e)(3); Enhanced Second Degree Offensive Physical Contact 22E-1205(a); First Degree Offensive Physical Contact 22E-1205(b); Second Degree Offensive Physical Contact	48 12 5.9 48 24 24 5.9 5.9 2 5.9 2 2 0.3	60 14 8 60 30 30 8 8 2.3 8 2.3 2.3 0.6	2045	None	< 25%	3	6	6	6	6
22DC405(c)	Assault on a Police Officer (Significant bodily injury)	120	None	22E-1202(c), (h)(6)(B); Enhanced Third Degree Assault (weapon) 22E-1202(c), (h)(6)(A); Enhanced Third Degree Assault (protected person) 22E-1202(c)(1); Third Degree Assault	96 48 24	108 60 30	118	< 25%	22.9%	24	43.5	81	85.8	96.9
22DC405.01	Resisting Arrest	6	None	No Recommendation To Date			35	None	None	2	4.5	6	6	6
22DC405A	Assault On A Police Officer	6	None	No Recommendation To Date			40	None	< 25%	6	24	73.2	84.6	96
22DC406-X	Mahem or Maliciously Disfiguring (Mayhem)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	< 20	None	At least 75%	108	108	140.4	187.2	213.6
22DC406-Y	Mahem or Maliciously Disfiguring (Malicious Disfiguring)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	< 20	None	< 50%	84	108	129.6	136.8	140.4
22DC407	Threats to Do Bodily Harm	6	None	22E-1204(a), (d)(4); Enhanced First Degree Threats 22E-1204(a); First Degree Threats 22E-1204(b), (d)(4); Enhanced Second Degree Threats 22E-1204(b); Second Degree Threats 22E-1204(c), (d)(4); Enhanced Third Degree Threats 22E-1204(c); Third Degree Threats	48 24 24 5.9 5.9 2	60 30 30 8 8 2.3	1781	74.6%	< 25%	2	4	6	6	6



Appendix G. Correspondence of RCC to D.C. Code Penalties (2010-2019)

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
22DC601	Breaking and Entering a Vending Machine	36	None	22E-2101(a); First Degree Theft 22E-2101(b); Second Degree Theft 22E-2101(c); Third Degree Theft 22E-2101(d); Fourth Degree Theft 22E-2101(e); Fifth Degree Theft	96 48 24 12 2	NA NA NA NA NA	< 20	None	None	6	6	6	6	6
22DC712	Bribery of a Public Servant	120	None	No Recommendation To Date			< 20	< 25%	None	18	18	21.6	22.8	23.4
22DC722	Obstructing Justice	360	None	No Recommendation To Date			47	< 25%	None	60	84	96	105.6	220.2
22DC722(a)(1)	Obstructing Justice (Juror)	360	None	No Recommendation To Date			< 20	None	None	84	84	84	84	84
22DC722(a)(2)(A)	Obstructing Justice (Use of Force or Threat to Influence or Delay Witness or Officer)	360	None	No Recommendation To Date			52	< 25%	None	60	81.8	108	108	108
22DC722(a)(2)(B)	Obstructing Justice (Use of Force or Threat to Influence or Delay Witness or Officer)	360	None	No Recommendation To Date			< 20	None	None	90	93	94.8	95.4	95.7
22DC722(a)(2)(D)	Obstructing Justice (Use of Force or Threat to Influence or Delay Witness or Officer)	360	None	No Recommendation To Date			< 20	None	None	66	75	80.4	82.2	83.1
22DC722(a)(3)(A)	Obstruction Justice (Harassment with intent to Hinder or Prevent Action)	360	None	No Recommendation To Date			< 20	None	None	66	81	97.2	102.6	105.3
22DC722(a)(3)(B)	Obstruction Justice (Harassment with intent to Hinder or Prevent Action)	360	None	No Recommendation To Date			< 20	None	None	36	44	60	84	96
22DC722(a)(3)(C)	Obstruction Justice (Harassment with intent to Hinder or Prevent Action)	360	None	No Recommendation To Date			< 20	None	None	36	36	36	36	36
22DC722(a)(4)	Obstruction Justice (Injury or Theat for Giving Information to Investigator)	360	None	No Recommendation To Date			< 20	None	None	70.5	84	91.2	99.6	103.8
22DC722(a)(6)	Obstruction Justice (Due Administration of Justice)	360	None	No Recommendation To Date			71	< 25%	None	60	72	85.2	102.6	111.3
22DC723	Tampering With Physical Evidence	36	None	No Recommendation To Date			101	32.7%	None	6	12	16	18.3	20
22DC801	Burglary	360	None	22E-2701(a), (d)(4); Enhanced First Degree Burglary 22E-2701(a); First Degree Burglary	96 48	NA NA	< 20	At least 75%	< 25%	12	19.2	51	64.5	71.2
22DC801(a)	Burglary First Degree	360	None	22E-2701(b), (d)(4); Enhanced Second Degree Burglary 22E-2701(b); Second Degree Burglary	48 24	NA NA	221	19.0%	27.1%	60	102	144	180	180
22DC801(b)	Burglary Second Degree	180	None	22E-2701(b), (d)(4); Enhanced Second Degree Burglary 22E-2701(b); Second Degree Burglary 22E-2701(c), (d)(4); Enhanced Third Degree Burglary 22E-2701(c); Third Degree Burglary	48 24 24 12	NA NA NA NA	977	46.8%	< 25%	24	30	40	48	83.6
22DC811	Contributing to the Delinquency of a Minor	120	None	22E-4601; Contributing to the Delinquency of a Minor	5.9	NA	< 20	None	None	3	4.5	5.4	5.7	5.8
22DC811(a)(5)	Contributing to the Delinquency of a Minor (Committing a Misdemeanor)	6	None	22E-4601; Contributing to the Delinquency of a Minor	5.9	NA	< 20	None	None	6	6	6	6	6
22DC811(b)(2)	Contributing to the Delinquency of a Minor (Prior Conviction)	36	None	22E-4601; Contributing to the Delinquency of a Minor	5.9	NA	< 20	None	None	3.5	3.8	3.9	4	4
22DC851(b)	Intimidating, Impeding, Interfering, or Retaliating Against a District Official or Employee	60	None	Incorporated into Offense-Specific Enhancements			< 20	< 50%	None	6	7	7.6	7.8	7.9
22DC851(c)	Vandalizing, Damaging, Destroying, or Taking Property of a District Official or Employee	36	None	Incorporated into Offense-Specific Enhancements			< 20	None	None	16	16	16	16	16
22DC902	Trademark Counterfeiting	120	None	22E-2210(a); First Degree Trademark Counterfeiting	12	NA	< 20	None	None	3.5	6	6	6	6
22DC902(b)(1)	Trademark Counterfeiting (First Conviction)	5.9	None	22E-2210(b) Second Degree Trademark Counterfeiting	2	NA	< 20	None	None	4	4	4	4	4
22DC933	Abuse of a Vulnerable Adult or Elderly Person	240	None	22E-1503(a); First Degree Criminal Abuse of a Vulnerable Adult or Elderly Person 22E-1503(b); Second Degree Criminal Abuse of a Vulnerable Adult or Elderly Person 22E-1503(c); Third Degree Criminal Abuse of a Vulnerable Adult or Elderly Person	144 48 24	168 60 30	< 20	None	None	2	2	2	2	2
22DC933	Abuse of a Vulnerable Adult or Elderly Person (Serious Bodily Injury or Severe Mental Distress)	120	None	22E-1503(a); First Degree Criminal Abuse of a Vulnerable Adult or Elderly Person 22E-1503(c); Third Degree Criminal Abuse of a Vulnerable Adult or Elderly Person	144 48	168 60	< 20	None	None	6	6	9.6	10.8	11.4
22DC933(1)	Abuse of a Vulnerable Adult or Elderly Person (Inflicts or Threatens Physical Injury)	5.9	None	22E-1503(c); Third Degree Criminal Abuse of a Vulnerable Adult or Elderly Person	24	30	< 20	None	None	6	6	6	9	10.5
22DC934	Criminal Negligence to a Vulnerable Adult or Elderly Person	240	None	22E-1504(a); First Degree Criminal Neglect of a Vulnerable Adult or Elderly Person 22E-1504(b); Second Degree Criminal Neglect of a Vulnerable Adult or Elderly Person 22E-1504(c); Third Degree Criminal Neglect of a Vulnerable Adult or Elderly Person	48 12 5.9	60 14 8	< 20	None	None	6	6	6	6	6
22DC951(b)(1)	Criminal Street Gang (Commission of Felony or Violent Misdemeanor)	60	None	No Recommendation To Date			89	None	None	24	24	32	32	32
22DC1001(a)(1)	Cruelty to Animals (Misdemeanor)	5.9	None	No Recommendation To Date			55	< 25%	None	3	4	6	6	6
22DC1001(d)	Cruelty to Animals (Felony)	60	None	No Recommendation To Date			< 20	None	None	7	12	12	13	13.5
22DC1006.01	Engaging in Animal Fighting	60	None	No Recommendation To Date			< 20	At least 75%	None	4	4.2	4.7	4.8	4.9

See Advisory Group Memorandum #40 and Appendices (available at <https://ccrc.dc.gov/page/ccrc-documents>) for explanation and more information. Analysis by CCRC based on Superior Court data.

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22DC1101	Cruelty to Children	180	None	22E-1501(a); First Degree Criminal Abuse of a Minor 22E-1501(b); Second Degree Criminal Abuse of a Minor 22E-1501(c); Third Degree Criminal Abuse of a Minor	144 48 24	168 60 30	< 20	None	None	72	72	72	72	72
22DC1101(a)	First Degree Cruelty to Children	180	None	22E-1501(a); First Degree Criminal Abuse of a Minor 22E-1501(b); Second Degree Criminal Abuse of a Minor 22E-1501(c); Third Degree Criminal Abuse of a Minor	144 48 24	168 60 30	20	None	None	51	60	60	61	70.5
22DC1101(a)-X	First Degree Cruelty to Children (Grave Risk)	180	None	22E-1501(a); First Degree Criminal Abuse of a Minor 22E-1501(b); Second Degree Criminal Abuse of a Minor 22E-1501(c); Third Degree Criminal Abuse of a Minor	144 48 24	168 60 30	< 20	None	< 25%	60	75	108	144	162
22DC1101(b)	Second Degree Cruelty to Children	120	None	22E-1501(a); First Degree Criminal Abuse of a Minor 22E-1501(b); Second Degree Criminal Abuse of a Minor 22E-1501(c); Third Degree Criminal Abuse of a Minor 22E-1502(a); First Degree Criminal Neglect of a Minor 22E-1502(b); Second Degree Criminal Neglect of a Minor 22E-1502(c); Third Degree Criminal Neglect of a Minor	144 48 24 48 12 5.9	168 60 30 60 14 8	97	75.3%	None	6	6	16.8	24	24
22DC1101(b)(1)	Second Degree Cruelty to Children (Grave Risk)	120	None	22E-1502(a); First Degree Criminal Neglect of a Minor 22E-1502(b); Second Degree Criminal Neglect of a Minor 22E-1502(c); Third Degree Criminal Neglect of a Minor	48 12 5.9	60 14 8	39	< 50%	None	12	18	24	28.8	38.7
22DC1101(b)(2)	Second Degree Cruelty to Children (Abandonment)	120	None	22E-1502(c); Third Degree Criminal Neglect of a Minor	5.9	8	< 20	At least 75%	None	4	4	4	4	4
22DC1211	Tampering with a Detection Device	5.9	None	22E-3402 Tampering with a Detection Device	5.9	NA	111	< 25%	None	2	3	6	6	6
22DC1211(a)(1)(C)	Tampering with a Detection Device (Failure to Charge)	5.9	None	22E-3402 Tampering with a Detection Device	5.9	NA	129	None	None	0.2	1	3	4.5	6
22DC1312	Lewd, Indecent, or Obscene Acts	3	None	22E-4206(a); First Degree Indecent Exposure	5.9	NA	29	< 25%	None	3	3	3	4.8	6
22DC1312-X	Lewd, Indecent, or Obscene Acts (Indecent Exposure)	3	None	22E-4206(b); Second Degree Indecent Exposure	2	NA	< 20	None	None	1.8	2.4	2.8	2.9	2.9
22DC1319(a)	False alarms, false reports, hoax weapons (Fire)	6	None	No Recommendation To Date			< 20	At least 75%	None	0	0	0	0	0
22DC1319(b)(1)	False alarms, false reports, hoax weapons (Weapon of Mass Destruction that Initiates Response)	12	None	No Recommendation To Date			< 20	< 50%	None	3	3	3	3	3
22DC1321	Disorderly Conduct	3	None	22E-4201; Disorderly Conduct	0.3	NA	55	None	None	1	1.2	3	3	3
22DC1321(e)	Disorderly Conduct (Urinating or Defecating)	3	None	22E-4205; Breach of Home Privacy	2	NA	< 20	None	None	0.3	3	3	3	3
22DC1321(f)	Disorderly Conduct (Stealthily Looking into Dwelling)	3	None	22E-4202; Public Nuisance	2	NA	< 20	None	None	3	3	3	3	3
22DC1322(b)	Rioting or Inciting to Riot (Engaging in Rioting)	5.9	None				< 20	None	None	6	6	6	6	6
22DC1322(d)	Rioting or Inciting to Riot (Engaging in Rioting Causing Serious Bodily Injury or Over \$5,000 Damage)	120	None	22E-4301; Rioting	12	NA	< 20	None	None	36	36	36	36	36
22DC1341	Unlawful Entry of a Motor Vehicle	3	None	22E-2601; Third Degree Trespass	0.3	NA	254	< 25%	None	1.5	3	3	4	6
22DC1404	Impersonating a Public Official	36	None	22E-3201(a); First Degree Impersonation of a District Official 22E-3201(b); Second Degree Impersonation of a District Official	24 5.9	NA NA	< 20	< 75%	None	37	54.5	65	68.5	70.2
22DC1406	Impersonating a Police Officer	5.9	None	22E-3201(a); First Degree Impersonation of a District Official 22E-3201(b); Second Degree Impersonation of a District Official	24 5.9	NA NA	< 20	None	None	6	6	6	6	6
22DC1510-M	Making, Drawing, Uttering Check, Draft or Order with Intent to Defraud (Less than \$1,000)	5.9	None	22E-2203 (b), Second Degree Check Fraud 22E-2203 (c), Third Degree Check Fraud	12 2	14 2.3	< 20	< 75%	None	5	6	6	6	6
22DC1705	Maintaining a Gambling Premises	60	None	No Recommendation To Date			< 20	None	None	4	5	5.6	5.8	5.9
22DC1805a	Conspiracy to Commit a Crime	180	None	22E-303 and any Class 1 Crime 22E-303 and any Class 2 Crime 22E-303 and any Class 3 Crime 22E-303 and any Class 4 Crime 22E-303 and any Class 5 Crime 22E-303 and any Class 6 Crime 22E-303 and any Class 7 Crime 22E-303 and any Class 8 Crime 22E-303 and any Class 9 Crime 22E-303 and any Class A Crime 22E-303 and any Class B Crime 22E-303 and any Class C Crime 22E-303 and any Class D Crime 22E-303 and any Class E Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate) 6 (1/2 the predicate) 3 (1/2 the predicate) 1 (1/2 the predicate) 0.15 (1/2 the predicate) 0 (1/2 the predicate)	342 312 228 192 132 96 60 36 18 8 5 1.3 0.45 0.3	167	< 25%	< 25%	24	54	84	105.6	108

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22DC1805a(a)(1)	Conspiracy to Commit a Crime (Other Than a Crime of Violence)	60	None	22E-303 and any Class 1 Crime 22E-303 and any Class 2 Crime 22E-303 and any Class 3 Crime 22E-303 and any Class 4 Crime 22E-303 and any Class 5 Crime 22E-303 and any Class 6 Crime 22E-303 and any Class 7 Crime 22E-303 and any Class 8 Crime 22E-303 and any Class 9 Crime 22E-303 and any Class A Crime 22E-303 and any Class B Crime 22E-303 and any Class C Crime 22E-303 and any Class D Crime 22E-303 and any Class E Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate) 6 (1/2 the predicate) 3 (1/2 the predicate) 1 (1/2 the predicate) 0.15 (1/2 the predicate) 0 (1/2 the predicate)	342 312 228 192 132 96 60 36 18 8 5 1.3 0.45 0.3	27	None	< 25%	18	35	45	50.2	54.4
22DC1805a(a)(2)	Conspiracy to Commit a Crime (Crime of Violence)	180	None	22E-303 and any Class 1 Crime 22E-303 and any Class 2 Crime 22E-303 and any Class 3 Crime 22E-303 and any Class 4 Crime 22E-303 and any Class 5 Crime 22E-303 and any Class 6 Crime 22E-303 and any Class 7 Crime 22E-303 and any Class 8 Crime 22E-303 and any Class 9 Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate)	342 312 228 192 132 96 60 36 18	23	None	< 50%	36	60	88.8	95.4	96
22DC1806	Accessory to a Crime After the Fact	1/2 max term of imprisonment	None	No Recommendation To Date			< 20	None	< 25%	27	64.5	126	219.6	289.8
22DC1806	Accessory to a Crime After the Fact (ADW)	1/2 max term of imprisonment	None	No Recommendation To Date			< 20	None	None	19.5	21.8	23.1	23.5	23.8
22DC1810	Threatening to Kidnap or Injure a Person	240	None	22E-1204(a), (d)(4); Enhanced First Degree Threats 22E-1204(a); First Degree Threats 22E-1204(b), (d)(4); Enhanced Second Degree Threats 22E-1204(b); Second Degree Threats 22E-1204(c), (d)(4); Enhanced Third Degree Threats 22E-1204(c); Third Degree Threats	48 24 24 5.9 5.9 2	60 30 30 8 8 2.3	237	< 25%	< 25%	18	24	36	48	128.4
22DC1833	Trafficking in Labor or Commercial Sex Acts (Sex Acts)	240	None	22E-1603, (b)(2); Enhanced Trafficking in Labor 22E-1603; Trafficking in Labor 22E-1604, (b)(2); Enhanced Trafficking in Forced Commercial Sex 22E-1604; Trafficking in Forced Commercial Sex	216 144 216 144	240 168 240 168	< 20	At least 75%	None	45	45	45	45	45
22DC1834	Sex Trafficking of Children	240	None	22E-1605, (b)(2); Enhanced Sex Trafficking of Minors 22E-1605; Sex Trafficking of Minors	288 216	336 240	< 20	< 75%	None	51	55.5	58.2	59.1	59.6
22DC1901	Incest	144	None	22E-1308; First Degree Incest 22E-1308; Second Degree Incest	48 12	60 14	< 20	None	None	36	36	36	36	36
22DC1931	Interfering with Reports to Law Enforcement, Medical Providers, or Child Welfare	5.9	None	No Recommendation To Date			< 20	None	None	3	3	6	6	6
22DC2001	Kidnapping	360	None	22E-1401 (a), (d); Enhanced First Degree Kidnapping 22E-1401 (a); First Degree Kidnapping 22E-1401 (b), (d); Enhanced Second Degree Kidnapping 22E-1401 (b); Second Degree Kidnapping	288 216 144 96	336 240 168 108	166	15.7%	41.6%	79	120	176.4	202.2	204
22DC2101-X	First Degree Murder (Felony Murder)	Life Without Release	30	22E-1101 (a), (d); Enhanced First Degree Murder 22E-1101 (a); First Degree Murder 22E-1101 (b), (d); Enhanced Second Degree Murder 22E-1101 (b); Second Degree Murder	540 480 360 288	612 552 408 336	44	None	97.7%	420	510	720	747	793.5
22DC2101-Y	First Degree Murder (Other than Felony Murder)	Life Without Release	30	22E-1101 (a), (d); Enhanced First Degree Murder 22E-1101 (a); First Degree Murder	540 480	612 552	124	None	96.0%	420	480	540	592.8	642
22DC2103	Second Degree Murder	Life	None	22E-1101 (b), (d); Enhanced Second Degree Murder 22E-1101 (b); Second Degree Murder	360 288	408 336	276	< 25%	79.3%	228	276	300	327.6	360
22DC2105-X	Manslaughter (Involuntary)	360	None	22E-1102 (b), (d); Enhanced Involuntary Manslaughter 22E-1102 (b); Involuntary Manslaughter	144 96	168 108	35	None	< 25%	60	72	94.2	108	114.3
22DC2105-Y	Manslaughter (Voluntary)	360	None	22E-1102 (b), (d); Enhanced Voluntary Manslaughter 22E-1102 (a); Voluntary Manslaughter	288 216	336 240	242	None	53.3%	120	144	180	180	186

See Advisory Group Memorandum #40 and Appendices (available at <https://ccrc.dc.gov/page/ccrc-documents>) for explanation and more information. Analysis by CCRC based on Superior Court data.

Appendix G. Correspondence of RCC to D.C. Code Penalties (2010-2019)

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
22DC2107(a)	Solicitation of Murder or Crime of Violence (Murder)	240	None	22E-302 and any Class 1 Crime 22E-302 and any Class 2 Crime 22E-302 and any Class 3 Crime 22E-302 and any Class 4 Crime 22E-302 and any Class 5 Crime 22E-302 and any Class 6 Crime 22E-302 and any Class 7 Crime 22E-302 and any Class 8 Crime 22E-302 and any Class 9 Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate)	342 312 228 192 132 96 60 36 18	< 20	None	None	84	102	112.8	116.4	118.2
22DC2201(a)(1)(A)	Obscene Activities and Conduct (Distribution)	36	None	22E-1805; Distribution of an Obscene Image	5.9	8	< 20	None	None	6	6	6	6	6
22DC2201(b)(1)	Obscene Activities and Conduct (Distribution to Minor)	36	None	22E-1806; Distribution of an Obscene Image to a Minor	5.9	8	< 20	None	None	6	6	6	6	6
22DC2302	Panhandling	3	None	Repeal			< 20	None	None	1	2.2	3	3	3
22DC2302(a)	Panhandling (Aggressive)	3	None	Repeal			< 20	None	None	1.5	1.9	2.6	2.8	2.9
22DC2402	Perjury	120	None	No Recommendation To Date			29	< 25%	None	12	21	24	24	26.6
22DC2403	Subornation of Perjury	120	None	No Recommendation To Date			< 20	< 50%	None	12	12	19.2	21.6	22.8
22DC2405	False Statements	5.9	None	No Recommendation To Date			< 20	None	None	2.5	3	4.5	5.2	5.6
22DC2501	Possession of Implements of Crime	60	None	22E-2702; Possession of Tools to Commit Property Crime	0.3	NA	22	None	None	1	3.1	9	24	42
22DC2511	Presence In A Motor Vehicle Containing A Firearm	Repealed	Repealed	None, repealed in 2015.			< 20	None	None	16	24	32	32	32
22DC2601	Prisoner Escape	60	None				226	< 25%	None	6	10	12	16.2	20
22DC2601(a)(1)	Escape from Penal Custody (Institution)	60	None	22E-3401(a); First Degree Escape from a Correctional Facility or Officer	48	NA	269	< 25%	None	6	10	12	15	16
22DC2601(a)(2)	Escape from Penal Custody (Officer)	60	None	22E-3401(b); Second Degree Escape from a Correctional Facility or Officer	12	NA	42	< 25%	< 25%	8	12	16	18	24
22DC2601(a)(3)	Escape from Penal Custody (DYRS Institution)	60	None	22E-3401; Third Degree Escape from a Correctional Facility or Officer	2	NA	< 20	None	None	3	5	10	14	16
22DC2603.02	Introduction or Possession of Contraband in a Penal Institution	120	None				< 20	None	None	11.5	11.8	11.9	12	12
22DC2603.02	Unlawful Possession of Contraband in Penal Institution	120	None				< 20	< 50%	None	8	10	11.2	11.6	11.8
22DC2603.02(a)	Introduction or Possession of Contraband in a Penal Institution (Introduction)	120	None	22E-3403(a); First Degree Correctional Facility Contraband 22E-3403(b); Second Degree Correctional Facility Contraband	24 12	NA NA	< 20	< 75%	None	4	6	8.4	10.2	11.1
22DC2603.02(b)	Introduction or Possession of Contraband in a Penal Institution (Possession)	120	None				25	< 25%	None	11	15	24	24	27.4
22DC2701	Prostitution or Solicitation for Prostitution (Solicitation)	5.9	None	22E-4401; Prostitution 22E-4402(a), (c)(2); Enhanced Patronizing Prostitution 22E-4402(a); Patronizing Prostitution	0.3 12 0.3	NA NA NA	1454	< 25%	None	1	1.5	3	3	3
22DC2701(b)(2)	Prostitution or Solicitation for Prostitution (Prostitution)	5.9	None	22E-4401; Prostitution 22E-4402(a), (c)(2); Enhanced Patronizing Prostitution 22E-4402(a); Patronizing Prostitution	0.3 12 0.3	NA NA NA	64	None	None	0.5	1	3	3	3
22DC2701(b)(2)	Prostitution or Solicitation for Prostitution (Prostitution)(Two or More Priors)	24	None	22E-4401; Prostitution 22E-4402(a), (c)(2); Enhanced Patronizing Prostitution 22E-4402(a); Patronizing Prostitution	0.3 12 0.3	NA NA NA	< 20	None	None	1	1.5	1.6	1.6	1.6
22DC2705	Enticing or Compelling into Prostitution	240	None	22E-1602(b)(2); Enhanced Forced Commercial Sex 22E-1602; Forced Commercial Sex 22E-4403(a), (b)(2); Enhanced Trafficking in Commercial Sex 22E-4403; Trafficking in Commercial Sex	360 288 48 24	408 336 NA NA	43	< 25%	< 25%	12	16	48	57	84
22DC2706	Detaining or Compelling to Reside for Prostitution	240	None	22E-1401(a), (d); Enhanced First Degree Kidnapping 22E-1401(a); First Degree Kidnapping 22E-1401(b), (d); Enhanced Second Degree Kidnapping 22E-1401(b); Second Degree Kidnapping 22E-1402(a), (d); Enhanced Criminal Restraint 22E-1402(b); Criminal Restraint	288 216 144 96 48 12	336 240 168 108 60 14	< 20	None	None	42	42	42	42	42
22DC2707	Arranging for or Compelling Prostitution	240	None	22E-1602(b)(2); Enhanced Forced Commercial Sex 22E-1602; Forced Commercial Sex 22E-4403(a), (b)(2); Enhanced Trafficking in Commercial Sex 22E-4403; Trafficking in Commercial Sex	360 288 48 24	408 336 NA NA	< 20	< 25%	None	9	12	16	16	16
22DC2712	Operating a House of Prostitution	60	None	22E-4403(a), (b)(2); Enhanced Trafficking in Commercial Sex 22E-4403; Trafficking in Commercial Sex	48 24	NA NA	< 20	< 50%	None	5	5.5	5.8	5.9	6
22DC2722	Keeping Disorderly House	60	None	22E-4403(a), (b)(2); Enhanced Trafficking in Commercial Sex 22E-4403; Trafficking in Commercial Sex	48 24	NA NA	< 20	< 75%	None	8	10	11.2	11.6	11.8

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D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
22DC2801	Robbery	180	None	22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-1201(a); First Degree Robbery 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-1201(b); Second Degree Robbery 22E-1201(c), (e)(5)(B); Enhanced Third Degree Robbery 22E-1201(c), (e)(5)(A); Enhanced Third Degree Robbery 22E-1201(c); Third Degree Robbery	216 144 144 96 48 96 48 24	240 192 192 108 60 108 60 30	2006	26.7%	27.7%	33	54	72	84	108
22DC2802	Robbery (Attempt)	36	None	22E-301, 22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-301, 22E-1201(a); First Degree Robbery 22E-301, 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-301, 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-301, 22E-1201(b); Second Degree Robbery 22E-301, 22E-1201(c), (e)(5)(B); Enhanced Third Degree Robbery 22E-301, 22E-1201(c), (e)(5)(A); Enhanced Third Degree Robbery 22E-301, 22E-1201(c); Third Degree Robbery	216 144 144 96 48 96 48 24	240 192 192 108 60 108 60 30	797	< 25%	4.6%	15	20	24	30	36
22DC2803(a)(1)	Carjacking (Unarmed)	252	84	22E-301, 22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-301, 22E-1201(a); First Degree Robbery 22E-301, 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-301, 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-301, 22E-1201(b); Second Degree Robbery	216 144 144 96 48	240 192 192 108 60	81	< 25%	< 25%	84	96	108	120	180
22DC2803(b)(1)	Carjacking (Armed)	480	180	22E-301, 22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-301, 22E-1201(a); First Degree Robbery 22E-301, 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-301, 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-301, 22E-1201(b); Second Degree Robbery	216 144 144 96 48	240 192 192 108 60	< 20	None	< 25%	180	180	180	181.8	186.9
22DC3002(a)(1)	First Degree Sex Abuse (Force)	Life Without Release	None	22E-1301(a)(2)(A), (f)(5); Enhanced First Degree Sexual Assault 22E-1301(a)(2)(A); First Degree Sexual Assault	360 288	408 336	148	43.9%	35.8%	144	198	300	312	444
22DC3002(a)(2)	First Degree Sex Abuse (Threatening)	Life Without Release	None	22E-1301(a)(2)(B), (f)(5); Enhanced First Degree Sexual Assault 22E-1301(a)(2)(B); First Degree Sexual Assault	360 288	408 336	< 20	< 75%	None	60	155	212	231	240.5
22DC3003	Second Degree Sexual Abuse	240	None	22E-1301(b), (f)(5); Enhanced Second Degree Sexual Assault 22E-1301(b); Second Degree Sexual Assault	288 216	336 240	< 20	< 75%	None	34.5	40.5	63	73.5	78.8
22DC3003(a)(1)	Second Degree Sex Abuse (Threatening)	240	None	22E-1301(b)(2)(A), (f)(5); Enhanced Second Degree Sexual Assault 22E-1301(b)(2)(A); Second Degree Sexual Assault	288 216	336 240	< 20	< 75%	< 25%	30	60	60	90	105
22DC3003(a)(2)	Second Degree Sex Abuse (Incapable of Declining)	240	None	22E-1301(b)(2)(B), (f)(5); Enhanced Second Degree Sexual Assault 22E-1301(b)(2)(B); Second Degree Sexual Assault	288 216	336 240	< 20	< 50%	< 25%	48	66	84	84	84
22DC3004(a)(1)	Third Degree Sex Abuse (Force)	120	None	22E-1301(c)(2)(A), (f)(5); Enhanced Third Degree Sexual Assault 22E-1301(c)(2)(A); Third Degree Sexual Assault	144 96	168 108	60	< 50%	< 25%	24	33	42	49.2	81.4
22DC3004(a)(2)	Third Degree Sex Abuse (Threatening)	120	None	22E-1301(c)(2)(B), (f)(5); Enhanced Third Degree Sexual Assault 22E-1301(c)(2)(B); Third Degree Sexual Assault	144 96	168 108	< 20	None	None	27	28.5	29.4	29.7	29.8
22DC3005	Fourth Degree Sexual Abuse	60	None	22E-1301(d), (f)(5); Enhanced Fourth Degree Sexual Assault 22E-1301(d); Fourth Degree Sexual Assault	96 48	108 60	22	< 25%	None	22	24	34.8	36	36
22DC3006	Misdemeanor Sexual Abuse	5.9	None	22E-1307(a); First Degree Nonconsensual Sexual Conduct 22E-1307(b); Second Degree Nonconsensual Sexual Conduct	24 12	30 14	505	< 25%	< 25%	6	6	6	6	6
22DC3008	First Degree Child Sexual Abuse	Life Without Release	None	22E-1302(a), (h)(7); Enhanced First Degree Sexual Abuse of a Minor 22E-1302(a); First Degree Sexual Abuse of a Minor 22E-1302(b), (h)(7); Enhanced Second Degree Sexual Abuse of a Minor 22E-1302(b); Second Degree Sexual Abuse of a Minor	360 288 288 216	408 336 336 240	163	38.7%	34.4%	114	180	184.8	211.2	240
22DC3009	Second Degree Child Sexual Abuse	120	None	22E-1302(d), (h)(7); Enhanced Fourth Degree Sexual Abuse of a Minor 22E-1302(d); Fourth Degree Sexual Abuse of a Minor 22E-1302(e), (h)(7); Enhanced Fifth Degree Sexual Abuse of a Minor 22E-1302(e); Fifth Degree Sexual Abuse of a Minor	216 144 144 96	240 168 168 108	180	35.6%	28.9%	36	60	90	108	114.6
22DC3009.01	First Degree Sexual Abuse of a Minor	180	None	22E-1302(c), (h)(8); Enhanced Third Degree Sexual Abuse of a Minor 22E-1302(c); Third Degree Sexual Abuse of a Minor	216 144	240 168	< 20	< 50%	< 25%	51	81.8	129	148.5	158.2
22DC3009.02	Second Degree Sex Abuse of a Minor	90	None	22E-1302(f), (h)(8); Enhanced Sixth Degree Sexual Abuse of a Minor 22E-1302(f); Sixth Degree Sexual Abuse of a Minor	96 48	108 60	< 20	< 75%	None	12	18	23.8	31.4	35.2
22DC3009.03	Sexual Abuse of a Secondary Education Student	120	None	22E-1303(a)(2)(A); First Degree Sexual Abuse by Exploitation 22E-1303(b)(2)(A); Second Degree Sexual Abuse by Exploitation	96 48	108 60	< 20	< 75%	None	18	21	22.8	23.4	23.7
22DC3010-X	Enticing a Child	60	None	22E-1305; Enticing a Minor Into Sexual Conduct	24	30	< 20	< 25%	< 50%	12	28	32.8	34.4	35.2

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22DC3010.01	Misdemeanor Sexual Abuse of a Child or Minor	5.9	None	22E-1304; Sexually Suggestive Conduct with a Minor	12	14	130	< 25%	< 25%	6	6	6	6	6
22DC3010.02	Arranging for Sexual Contact with a Real or Fictitious Child	60	None	22E-1306; Arranging for Sexual Conduct with a Minor or Person Incapable of Consenting	24	30	< 20	None	None	24	24	24	24	24
22DC3013	First Degree Sexual Abuse of A Ward, Patient, Client, or Prisoner	120	None	22E-1303(a)(2)(C), (a)(2)(D), (a)(2)(E); First Degree Sexual Abuse by Exploitation	96	108	< 20	At least 75%	None	19.5	24	24	24	24
22DC3015	First Degree Sexual Abuse of A Patient or Client	120	None	22E-1303(a)(2)(C); First Degree Sexual Abuse by Exploitation	96	108	< 20	None	None	24	24	24	24	24
22DC3015(a)(4)	First Degree Sexual Abuse of Patient or Client (Course of Treatment)	120	None	22E-1303(a)(2)(C); First Degree Sexual Abuse by Exploitation	96	108	< 20	< 75%	None	28	32	34.4	35.2	35.6
22DC3016	Second Degree Sexual Abuse of a Patient or Client	60	None	22E-1303(b)(2)(C); Second Degree Sexual Abuse by Exploitation	48	60	< 20	At least 75%	None	12.1	12.1	12.1	12.2	12.2
22DC3016(a)(1)	Second Degree Sexual Abuse of a Patient or Client (Representation of Medical or Therapeutic Purpose)	60	None	22E-1303(b)(2)(C); Second Degree Sexual Abuse by Exploitation	48	60	< 20	< 50%	< 75%	22	25.5	31.8	33.9	35
22DC3052	Unlawful Disclosure of Sexual Images	5.9	None	22E-1804, (d)(2); Enhanced Unauthorized Disclosure of a Sexual Recording 22E-1804; Unauthorized Disclosure of a Sexual Recording	24 5.9	30 8	< 20	None	None	6	6	6	6	6
22DC3102(b)	Sexual Performance Using Minors (Attend, Transmit, or Possess)	240	None	22E-1807(a); First Degree Creating or Trafficking an Obscene Image of a Minor 22E-1807(b); Second Degree Creating or Trafficking an Obscene Image of a Minor 22E-1808(a); First Degree Possession of an Obscene Image of a Minor 22E-1808(b); Second Degree Possession of an Obscene Image of a Minor 22E-1809(a); First Degree Arranging a Live Sexual Performance of a Minor 22E-1809(b); Second Degree Arranging a Live Sexual Performance of a Minor 22E-1808(a); First Degree Attending or Viewing a Live Sexual Performance of a Minor 22E-1808(b); Second Degree Attending or Viewing a Live Sexual Performance of a Minor	96 48 48 24 96 48 48 24	108 60 60 30 108 60 60 30	< 20	None	None	12	15	16.8	17.4	17.7
22DC3133	Stalking	120	None	22E-1801; Enhanced Stalking	24	30	21	< 25%	None	12	12	16	36	36
22DC3133(a)(1)	Stalking (With Intent to Cause Fear or Distress)	120	None	22E-1802; Enhanced Electronic Stalking	24	30	< 20	< 25%	None	6	6	9	10.5	11.2
22DC3133(a)(2)	Stalking (Knowing Will Cause Fear or Distress)	120	None	22E-1801; Stalking	12	14	< 20	None	None	6	6	6	6	6
22DC3133(a)(3)	Stalking (Should Know Will Cause Fear or Distress)	120	None	22E-1802; Electronic Stalking	12	14	20	< 50%	None	6	10.5	12	13.3	18.7
22DC3133-F	Stalking	120	None	22E-1802; Electronic Stalking	12	14	< 20	None	None	12	12	12	12	12
22DC3133-F	Stalking (Felony)	120	None	22E-1801; Enhanced Stalking 22E-1802; Enhanced Electronic Stalking	24 24	30 30	< 20	None	None	12	12	12	12	12
22DC3133-M	Stalking (Misdemeanor)	12	None	22E-1801; Stalking 22E-1802; Electronic Stalking	12 12	14 14	< 20	< 50%	None	6	12	12	12.1	12.1
22DC3212(a)	Theft First Degree	120	None	22E-2101(a); First Degree Theft 22E-2101(b); Second Degree Theft 22E-2101(c); Third Degree Theft	96 48 24	NA NA NA	293	6.8%	< 25%	14	22	24	32	36
22DC3212(b)	Theft Second Degree	5.9	None	22E-2101(d); Fourth Degree Theft 22E-2101(e); Fifth Degree Theft	12 2	NA NA	5469	5.4%	< 25%	1.5	3	6	6	6
22DC3212(c)	Theft First Degree (Two or More Prior Convictions)	180	12	22E-2101(a); First Degree Theft 22E-2101(b); Second Degree Theft 22E-2101(c); Third Degree Theft	96 48 24	NA NA NA	< 20	None	None	12	15	20.4	22.2	23.1
22DC3212(c)	Theft Second Degree (Two or More Prior Convictions)	180	12	22E-2101(d); Fourth Degree Theft 22E-2101(e); Fifth Degree Theft	12 2	NA NA	55	< 25%	< 25%	12	12.1	18	20	22.6
22DC3213	Shoplifting	3	None	22E-2104; Shoplifting	0.3	NA	698	< 25%	None	1	2	3	3	3
22DC3214.01(d)(1)	Deceptive Labeling (Fewer than 1000 Sound or 100 Audiovisual)	12	None	22E-2207(a); First Degree Unlawful Labeling of a Recording	2	NA	98	62.2%	None	3	5	6	6	6
22DC3214.01(d)(2)	Deceptive Labeling (1000 or More Sound or 100 or More Audiovisual)	60	None	22E-2207(b); Second Degree Unlawful Labeling of a Recording	0.3	NA	< 20	None	None	6	6.5	12	12	12
22DC3215	Unauthorized Use of A Vehicle	60	None	22E-2102; Unauthorized Use of a Motor Vehicle	12	NA	747	26.9%	2.9%	12	18	24	24	32
22DC3215(d)(2)(A)	Unauthorized Use of A Vehicle (Crime of Violence)	120	None	22E-2102; Unauthorized Use of a Motor Vehicle	12	NA	36	None	< 25%	19	36	60	60	60
22DC3215(d)(3)(A)	Unauthorized Use of A Vehicle (Two or More Prior Convictions)	180	None	22E-2102; Unauthorized Use of a Motor Vehicle	12	NA	< 20	None	None	21	28.5	31.4	32.7	33.3
22DC3216	Taking Property Without Right	3	None	22E-2102; Unauthorized Use of Property	0.3	NA	< 20	< 25%	None	1.8	3	3	3	3
22DC3222(a)(1)	Fraud (First Degree) (\$1000 or More)	120	None	22E-2201(a); First Degree Fraud 22E-2201(b); Second Degree Fraud 22E-2201(c); Third Degree Fraud 22E-2201(d); Fourth Degree Fraud	96 48 24 12	NA NA NA NA	84	< 25%	< 25%	12	12	15	17.8	20
22DC3222(a)(2)	Fraud (First Degree) (Under \$1000)	5.9	None	22E-2201(d); Fourth Degree Fraud 22E-2201(e); Fifth Degree Fraud	12 2	NA NA	71	< 25%	None	4	6	6	6	6

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22DC3222(b)(1)	Fraud (Second Degree) (\$1000 or More)	36	None	22E-301 and 22E-2201(a); Attempted First Degree Fraud 22E-2201(b); Second Degree Fraud 22E-2201(c); Third Degree Fraud 22E-2201(d); Fourth Degree Fraud	48 (1/2 the predicate) 48 24 12	NA NA NA NA	115	None	None	8	12	12	12	20.6
22DC3222(b)(2)	Fraud (Second Degree) (Under \$1,000)	5.9	None	22E-301 and 22E-2201(d); Attempted Fourth Degree Fraud 22E-2201(e); Fifth Degree Fraud	6 (1/2 the predicate) 2	NA NA	56	< 25%	None	3	6	6	6	6
22DC3223(d)(1)	Credit Card Fraud (Felony)	120	None	22E-2202(d); Fourth Degree Payment Card Fraud 22E-2202(e); Fifth Degree Payment Card Fraud	12 2	NA NA	< 20	< 25%	None	11	12	13.2	14.6	15.3
22DC3223(d)(1)	Credit Card Fraud (Misdemeanor)	5.9	None	22E-2202(d); Fourth Degree Payment Card Fraud 22E-2202(e); Fifth Degree Payment Card Fraud	12 2	NA NA	81	< 25%	< 25%	4	6	6	6	6
22DC3223(d)(2)	Credit Card Fraud (Felony)	120	None	22E-2202(a); First Degree Payment Card Fraud 22E-2202(b); Second Degree Payment Card Fraud 22E-2202(c); Third Degree Payment Card Fraud 22E-2202(d); Fourth Degree Payment Card Fraud	96 48 24 12	NA NA NA NA	31	< 25%	None	12	12	20.4	24	43.8
22DC3223(d)(2)	Credit Card Fraud (Misdemeanor)	5.9	None	22E-2202(d); Fourth Degree Payment Card Fraud 22E-2202(e); Fifth Degree Payment Card Fraud	12 2	NA NA	93	< 25%	None	3	5	6	6	6
22DC3225.02(1)(B)	Insurance Fraud (First Degree)	180	None	No Recommendation To Date			< 20	None	None	6	7.5	10.2	11.1	11.5
22DC3225.03	Insurance Fraud (Second Degree)	60	None	No Recommendation To Date			< 20	None	None	9	12	12	12	12
22DC3225.03a	Insurance Fraud (Misdemeanor)	5.9	None	No Recommendation To Date			< 20	None	None	1.8	3	4.8	5.4	5.7
22DC3227.02(1)-F	Identity Theft First Degree (Use to Obtain Property)	120	None	22E-2205(a); First Degree Identity Theft 22E-2205(b); Second Degree Identity Theft 22E-2205(c); Third Degree Identity Theft 22E-2205(d); Fourth Degree Identity Theft	96 48 24 12	NA NA NA NA	< 20	None	None	24	24.3	31.3	33.7	34.8
22DC3227.02(1)-M	Identity Theft Second Degree (Use to Obtain Property)	5.9	None	22E-2205(d); Fourth Degree Identity Theft 22E-2205(e); Fifth Degree Identity Theft	12 2	NA NA	21	None	None	3	6	6	6	6
22DC3227.02(2)(A)-M	Identity Theft Second Degree (Intent to Obtain Property/Service) (Misdemeanor)	5.9	None	22E-2205(d); Fourth Degree Identity Theft 22E-2205(e); Fifth Degree Identity Theft	12 2	NA NA	< 20	None	None	6	6	6	6	6
22DC3227.02(3)-M	Identity Theft Second Degree (At Arrest or Connected to Crime)	5.9	None	No Recommendation To Date			< 20	None	None	4	6	6	6	6
22DC3227.02-F	Identity Theft First Degree	120	None	22E-2205(a); First Degree Identity Theft 22E-2205(b); Second Degree Identity Theft 22E-2205(c); Third Degree Identity Theft 22E-2205(d); Fourth Degree Identity Theft	96 48 24 12	NA NA NA NA	21	None	< 50%	18	24	36	36	66
22DC3231	Trafficking Stolen Property	120	None	22E-2402(a); First Degree Trafficking Stolen Property 22E-2402(b); Second Degree Trafficking Stolen Property 22E-2402(c); Third Degree Trafficking Stolen Property 22E-2402(d); Fourth Degree Trafficking Stolen Property 22E-2205(e) Fifth Degree Trafficking Stolen Property	96 48 24 12 2	NA NA NA NA NA	< 20	None	None	12	15	16.8	17.4	17.7
22DC3232(c)(1)	Receiving Stolen Property (\$1000 or More)	84	None	22E-2401(a); First Degree Possession of Stolen Property 22E-2401(b); Second Degree Possession of Stolen Property 22E-2401(c); Third Degree Possession of Stolen Property 22E-2401(d); Fourth Degree Possession of Stolen Property	48 24 12 5.9	NA NA NA NA	210	< 25%	< 25%	12	12	18	23.4	24
22DC3232(c)(2)	Receiving Stolen Property (Under \$1000)	5.9	None	22E-2401(d); Fourth Degree Possession of Stolen Property 22E-2401(e); Fifth Degree Possession of Stolen Property	5.9 2	NA NA	453	< 25%	< 25%	3	6	6	6	6
22DC3233(b)(1)	Removing, Tampering with and Altering Motor Vehicle Identification Numbers	5.9	None	22E-2403 (a); First Degree Alteration of a Motor Vehicle Identification Number 22E-2403(b); Second Degree Alteration of a Motor Vehicle Identification Number	24 5.9	NA NA	< 20	None	None	1	1	1	1	1
22DC3242	Forgery	120	None	22E-2204(a); First Degree Forgery 22E-2204(b); Second Degree Forgery 22E-2204(c); Third Degree Forgery	48 24 12	NA NA NA	111	83.8%	None	3	6	9.2	14	14
22DC3242	Forgery (Uttering)	120	None	22E-2204(a); First Degree Forgery 22E-2204(b); Second Degree Forgery 22E-2204(c); Third Degree Forgery	48 24 12	NA NA NA	< 20	< 50%	None	14	14	14	14	14
22DC3242(c)	Forgery (Unlisted document)	36	None	22E-2204(a); First Degree Forgery 22E-2204(b); Second Degree Forgery 22E-2204(c); Third Degree Forgery	48 24 12	NA NA NA	< 20	At least 75%	None	4	6	6	6	6

Appendix G. Correspondence of RCC to D.C. Code Penalties (2010-2019)

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
22DC3251	Extortion	120	None	22E-2301(a) First Degree Extortion 22E-2301(b) Second Degree Extortion 22E-2301(c) Third Degree Extortion 22E-2301(d) Fourth Degree Extortion 22E-2301(e) Fifth Degree Extortion	144 96 48 24 5.9	NA NA NA NA NA	< 20	< 25%	None	21	24	26	27	27.5
22DC3252	Blackmail	60	None	22E-1403; Blackmail	48	60	< 20	None	None	12	12	12	12	12
22DC3302	Unlawful Entry	6	None	22E-2601(a); First Degree Trespass 22E-2601(b); Second Degree Trespass 22E-2601(c); Third Degree Trespass	5.9 2 0.3	NA NA NA	2634	< 25%	< 25%	1.3	3	6	6	6
22DC3311	Disorderly Conduct on or Destruction of United States Property (Destruction)	6	None	No Recommendation To Date			< 20	None	None	2.5	2.8	2.9	3	3
22DC3312.01	Defacing Property	5.9	None	22E-2503(a); First Degree Criminal Damage to Property 22E-2503(b); Second Degree Criminal Damage to Property 22E-2503(c)(1); Third Degree Criminal Damage to Property 22E-2503(c)(2); Third Degree Criminal Damage to Property 22E-2503(d); Fourth Degree Criminal Damage to Property 22E-2503(e); Fifth Degree Criminal Damage to Property 22E-2504; Criminal Graffiti	96 48 24 24 12 2 0.3	NA NA NA NA NA NA NA	22	None	None	1	1.2	3.6	6	6
22DC3312.03	Wearing Hood or Mask With Unlawful Intent	5.9	None	None, repealed in D.C. Code 2020			< 20	None	None	6	6	6	6	6
22DC3531(b)	Voyeurism (Hidden Observation Post or Device)	12	None	22E-1803(a), (c)(3); Enhanced First Degree Voyeurism;	48	60	< 20	< 50%	None	6	6	6	6	6
22DC3531(c)	Voyeurism (Recording)	12	None	22E-1803(a); First Degree Voyeurism	24	30	73	< 25%	None	1.5	1.5	6	12.2	12.2
22DC3531(d)	Voyeurism (Image of Private Area)	12	None	22E-1803(b), (c)(3); Enhanced Second Degree Voyeurism;	12	14	< 20	< 50%	None	12	12	12	12.1	12.1
22DC3531(f)(2)	Voyeurism (Distributing and Disseminating)	60	None	22E-1803(b); Second Degree Voyeurism	5.9	8	< 20	At least 75%	None	2.5	5.2	9.3	10.6	11.3
22DC3703	Bias-Related Crime	1.5 times the predicate crime	None	22E-608; Hate Crime Penalty Enhancement and any Class 1 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 2 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 3 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 4 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 5 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 6 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 7 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 8 Crime 22E-608; Hate Crime Penalty Enhancement and any Class 9 Crime 22E-608; Hate Crime Penalty Enhancement and any Class A Crime 22E-608; Hate Crime Penalty Enhancement and any Class B Crime 22E-608; Hate Crime Penalty Enhancement and any Class C Crime 22E-608; Hate Crime Penalty Enhancement and any Class D Crime 22E-608; Hate Crime Penalty Enhancement and any Class E Crime	540 540 480 360 288 216 144 96 48 24 12 5.9 2 0.3	NA	< 20	None	None	6.7	6.7	6.9	6.9	7
22DC4014	Failure to Register As Sex Offender	60	None	No Recommendation To Date			197	None	None	3	6	11	14.5	19.5
22DC4503	Unlawful Possession of a Firearm	Cannot Determine	Cannot Determine				29	None	None	24	30	36	39.6	46.5
22DC4503(a)(1)	Unlawful Possession of a Firearm (Prior Conviction)	120	12				1436	None	2.0%	24	30	36	48	57
22DC4503(a)(2)	Unlawful Possession of a Firearm (Prior Conviction Under Chapter 45)	120	None	22E-4105(b); Second Degree Possession of a Firearm by an Unauthorized Person	24	NA	< 20	None	< 25%	23	24	24	24	24
22DC4503(a)(3)	Unlawful Possession of a Firearm (Fugitive from Justice)	120	None				< 20	None	None	24	24	24	24	24
22DC4503(a)(5)	Unlawful Possession of a Firearm (Order to Relinquish)	120	None				< 20	None	None	24	24.1	24.2	24.3	24.3
22DC4503(a)(6)	Unlawful Possession of a Firearm (Intrafamily Offense)	120	None				53	None	< 25%	24	24	28	28	30.8
22DC4503(b)(1)	Unlawful Possession of a Firearm (Prior Crime of Violence)	180	36	22E-4105(a); First Degree Possession of a Firearm by an Unauthorized Person	48	NA	145	None	< 25%	36	42	54	60	72
22DC4503-X	Unlawful Possession of a Firearm	Cannot Determine	Cannot Determine	22E-4105(a); First Degree Possession of a Firearm by an Unauthorized Person	48	NA	54	48.1%	< 25%	6	6	12	12	12
22DC4503-Z	Unlawful Possession of a Firearm	Cannot Determine	Cannot Determine	22E-4105(b); Second Degree Possession of a Firearm by an Unauthorized Person	24	NA	27	< 25%	None	6	12	12	12	12.1
22DC4503.01	Unlawful Discharge of a Firearm	12	None	22E-4601; Negligent Discharge of a Firearm	12	NA	< 20	None	None	12	12	12	12	12
22DC4504(a)	Carrying Dangerous Weapon (Rifle or Shotgun) (Outside home or business)	60	None				< 20	None	None	12	14	17.6	18.8	19.4
22DC4504(a)(1)	Carrying Dangerous Weapon Without A License (Outside home or business)	60	None				20	< 25%	< 25%	20	24	28	29.2	32.6
22DC4504(a)(1)-X	Carrying Dangerous Weapon (Outside home or business)	60	None				81	< 25%	< 25%	15	24	32	36	60

See Advisory Group Memorandum #40 and Appendices (available at <https://ccrc.dc.gov/page/ccrc-documents>) for explanation and more information. Analysis by CCRC based on Superior Court data.



D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile			
22DC4504(a)(1)-X	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None	22E-4102(a); First Degree Carrying a Dangerous Weapon 22E-4102(b); Second Degree Carrying a Dangerous Weapon 22E-4102(c); Third Degree Carrying a Dangerous Weapon	48 24 5.9	NA NA NA	< 20	None	None	12	12	18	21	22.5			
22DC4504(a)(1)-Y	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				1431	6.8%	2.5%	12	18	24	28	32			
22DC4504(a)(1)-Y-1	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				286	9.1%	< 25%	12	16	24	31.9	36			
22DC4504(a)(1)-Y-3	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				89	None	< 25%	10	12.6	21.2	24	27.3			
22DC4504(a)(1)-Z-3	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				38	< 25%	None	12	15	19.8	24	24.1			
22DC4504(a)(2)	Carrying Dangerous Weapon (Outside home or business) (Prior felony)	120	None				21	None	None	14	20	22	24	24			
22DC4504(a)(2)	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				47	< 25%	None	24	27	36	45	58.5			
22DC4504(a)(2)-1	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				< 20	None	None	17	21	26.4	28.2	29.1			
22DC4504(a)(2)-Y	Carrying Dangerous Weapon Without A License (Prior felony)	120	None				< 20	None	None	9	10.5	11.4	11.7	11.8			
22DC4504(a)(2)-Y-2	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				< 20	None	None	17	21	22.8	23.4	23.7			
22DC4504(a)(2)-Y-3	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				42	None	None	12	20	24	24.9	30.1			
22DC4504(a)(2)-Z	Carrying Dangerous Weapon Without A License (Prior felony)	120	None				< 20	None	None	24	24	24	24	24			
22DC4504(a)(2)-Z-3	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				< 20	None	< 25%	13	17.2	19.4	25.6	30.8			
22DC4504(a)-F	Carrying Dangerous Weapon	60	None				55	None	None	18	24	34.4	43.2	60			
22DC4504(a)-M	Carrying Dangerous Weapon (Misdemeanor)	12	None				20	< 75%	None	6	9	12	13	17.5			
22DC4504(a)-M	Carrying Dangerous Weapon (Misdemeanor) (Pistol)	12	None				< 20	< 50%	None	9	12	12	12	12			
22DC4504(a)-M	Carrying Dangerous Weapon (Misdemeanor)	12	None				< 20	None	None	2	2	2	2	2			
22DC4504(a)-X	Carrying Dangerous Weapon (Misdemeanor) (Pistol)	12	None				68	82.4%	< 25%	4	6	9	12	12.1			
22DC4504(a)-Y	Carrying Dangerous Weapon (Pistol)	60	None				< 20	< 50%	None	14	18	18	18	18			
22DC4504(a)-Y	Carrying Dangerous Weapon Without A License (Outside home or business)	60	None				< 20	< 25%	< 25%	10	23	36	36	36			
22DC4504(a)-Y-2	Carrying Dangerous Weapon (Misdemeanor) (Pistol)	12	None				< 20	None	None	12	12	12	12	12			
22DC4504(a)-Z	Carrying Dangerous Weapon Without A License (Outside home or business)	60	None				< 20	< 25%	< 25%	12	16	29.2	30.6	31.3			
22DC4504(a)-Z-2	Carrying Dangerous Weapon (Misdemeanor) (Pistol)	12	None				< 20	At least 75%	None	1	1	1	1	1			
22DC4504(a-1)	Carrying Dangerous Weapon (Rifle or Shotgun) (Outside home or business)	60	None				< 20	< 25%	< 25%	12	18	29.6	33.4	34.7			
22DC4504(b)	Possession of Firearm During Crime of Violence or Dangerous Crime	180	60				22E-4104(a); First Degree Possession of a Dangerous Weapon During a Crime 22E-4104(b); Second Degree Possession of a Dangerous Weapon During a Crime	24 12	NA NA	898	None	2.2%	60	84	108	120	120
22DC4504.02	Unlawful Transportation of a Firearm	12	None				22E-4109; Civil Provisions for Lawful Transportation of a Firearm or Ammunition, civil only	NA	NA	25	< 50%	None	3	5.2	7.8	12	12
22DC4504.02(b)	Unlawful Transportation of a Firearm	12	None							< 20	< 50%	None	3	3	6	6	6
22DC4504.02(b)(1)	Unlawful Transportation of a Firearm	12	None							< 20	At least 75%	None	1.5	2	4.4	5.2	5.6
22DC4514	Possession of a Prohibited Weapon	12	None	22E-4101(a); First Degree Possession of a Prohibited Weapon or Accessory	48	NA	699	67.0%	None	3	6	6	6	12			
22DC4514(a)	Possession of a Prohibited Weapon	12	None	22E-4101(b); Second Degree Possession of a Prohibited Weapon or Accessory	24	NA	99	41.4%	< 25%	6	6	9.7	12	12.2			
22DC4514(b)	Possession of a Prohibited Weapon	12	None	22E-4103(a); First Degree Possession of a Dangerous Weapon with Intent to Commit Crime	48	NA	459	42.0%	None	6	6	12	12	12			
22DC4514(c)	Possession of a Prohibited Weapon (Prior Conviction)	120	None	22E-4103(b); Second Degree Possession of a Dangerous Weapon with Intent to Commit Crime	12	NA	< 20	< 25%	None	6	10	14.4	19.2	21.6			
22DC4515a(a)	Manufacture, Transfer, Possession, or Use of an Explosive (Possession of a Molotov Cocktail)	360	None	22E-4101(a)(2)(D); First Degree Possession of a Prohibited Weapon or Accessory	48	NA	< 20	None	None	12	12	12	12	12			
23DC585(b)	Failure to Appear for Citation Release	60	None	23-586; First Degree Failure to Appear after Release on Citation or Bench Warrant Bond 23-586; Second Degree Failure to Appear after Release on Citation or Bench Warrant Bond	5.9 0.3	NA NA	202	None	None	2	3	4.8	6	6			
23DC585(b)(1)	Failure to Appear for Citation Release (Misdemeanor)	Max of Offense On Which Released	None	23-586; Second Degree Failure to Appear after Release on Citation or Bench Warrant Bond	0.3	NA	68	None	None	1	3	3	3	3.5			
23DC585(b)(2)	Failure to Appear for Citation Release (Felony)	60	None	23-586; First Degree Failure to Appear after Release on Citation or Bench Warrant Bond	5.9	NA	< 20	None	None	0	0	0	0	0			
23DC1327(a)	Failure to Appear Before Court (Misdemeanor)	5.9	None	23-1327; Second Degree Failure to Appear in Violation of a Court Order	2	NA	524	None	None	3	3	6	6	6			
23DC1327(a)	Failure to Appear Before Court (Unspecified)	Cannot Determine	None	23-1327; First Degree Failure to Appear in Violation of a Court Order 23-1327; Second Degree Failure to Appear in Violation of a Court Order	12 2	NA NA	< 20	None	None	3	4.5	5.4	5.7	5.8			
23DC1327(a)(1)	Failure to Appear Before Court (Felony)	60	None	23-1327; First Degree Failure to Appear in Violation of a Court Order	12	NA	330	None	None	12	12	14.3	18	20			
23DC1327(a)(2)	Failure to Appear Before Court (Misdemeanor)	5.9	None	23-1327; Second Degree Failure to Appear in Violation of a Court Order	2	NA	3405	None	None	3	3	6	6	6			

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D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile	
23DC1328(a)(1)	Offenses Committed During Release (Felony)	60	None	22E-607 (c)(1) Pretrial Release Penalty Enhancement for any Class 1 or 2 Crime 22E-607 (c)(2) Pretrial Release Penalty Enhancement for any Class 3 or 4 Crime 22E-607 (c)(3) Pretrial Release Penalty Enhancement for any Class 5 or 6 Crime 22E-607 (c)(4) Pretrial Release Penalty Enhancement for any Class 7 or 8 Crime 22E-607 (c)(5) Pretrial Release Penalty Enhancement for any Class 9 Crime	72 48 24 12 5.9	NA NA NA NA NA	114	None	None	12	12	12.2	18	21.4	
23DC1328(a)(2)	Offenses Committed During Release (Misdemeanor)	5.9	None	22E-607 (c)(6) Pretrial Release Penalty Enhancement for any Class A or B Crime 22E-607 (c)(7) Pretrial Release Penalty Enhancement for any Class C, D, or E Crime	2 0.3	NA NA	< 20	None	None	4.5	12	21.6	28.8	32.4	
23DC1329(a)	Contempt for Condition of Release Violation	None	None	23-1329A; Criminal Contempt for Violation of a Release Condition	5.9	NA	1082	< 25%	None	2	3	6	6	6	
24DC241.05	Work Release Violation	5.9	None	24-241.05A; Violation of Work Release	2	NA	< 20	None	None	4	5.8	6	6	6	
24DC241.05(b)	Work Release Violation (Failure to Return to Confinement)	5.9	None	24-241.05A; Violation of Work Release	2	NA	< 20	None	None	3	4	4	4	4	
25DC1001(a)	Possession of an Open Container of Alcohol	2	None	25-1001; Possession of an Open Container of Alcohol in a Motor Vehicle	2	NA	253	None	None	0.5	1	3	3	3	
25DC1001(a)(2)	Possession of an Open Container of Alcohol (Vehicle)	2	None				49	None	None	1	2	3	3	3	3
25DC1001(a)(4)	Possession of an Open Container of Alcohol (Place Public Invited)	2	None				< 20	None	< 75%	0.5	0.8	0.9	1	1	1
35DC216	Fail to Pay WMATA Fare	0.3	None				Repeal			< 20	None	None	0	0	0
35DC216-Y	Fail to Pay WMATA Fare (Subway)	0.3	None	Repeal			< 20	None	None	0	0	0	0	0	
47DC2811(a)	Commercial Massage Without License	3	None	No Recommendation To Date			< 20	None	None	0.2	0.2	0.2	0.2	0.2	
47DC4101(b)	Attempt to Evade or Defeat Tax (Misdemeanor)	5.9	None	No Recommendation To Date			< 20	None	None	6	6	6	6	6	
48DC904.01(a)(1)(2)(D)	Controlled Substance Distribution (Schedule V)	12	None	48-904.01(e) Fifth Degree Trafficking of a Controlled Substance.	3	NA	39	< 25%	None	2	3.8	6	6	6	
48DC904.01(a)(1)-X	Controlled Substance Possession With Intent to Distribute	360	None	48-904.01(a) First Degree Trafficking of a Controlled Substance 48-904.01(b) Second Degree Trafficking of a Controlled Substance 48-904.01(c) Third Degree Trafficking of a Controlled Substance 48-904.01(d) Fourth Degree Trafficking of a Controlled Substance 48-904.01(e) Fifth Degree Trafficking of a Controlled Substance	96 48 24 12 5.9	NA	2441	47.8%	3.9%	16	22	30	36	42	
48DC904.01(a)(1)-Y	Controlled Substance Distribution	360	None	48-904.01(a) First Degree Trafficking of a Controlled Substance 48-904.01(b) Second Degree Trafficking of a Controlled Substance 48-904.01(c) Third Degree Trafficking of a Controlled Substance	96 48 24	NA NA NA	2959	60.9%	2.4%	14	20	24	30	36	
48DC904.01(a)(1)-Z	Controlled Substance Manufacture or Possessing W/Intent to Manufacture	360	None	48-904.01(d) Fourth Degree Trafficking of a Controlled Substance 48-904.01(e) Fifth Degree Trafficking of a Controlled Substance	12 5.9	NA NA	< 20	< 75%	None	3	4.5	5.4	5.7	5.8	
48DC904.01(a)(2)(B)	Marijuana Distribution (Misdemeanor)	5.9	None	48-904.01(d) Fourth Degree Trafficking of a Controlled Substance	12	NA	346	10.7%	None	2	4	6	6	6	
48DC904.01(a)(2)(B)	Marijuana Possession with Intent to Distribute (Felony)	60	None	48-904.01(d) Fourth Degree Trafficking of a Controlled Substance	12	NA	46	< 50%	< 25%	14	18	23.2	28.8	30	
48DC904.01(a)(2)(B)	Marijuana Possession with Intent to Distribute (Misdemeanor)	5.9	None	48-904.01(d) Fourth Degree Trafficking of a Controlled Substance	12	NA	495	12.3%	None	3	6	6	6	6	
48DC904.01(b)(1)	Counterfeit Controlled Substance Distribution	360	None	48-904.01c (a); First Degree Trafficking of a Counterfeit Substance 48-904.01c (b); Second Degree Trafficking of a Counterfeit Substance 48-904.01c (c); Third Degree Trafficking of a Counterfeit Substance 48-904.01c (d) Fourth Degree Trafficking of a Counterfeit Substance 48-904.01c (e) Fifth Degree Trafficking of a Counterfeit Substance	96 48 24 12 5.9	NA NA NA NA NA	< 20	At least 75%	None	14	18	18	18	18	
48DC904.01(d)(1)	Controlled Substance Possession (Misdemeanor)	5.9	None	48-904.01a (b); Second Degree Possession of a Controlled Substance	0.3	NA	9117	9.6%	< 25%	2	4	6	6	6	
48DC904.01(d)(2)	Liquid PCP Possession	36	None	48-904.01a (a); First Degree Possession of a Controlled Substance	2	NA	706	41.1%	< 25%	12	15	20	22	24	
48DC904.02(a)(5)	Maintaining Location for Sale, Storage, or Use of Controlled Substances	12	None	22E-210; 48-904.01b (a); Accomplice to First Degree Trafficking of a Controlled Substance 22E-210; 48-904.01b (b); Accomplice to Second Degree Trafficking of a Controlled Substance 22E-210; 48-904.01b (c); Accomplice to Third Degree Trafficking of a Controlled Substance 22E-210; 48-904.01b (d) Accomplice to Fourth Degree Trafficking of a Controlled Substance 22E-210; 48-904.01b (e) Accomplice to Fifth Degree Trafficking of a Controlled Substance 48-904.12; Maintaining Methamphetamine Production	96 48 24 12 5.9 12	NA NA NA NA NA NA	< 20	None	None	3.5	6	9.6	10.8	11.4	
48DC904.03(a)(3)	Controlled Substance Aquisition by Fraud	48	None	48-904.01a (a); First Degree Possession of a Controlled Substance 48-904.01a (b); Class C; Second Degree Possession of a Controlled Substance 22E-2201(a); First Degree Fraud 22E-2201 (b); Second Degree Fraud 22E-2201 (c); Third Degree Fraud 22E-2201 (d); Fourth Degree Fraud 22E-2201 (e); Fifth Degree Fraud	2 0.3 96 48 24 12 2	NA	< 20	< 50%	None	16	20	20	20	20	
48DC904.03a	Maintaining Location for Manufacture or Distribution of Controlled Substances	300	None	48-904.12 Maintaining Methamphetamine Production	12	NA	< 20	None	None	12	12	12	12	12	

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48DC904.06	Controlled Substance Distribution to Minor	720	None	48-904.01b (a), (h)(6) Enhanced First Degree Trafficking of a Controlled Substance 48-904.01b (b), (h)(6) Enhanced Second Degree Trafficking of a Controlled Substance 48-904.01b (c), (h)(6) Enhanced Third Degree Trafficking of a Controlled Substance 48-904.01b (d), (h)(6) Enhanced Fourth Degree Trafficking of a Controlled Substance 48-904.01b (e), (h)(6) Enhanced Fifth Degree Trafficking of a Controlled Substance	144 96 48 24 12	NA NA NA NA NA	< 20	At least 75%	None	14	17.5	19	19.5	19.8	
48DC904.10	Possession of Hypodermic Needle with Intent to Administer Controlled Substance	5.9	None	Repealed			< 20	None	None	0.8	1	1.5	1.8	1.9	
48DC1103(a)	Drug Paraphernalia Possession	1	None	48-904.10 Possession of Drug Manufacturing Paraphernalia	0.3	NA	976	< 25%	None	1	1	1	2.8	3	
48DC1103(b)	Drug Paraphernalia Delivery, Sale, or Possession With Intent to Distribute (Possession With Intent to Distribute)	24	None	48-904.11 Trafficking of Drug Paraphernalia	0.3	NA	< 20	None	None	0.3	0.3	0.3	0.3	0.3	
48DC1103(b)-X	Drug Paraphernalia Delivery, Sale, or Possession With Intent to Distribute (Sale)	24	None				< 20	None	None	1	1	1	1	1	1
48DC1103(b)-Y	Drug Paraphernalia Delivery, Sale, or Possession With Intent to Distribute (Possession With Intent to Distribute)	24	None				< 20	None	None	3.5	4.8	5.5	5.8	5.9	
50DC1401.01(d)	Operation of Motor Vehicle Without Permit	3	None	No Recommendation To Date			175	None	None	1	1.5	3	3	3	
50DC1403.01(e)-X	Operation of Motor Vehicle After License Suspension or Revocation (Suspension)	12	None	No Recommendation To Date			40	< 25%	None	3	6	6	10.6	12	
50DC1501.04(a)(1)(A)	Operation of Motor Vehicle that is not Registered	1	None	No Recommendation To Date			< 20	None	None	0.5	1	1	1	1	
50DC2201.04(b)	Reckless Driving	5.9	None	No Recommendation To Date			194	< 25%	None	3	3	3	3	6	
50DC2201.04(b-1)(1)	Aggravated Reckless Driving (Speed)	12	None	No Recommendation To Date			< 20	None	None	3	3	3	3	3	
50DC2201.04b(a)(1)(A)	Operating All Terrain Vehicle or Dirt Bike	1	None	No Recommendation To Date			< 20	None	None	0	0	0	0	0	
50DC2201.05b(b)	Failure to Stop or Fleeing Officer in a Motor Vehicle	60	None	No Recommendation To Date			133	< 25%	< 25%	14	22	24	30.8	32.7	
50DC2201.05b(b)(1)	Failure to Stop or Fleeing Officer in a Motor Vehicle (Misdemeanor)	5.9	None	No Recommendation To Date			211	< 25%	None	3	4	6	6	6	
50DC2201.05b(b)(2)	Failure to Stop or Fleeing Officer in a Motor Vehicle (Felony)	60	None	No Recommendation To Date			264	None	< 25%	14	18	24	28	32	
50DC2201.05c(a)(1)	Leaving After Vehicle Collision (Personal Injury)	12	None	No Recommendation To Date			25	None	None	5.5	6	6	6	8.6	
50DC2201.05c(a)(2)	Leaving After Vehicle Collision (Personal Injury)	3	None	No Recommendation To Date			38	None	None	1	3	6	6	6	
50DC2201.05c(a)(2)	Leaving After Vehicle Collision (Property Damage/Injury to Animal)	3	None	No Recommendation To Date			42	None	None	1	3	6	6	14.7	
50DC2203.01	Negligent Homicide	60	None	22E-1103; Negligent Homicide	48	60	< 20	None	None	24	33	36	36	36	
50DC2203.01-X	Negligent Homicide (Pedestrian)	60	None	22E-1103; Negligent Homicide	48	60	< 20	None	None	18	19.5	22.2	23.1	23.5	
50DC2206.13	Operating a Vehicle Under the Influence of Alcohol or a Drug	12	.5 - 1.5	No Recommendation To Date			< 20	None	None	6	6	6	6	6	
50DC2206.13(a)	Operating a Vehicle Under the Influence of Alcohol or a Drug (First offense)	5.9	.3 - .6	No Recommendation To Date			< 20	None	None	3	3	3	3	3	
50DC2206.13(a)	Operating a Vehicle While Intoxicated (First Offense)	5.9	.3 - .6	No Recommendation To Date			< 20	None	None	3	3	3	3	3	
50DC2206.14	Operating a Vehicle While Impaired	3	None	No Recommendation To Date			< 20	None	None	1	1	1	1	1	
50DC2421.04(d)	Tampering With a Vehicle	3	None	No Recommendation To Date			< 20	None	None	1.2	1.6	1.8	1.9	2	
51DC119(a)	False Statement to Obtain Unemployment Compensation	2	None	No Recommendation To Date			< 20	None	None	2	2	2	2	2	

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18DCMR1101.1	Loaning Vehicle Registration and Misuse of Tags	1	None	No Recommendation To Date			< 20	None	None	0.2	0.3	0.3	0.3	0.3
18DCMR1101.1-X	Loaning Vehicle Registration and Misuse of Tags (Display of Tags)	1	None	No Recommendation To Date			< 20	None	None	0.2	0.3	0.3	0.3	0.3
18DCMR2000.2	Failure to Obey Police Officer	0	None	No Recommendation To Date			< 20	None	None	0	0	0	0	0
19DCMR1309.1	Gambling On or Near Public Property	0	None	No Recommendation To Date			< 20	None	None	0	0	0	0	0
24DCMR502.2	Vending Without a License	0	None	Repeal			< 20	None	None	0	0	0	0	0
24DCMR2301.3	Possession of BB Gun	0	None	7-2502.17; Carrying an Air or Spring Gun	0.3	NA	< 20	None	None	0	0.8	2.1	2.5	2.8
05DC117.05	False Report to Police	1	None	No Recommendation To Date			< 20	None	None	1	1	1	1	1
07DC2502.01(a)	Possession or Control of a Destructive Device or Unregistered Firearm	60	None				363	< 25%	< 25%	6	9.8	12	12	12
07DC2502.01(a)-X	Possession or Control of a Destructive Device or Unregistered Firearm (Unregistered Firearm)	60	None	7-2502.01A(a); First Degree Possession of an Unregistered Firearm, Destructive Device, or Ammunition	12	NA	< 20	None	None	6	9	10.8	11.4	11.7
07DC2502.01(a)-Y	Possession or Control of a Destructive Device or Unregistered Firearm (Possession of Destructive Device)	12	None				< 20	None	None	2	2	2	2	2
07DC2506.01(a)	Unlawful Possession of Ammunition	120	12	7-2502.01A(b); Second Degree Possession of an Unregistered Firearm, Destructive Device, or Ammunition	5.9	NA	269	< 25%	< 25%	6	8.5	12	12	12
07DC2506.01(b)	Unlawful Possession of a Large Capacity Ammunition Feeding Device	36	None	22-4101(b); Second Degree Possession of a Prohibited Weapon or Accessory	24	NA	106	< 25%	< 25%	6	9	12	12	12
07DC2508.07	Violation of Gun Offender Registry Registration Requirements	12	None	No Recommendation To Date			< 20	< 75%	None	3	4.5	5.4	5.7	5.8
08DC902	Illegal Disposal of Waste	60	None	No Recommendation To Date			36	< 25%	None	0.2	0.7	1	1.3	2
10DC503.16(b)(4)	Unlawful Conduct on US Capitol Grounds or Buildings (Disruption of Session)	6	None	No Recommendation To Date			< 20	None	None	0.3	0.5	1	1	1
10DC503.17	Unlawful Assembly or Display on US Capitol Grounds	6	None	No Recommendation To Date			< 20	None	None	0.2	0.2	0.3	0.3	0.3
11DC944-F	Contempt (Felony)	None	None	No Recommendation To Date			62	None	< 25%	9.5	12	12.2	16.2	22.1
11DC944-M	Contempt (Misdemeanor)	None	None	No Recommendation To Date			49	None	None	3	3	5.8	6	6
16DC1005(g)-X	Violation of Protection Order (Civil)	5.9	None	16-1005A; Criminal Contempt for Violation of a Civil Protection Order	5.9	NA	56	None	None	6	6	6	6	6
16DC1005(g)-Y	Violation of Protection Order (Temporary)	5.9	None	16-1005A; Criminal Contempt for Violation of a Civil Protection Order	5.9	NA	< 20	None	None	1	1	1	1	1
16DC1024(a)	Parental Kidnapping (Within DC) (From Custodian)	0	None	16-1022(d); Fourth Degree Parental Kidnapping	0	NA	< 20	None	None	0	0	0	0	0
22DC301	Arson	120	None	22E-2501(a); First Degree Arson 22E-2501(b); Second Degree Arson 22E-2501(c); Third Degree Arson 22E-2502; Reckless Burning	216 96 24 12	NA NA NA NA	< 20	< 25%	< 25%	36	48	60	62.4	64.2
22DC303	Destruction of Property	120	None	22E-2503(a); First Degree Criminal Damage to Property 22E-2503(b); Second Degree Criminal Damage to Property 22E-2503(c)(1); Third Degree Criminal Damage to Property 22E-2503(c)(2); Third Degree Criminal Damage to Property 22E-2503(d); Fourth Degree Criminal Damage to Property 22E-2503(e); Fifth Degree Criminal Damage to Property	96 48 24 24 12 2	NA NA NA NA NA NA	< 20	None	None	6	6	6	6	6
22DC303-F	Destruction of Property \$1000 or More	120	None	22E-2503(a); First Degree Criminal Damage to Property 22E-2503(b); Second Degree Criminal Damage to Property 22E-2503(c)(1); Third Degree Criminal Damage to Property 22E-2503(c)(2); Third Degree Criminal Damage to Property	96 48 24 24	NA NA NA NA	88	None	None	14	22.8	24	29.5	35.2
22DC303-M	Destruction of Property less than \$1000	5.9	None	22E-2503(d); Fourth Degree Criminal Damage to Property 22E-2503(e); Fifth Degree Criminal Damage to Property	12 2	NA NA	952	< 25%	< 25%	2	3	6	6	6
22DC303-M	Destruction of Property less than \$200	5.9	None	22E-2503(c); Fifth Degree Criminal Damage to Property	2	NA	< 20	None	None	3	3	3	3	3
22DC401-S	Assault With Intent to Kill, Rob, Commit Sexual Abuse (Third Degree Sexual Abuse)	60	None	22E-301, 22E-1301(c), (f)(5); Attempted Enhanced Third Degree Sexual Abuse 22E-301, 22E-1301(c); Attempted Third Degree Sexual Abuse	72 (1/2 the predicate) 48 (1/2 the predicate)	96 60	< 20	None	None	9	16.5	21	22.5	23.2
22DC401-U	Assault With Intent to Kill	180	None	22E-301, 22E-1101(a), (d)(3); Attempted Enhanced First Degree Murder 22E-301, 22E-1101(a); Attempted First Degree Murder	270 (1/2 the predicate) 240 (1/2 the predicate)	342 312	62	< 25%	51.6%	105	141	172.2	180	185.7
22DC401-V	Assault With Intent to Kill, Rob, Commit Sexual Abuse (First Degree Sexual Abuse by Force)	180	None	22E-301, 22E-1301(a)(2)(A), (f)(5); Attempted Enhanced First Degree Sexual Assault 22E-301, 22E-1301(a)(2)(A); Attempted First Degree Sexual Assault	180 (1/2 the predicate) 144 (1/2 the predicate)	228 192	< 20	None	None	44.5	65.2	126	153	166.5
22DC401-V	Assault With Intent to Kill, Rob, Commit Sexual Abuse (First Degree Sexual Abuse by Threatening)	180	None	22E-301, 22E-1301(a)(2)(B), (f)(5); Attempted Enhanced First Degree Sexual Assault 22E-301, 22E-1301(a)(2)(B); Attempted First Degree Sexual Assault	180 (1/2 the predicate) 144 (1/2 the predicate)	228 192	< 20	None	None	84	84	84	84	84
22DC401-X	Assault With Intent to Kill, Rob, Commit Sexual Abuse (Robbery)	180	None	22E-301, 22E-1201(a); Attempted First Degree Robbery 22E-301, 22E-1201(b); Attempted Second Degree Robbery 22E-301, 22E-1201(c); Attempted Third Degree Robbery 22E-301, 22E-1201(d); Attempted Fourth Degree Robbery 22E-301, 22E-1201(e); Attempted Fifth Degree Robbery	108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate)	132 96 60 36 18	74	< 25%	40.5%	48	72	116.4	141	180

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22DC402-Y	Assault with Intent to Commit Mayhem or with a Dangerous Weapon (Dangerous Weapon)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5)(B); Enhanced Second Degree Assault 22E-1202(c), (h)(6)(B); Enhanced Third Degree Assault 22E-1202(d), (h)(7)(B); Enhanced Fourth Degree Assault 22E-1204(a), (d)(4)(B); Enhanced First Degree Criminal Threats 22E-1204(b), (d)(4)(B); Enhanced Second Degree Criminal Threats 22E-1204(c), (d)(4)(B); Enhanced Third Degree Criminal Threats	144 144 96 48 48 24 5.9	168 168 108 60 60 30 8	816	41.3%	2.8%	24	36	60	60	66
22DC403	Assault with Intent to Commit Any Other Offense	60	None	22E-301 Attempt and any Class 1 Crime 22E-301 Attempt and any Class 2 Crime 22E-301 Attempt and any Class 3 Crime 22E-301 Attempt and any Class 4 Crime 22E-301 Attempt and any Class 5 Crime 22E-301 Attempt and any Class 6 Crime 22E-301 Attempt and any Class 7 Crime 22E-301 Attempt and any Class 8 Crime 22E-301 Attempt and any Class 9 Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate)	342 312 228 192 132 96 60 36 18	< 20	None	None	24	24	24	24	24
22DC404(a)(1)	Simple Assault	5.9	None	22E-1202(d), (h)(7)(B); Enhanced Fourth Degree Assault (weapon) 22E-1202(d), (h)(7)(A); Enhanced Fourth Degree Assault (protected person) 22E-1202(d); Fourth Degree Assault 22E-1204(a), (d)(4); Enhanced First Degree Criminal Threats 22E-1204(a); First Degree Criminal Threats 22E-1204(b), (d)(4); Enhanced Second Degree Criminal Threats 22E-1204(b); Second Degree Criminal Threats 22E-1204(c), (d)(4); Enhanced Third Degree Criminal Threats 22E-1204(c); Third Degree Criminal Threats 22E-1205(a), (e)(3); Enhanced First Degree Offensive Physical Contact 22E-1205(b), (e)(3); Enhanced Second Degree Offensive Physical Contact 22E-1205(a); First Degree Offensive Physical Contact 22E-1205(b); Second Degree Offensive Physical Contact	48 12 5.9 48 24 24 5.9 5.9 2 5.9 2 2 0.3	60 14 8 60 30 30 8 8 2.3 8 2.3 2.3 0.6	3350	< 25%	< 25%	2.5	5	6	6	6
22DC404(a)(2)	Assault with Significant Bodily Injury	36	None	22E-1202(c), (h)(6)(B); Enhanced Third Degree Assault (weapon) 22E-1202(c), (h)(6)(A); Enhanced Third Degree Assault (protected person) 22E-1202(c); Third Degree Assault	96 48 24	108 60 30	251	< 25%	10.0%	18	24	30	60	66
22DC404.01	Aggravated Assault	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	< 20	< 25%	< 75%	60	64.5	93	106.5	113.2
22DC404.01(a)(1)	Aggravated Assault (Causes Serious Bodily Injury)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	125	< 25%	57.6%	66	90	120	132	139.5
22DC404.01(a)(2)	Aggravated Assault (Grave Risk)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	< 20	None	< 75%	69	81	97.2	102.6	105.3
22DC405(b)	Assault on a Police Officer (Simple assault)	6	None	22E-1202(d), (h)(7)(B); Enhanced Fourth Degree Assault (weapon) 22E-1202(d), (h)(7)(A); Enhanced Fourth Degree Assault (protected person) 22E-1202(d); Fourth Degree Assault 22E-1204(a), (d)(4); Enhanced First Degree Criminal Threats 22E-1204(a); First Degree Criminal Threats 22E-1204(b), (d)(4); Enhanced Second Degree Criminal Threats 22E-1204(b); Second Degree Criminal Threats 22E-1204(c), (d)(4); Enhanced Third Degree Criminal Threats 22E-1204(c); Third Degree Criminal Threats 22E-1205(a), (e)(3); Enhanced First Degree Offensive Physical Contact 22E-1205(b), (e)(3); Enhanced Second Degree Offensive Physical Contact 22E-1205(a); First Degree Offensive Physical Contact 22E-1205(b); Second Degree Offensive Physical Contact	48 12 5.9 48 24 24 5.9 5.9 2 5.9 2 2 0.3	60 14 8 60 30 30 8 8 2.3 8 2.3 2.3 0.6	610	None	< 25%	2	3.5	6	6	6
22DC405(c)	Assault on a Police Officer (Significant bodily injury)	120	None	22E-1202(c), (h)(6)(B); Enhanced Third Degree Assault (weapon) 22E-1202(c), (h)(6)(A); Enhanced Third Degree Assault (protected person) 22E-1202(c)(1); Third Degree Assault	96 48 24	108 60 30	64	< 25%	< 25%	23	42	78.3	83.5	96
22DC405.01	Resisting Arrest	6	None	No Recommendation To Date			35	None	None	2	4.5	6	6	6
22DC405A	Assault On A Police Officer	6	None	No Recommendation To Date			< 20	None	< 50%	30	63	82.8	89.4	92.7
22DC406-X	Mayhem or Maliciously Disfiguring (Mayhem)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	< 20	None	At least 75%	36	54	64.8	68.4	70.2

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22DC406-Y	Mahem or Maliciously Disfiguring (Malicious Disfiguring)	120	None	22E-1202(a); First Degree Assault 22E-1202(b), (h)(5); Enhanced Second Degree Assault 22E-1202(b); Second Degree Assault	144 144 96	168 168 108	< 20	None	None	144	144	144	144	144
22DC407	Threats to Do Bodily Harm	6	None	22E-1204(a), (d)(4); Enhanced First Degree Threats 22E-1204(a); First Degree Threats 22E-1204(b), (d)(4); Enhanced Second Degree Threats 22E-1204(b); Second Degree Threats 22E-1204(c), (d)(4); Enhanced Third Degree Threats 22E-1204(c); Third Degree Threats	48 24 24 5.9 5.9 2	60 30 30 8 8 2.3	843	85.9%	< 25%	2	3	6	6	6
22DC601	Breaking and Entering a Vending Machine	36	None	22E-2101(a); First Degree Theft 22E-2101(b); Second Degree Theft 22E-2101(c); Third Degree Theft 22E-2101(d); Fourth Degree Theft 22E-2101(e); Fifth Degree Theft	96 48 24 12 2	NA NA NA NA NA	< 20	None	None	6	6	6	6	6
22DC712	Bribery of a Public Servant	120	None	No Recommendation To Date			< 20	< 75%	None	7.5	9.8	11.1	11.5	11.8
22DC722	Obstructing Justice	360	None	No Recommendation To Date			< 20	< 75%	None	7	36	45.6	52.8	56.4
22DC722(a)(2)(A)	Obstructing Justice (Use of Force or Threat to Influence or Delay Witness or Officer)	360	None	No Recommendation To Date			23	< 25%	None	60	72	84	84	100.2
22DC722(a)(2)(B)	Obstructing Justice (Use of Force or Threat to Influence or Delay Witness or Officer)	360	None	No Recommendation To Date			< 20	None	None	93	94.5	95.4	95.7	95.8
22DC722(a)(3)(B)	Obstruction Justice (Harassment with intent to Hinder or Prevent Action)	360	None	No Recommendation To Date			< 20	None	None	48	54	57.6	58.8	59.4
22DC722(a)(4)	Obstruction Justice (Injury or Theat for Giving Information to Investigator)	360	None	No Recommendation To Date			< 20	None	None	54	65.2	74.7	77.8	79.4
22DC722(a)(6)	Obstruction Justice (Due Administration of Justice)	360	None	No Recommendation To Date			< 20	< 25%	None	51	84.8	96	106.8	113.4
22DC723	Tampering With Physical Evidence	36	None	No Recommendation To Date			45	< 50%	None	6	10	16.2	19	20.1
22DC801(a)	Burglary First Degree	360	None	22E-2701(a), (d)(4); Enhanced First Degree Burglary 22E-2701(a); First Degree Burglary 22E-2701(b), (d)(4); Enhanced Second Degree Burglary 22E-2701(b); Second Degree Burglary	96 48 48 24	NA NA NA NA	87	< 25%	23.0%	60	100.5	120	144	175.5
22DC801(b)	Burglary Second Degree	180	None	22E-2701(b), (d)(4); Enhanced Second Degree Burglary 22E-2701(b); Second Degree Burglary 22E-2701(c), (d)(4); Enhanced Third Degree Burglary 22E-2701(c); Third Degree Burglary	48 24 24 12	NA NA NA NA	457	44.9%	< 25%	24	30	42	51	96
22DC811	Contributing to the Delinquency of a Minor	120	None	22E-4601; Contributing to the Delinquency of a Minor	5.9	NA	< 20	None	None	3	3	3	3	3
22DC811(b)(2)	Contributing to the Delinquency of a Minor (Prior Conviction)	36	None	22E-4601; Contributing to the Delinquency of a Minor	5.9	NA	< 20	None	None	4	4	4	4	4
22DC851(b)	Intimidating, Impeding, Interfering, or Retaliating Against a District Official or Employee	60	None	Incorporated into Offense-Specific Enhancements			< 20	None	None	1	1	1	1	1
22DC902	Trademark Counterfeiting	120	None	22E-2210(a); First Degree Trademark Counterfeiting 22E-2210(b) Second Degree Trademark Counterfeiting	12 2	NA NA	< 20	None	None	1	1	1	1	1
22DC933	Abuse of a Vulnerable Adult or Elderly Person	240	None	22E-1503(a); First Degree Criminal Abuse of a Vulnerable Adult or Elderly Person 22E-1503(b); Second Degree Criminal Abuse of a Vulnerable Adult or Elderly Person 22E-1503(c); Third Degree Criminal Abuse of a Vulnerable Adult or Elderly Person	144 48 24	168 60 30	< 20	None	None	12	12	12	12	12
22DC933(1)	Abuse of a Vulnerable Adult or Elderly Person (Inflicts or Threatens Physical Injury)	5.9	None	22E-1503(c); Third Degree Criminal Abuse of a Vulnerable Adult or Elderly Person	24	30	< 20	None	None	6	6	6	6	6
22DC951(b)(1)	Criminal Street Gang (Commission of Felony or Violent Misdemeanor)	60	None	No Recommendation To Date			< 20	None	None	6	6	6	6	6
22DC1001(a)(1)	Cruelty to Animals (Misdemeanor)	5.9	None	No Recommendation To Date			22	None	None	2.8	3	6	6	6
22DC1001(d)	Cruelty to Animals (Felony)	60	None	No Recommendation To Date			< 20	None	None	4.2	8.2	12.6	13.3	13.6
22DC1006.01	Engaging in Animal Fighting	60	None	No Recommendation To Date			< 20	At least 75%	None	4	4	4	4	4
22DC1101(a)	First Degree Cruelty to Children	180	None	22E-1501(a); First Degree Criminal Abuse of a Minor 22E-1501(b); Second Degree Criminal Abuse of a Minor 22E-1501(c); Third Degree Criminal Abuse of a Minor	144 48 24	168 60 30	< 20	None	None	54	60	60	67	73.5
22DC1101(a)-X	First Degree Cruelty to Children (Grave Risk)	180	None	22E-1501(a); First Degree Criminal Abuse of a Minor 22E-1501(b); Second Degree Criminal Abuse of a Minor 22E-1501(c); Third Degree Criminal Abuse of a Minor	144 48 24	168 60 30	< 20	None	None	48	60	70.8	74.4	76.2
22DC1101(b)	Second Degree Cruelty to Children	120	None	22E-1501(a); First Degree Criminal Abuse of a Minor 22E-1501(b); Second Degree Criminal Abuse of a Minor 22E-1501(c); Third Degree Criminal Abuse of a Minor 22E-1502(a); First Degree Criminal Neglect of a Minor 22E-1502(b); Second Degree Criminal Neglect of a Minor 22E-1502(c); Third Degree Criminal Neglect of a Minor	144 48 24 48 12 5.9	168 60 30 60 14 8	55	76.4%	None	6	6	17.4	19.6	23.4

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22DC1101(b)(1)	Second Degree Cruelty to Children (Grave Risk)	120	None	22E-1502(a); First Degree Criminal Neglect of a Minor 22E-1502(b); Second Degree Criminal Neglect of a Minor 22E-1502(c); Third Degree Criminal Neglect of a Minor	48 12 5.9	60 14 8	< 20	< 50%	None	12	18	20.4	26.4	31.2
22DC1101(b)(2)	Second Degree Cruelty to Children (Abandonment)	120	None	22E-1502(c); Third Degree Criminal Neglect of a Minor	5.9	8	< 20	At least 75%	None	4	4	4	4	4
22DC1211	Tampering with a Detection Device	5.9	None	22E-3402 Tampering with a Detection Device	5.9	NA	< 20	< 25%	None	1.5	3.3	6	6	6
22DC1211(a)(1)(C)	Tampering with a Detection Device (Failure to Charge)	5.9	None	22E-3402 Tampering with a Detection Device	5.9	NA	129	None	None	0.2	1	3	4.5	6
22DC1312	Lewd, Indecent, or Obscene Acts	3	None	22E-4206(a); First Degree Indecent Exposure	5.9	NA	< 20	< 25%	None	3	3	3	4	5
22DC1312-X	Lewd, Indecent, or Obscene Acts (Indecent Exposure)	3	None	22E-4206(b); Second Degree Indecent Exposure	2	NA	< 20	None	None	3	3	3	3	3
22DC1319(b)(1)	False alarms, false reports, hoax weapons (Weapon of Mass Destruction that Initiates Response)	12	None	No Recommendation To Date			< 20	< 50%	None	3	3	3	3	3
22DC1321	Disorderly Conduct	3	None	22E-4201; Disorderly Conduct 22E-4205; Breach of Home Privacy	0.3 2	NA NA	27	None	None	1	1.2	3	3	3
22DC1321(e)	Disorderly Conduct (Urinating or Defecating)	3	None	22E-4202; Public Nuisance	2	NA	< 20	None	None	0.3	1.7	2.5	2.7	2.9
22DC1322(b)	Rioting or Inciting to Riot (Engaging in Rioting)	5.9	None	22E-4301; Rioting	12	NA	< 20	None	None	6	6	6	6	6
22DC1322(d)	Rioting or Inciting to Riot (Engaging in Rioting Causing Serious Bodily Injury or Over \$5,000 Damage)	120	None	22E-4301; Rioting	12	NA	< 20	None	None	36	36	36	36	36
22DC1341	Unlawful Entry of a Motor Vehicle	3	None	22E-2601; Third Degree Trespass	0.3	NA	140	< 25%	None	1.3	2	3	4	6
22DC1404	Impersonating a Public Official	36	None	22E-3201(a); First Degree Impersonation of a District Official 22E-3201(b); Second Degree Impersonation of a District Official	24 5.9	NA NA	< 20	At least 75%	None	2	2	2	2	2
22DC1406	Impersonating a Police Officer	5.9	None	22E-3201(a); First Degree Impersonation of a District Official 22E-3201(b); Second Degree Impersonation of a District Official	24 5.9	NA NA	< 20	None	None	3.5	4.5	5.4	5.7	5.8
22DC1510-M	Making, Drawing, Uttering Check, Draft or Order with Intent to Defraud (Less than \$1,000)	5.9	None	22E-2203 (b), Second Degree Check Fraud 22E-2203 (c), Third Degree Check Fraud	12 2	14 2.3	< 20	At least 75%	None	4	6	6	6	6
22DC1805a	Conspiracy to Commit a Crime	180	None	22E-303 and any Class 1 Crime 22E-303 and any Class 2 Crime 22E-303 and any Class 3 Crime 22E-303 and any Class 4 Crime 22E-303 and any Class 5 Crime 22E-303 and any Class 6 Crime 22E-303 and any Class 7 Crime 22E-303 and any Class 8 Crime 22E-303 and any Class 9 Crime 22E-303 and any Class A Crime 22E-303 and any Class B Crime 22E-303 and any Class C Crime 22E-303 and any Class D Crime 22E-303 and any Class E Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate) 6 (1/2 the predicate) 3 (1/2 the predicate) 1 (1/2 the predicate) 0.15 (1/2 the predicate) 0 (1/2 the predicate)	342 312 228 192 132 96 60 36 18 8 5 1.3 0.45 0.3	< 20	< 25%	None	10.5	28	44.2	49.1	51.6
22DC1805a(a)(1)	Conspiracy to Commit a Crime (Other Than a Crime of Violence)	60	None	22E-303 and any Class 1 Crime 22E-303 and any Class 2 Crime 22E-303 and any Class 3 Crime 22E-303 and any Class 4 Crime 22E-303 and any Class 5 Crime 22E-303 and any Class 6 Crime 22E-303 and any Class 7 Crime 22E-303 and any Class 8 Crime 22E-303 and any Class 9 Crime 22E-303 and any Class A Crime 22E-303 and any Class B Crime 22E-303 and any Class C Crime 22E-303 and any Class D Crime 22E-303 and any Class E Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate) 6 (1/2 the predicate) 3 (1/2 the predicate) 1 (1/2 the predicate) 0.15 (1/2 the predicate) 0 (1/2 the predicate)	342 312 228 192 132 96 60 36 18 8 5 1.3 0.45 0.3	25	None	< 25%	24	36	45.6	50.4	54.6
22DC1805a(a)(2)	Conspiracy to Commit a Crime (Crime of Violence)	180	None	22E-303 and any Class 1 Crime 22E-303 and any Class 2 Crime 22E-303 and any Class 3 Crime 22E-303 and any Class 4 Crime 22E-303 and any Class 5 Crime 22E-303 and any Class 6 Crime 22E-303 and any Class 7 Crime 22E-303 and any Class 8 Crime 22E-303 and any Class 9 Crime	270 (1/2 the predicate) 240 (1/2 the predicate) 180 (1/2 the predicate) 144 (1/2 the predicate) 108 (1/2 the predicate) 72 (1/2 the predicate) 48 (1/2 the predicate) 24 (1/2 the predicate) 12 (1/2 the predicate) 6 (1/2 the predicate) 3 (1/2 the predicate) 1 (1/2 the predicate) 0.15 (1/2 the predicate) 0 (1/2 the predicate)	342 312 228 192 132 96 60 36 18	20	None	< 50%	33	46.5	62.4	84.6	90.3
22DC1806	Accessory to a Crime After the Fact	1/2 max term of imprisonment	None	No Recommendation To Date			< 20	None	< 50%	16.5	36	57.6	64.8	68.4

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22DC1810	Threatening to Kidnap or Injure a Person	240	None	22E-1204(a), (d)(4); Enhanced First Degree Threats 22E-1204(a); First Degree Threats 22E-1204(b), (d)(4); Enhanced Second Degree Threats 22E-1204(b); Second Degree Threats 22E-1204(c), (d)(4); Enhanced Third Degree Threats 22E-1204(c); Third Degree Threats	48 24 24 5.9 5.9 2	60 30 30 8 8 2.3	87	< 25%	< 25%	18	24	36	47.2	60
22DC1833	Trafficking in Labor or Commercial Sex Acts (Sex Acts)	240	None	22E-1603, (b)(2); Enhanced Trafficking in Labor 22E-1603; Trafficking in Labor 22E-1604, (b)(2); Enhanced Trafficking in Forced Commercial Sex 22E-1604; Trafficking in Forced Commercial Sex	216 144 216 144	240 168 240 168	< 20	At least 75%	None	45	45	45	45	45
22DC1834	Sex Trafficking of Children	240	None	22E-1605, (b)(2); Enhanced Sex Trafficking of Minors 22E-1605; Sex Trafficking of Minors	288 216	336 240	< 20	At least 75%	None	42	42	42	42	42
22DC1901	Incest	144	None	22E-1308; First Degree Incest 22E-1308; Second Degree Incest	48 12	60 14	< 20	None	None	18	18	18	18	18
22DC1931	Interfering with Reports to Law Enforcement, Medical Providers, or Child Welfare	5.9	None	No Recommendation To Date			< 20	None	None	2	3	3	3	3
22DC2001	Kidnapping	360	None	22E-1401 (a), (d); Enhanced First Degree Kidnapping 22E-1401 (a); First Degree Kidnapping 22E-1401 (b), (d); Enhanced Second Degree Kidnapping 22E-1401 (b); Second Degree Kidnapping	288 216 144 96	336 240 168 108	62	< 25%	45.2%	78	144	180	204	204
22DC2101-X	First Degree Murder (Felony Murder)	Life Without Release	30	22E-1101 (a), (d); Enhanced First Degree Murder 22E-1101 (a); First Degree Murder 22E-1101 (b), (d); Enhanced Second Degree Murder 22E-1101 (b); Second Degree Murder	540 480 360 288	612 552 408 336	23	None	95.7%	420	427.5	450	463.5	471.8
22DC2101-Y	First Degree Murder (Other than Felony Murder)	Life Without Release	30	22E-1101 (a), (d); Enhanced First Degree Murder 22E-1101 (a); First Degree Murder	540 480	612 552	33	None	93.9%	420	480	504	540	540
22DC2103	Second Degree Murder	Life	None	22E-1101 (b), (d); Enhanced Second Degree Murder 22E-1101 (b); Second Degree Murder	360 288	408 336	115	< 25%	79.1%	216	264	288	313.8	324
22DC2105-X	Manslaughter (Involuntary)	360	None	22E-1102 (b), (d); Enhanced Involuntary Manslaughter 22E-1102 (b); Involuntary Manslaughter	144 96	168 108	< 20	None	< 25%	60	69	79.2	85.2	86.6
22DC2105-Y	Manslaughter (Voluntary)	360	None	22E-1102 (b), (d); Enhanced Voluntary Manslaughter 22E-1102 (a); Voluntary Manslaughter	288 216	336 240	129	None	48.8%	103.5	132	169.8	180	180
22DC2201(b)(1)	Obscene Activities and Conduct (Distribution to Minor)	36	None	22E-1806; Distribution of an Obscene Image to a Minor	5.9	8	< 20	None	None	6	6	6	6	6
22DC2302	Panhandling	3	None	Repeal			< 20	None	None	0.7	1.5	2.4	2.7	2.8
22DC2302(a)	Panhandling (Aggressive)	3	None	Repeal			< 20	None	None	1.5	1.5	1.5	1.5	1.5
22DC2402	Perjury	120	None	No Recommendation To Date			< 20	None	None	14	24	24	24	24
22DC2403	Subornation of Perjury	120	None	No Recommendation To Date			< 20	At least 75%	None	3.4	3.5	3.5	3.5	3.5
22DC2405	False Statements	5.9	None	No Recommendation To Date			< 20	None	None	2	2	2	2	2
22DC2501	Possession of Implements of Crime	60	None	22E-2702; Possession of Tools to Commit Property Crime	0.3	NA	< 20	None	None	1	1	4	5	5.5
22DC2601	Prisoner Escape	60	None	22E-3401(a); First Degree Escape from a Correctional Facility or Officer	48	NA	60	< 25%	None	6	7	12	12	13.9
22DC2601(a)(1)	Escape from Penal Custody (Institution)	60	None	22E-3401(b); Second Degree Escape from a Correctional Facility or Officer	12	NA	83	< 25%	None	6	12	12	14.5	15.3
22DC2601(a)(2)	Escape from Penal Custody (Officer)	60	None	22E-3401; Third Degree Escape from a Correctional Facility or Officer	2	NA	< 20	< 25%	None	7	13.5	20.8	43.8	66.9
22DC2601(a)(3)	Escape from Penal Custody (DYRS Institution)	60	None				< 20	None	None	3	3.5	4.4	4.7	4.8
22DC2603.02(a)	Introduction or Possession of Contraband in a Penal Institution (Introduction)	120	None	22E-3403(a); First Degree Correctional Facility Contraband	24	NA	< 20	< 50%	None	4.5	6	6	6	6
22DC2603.02(b)	Introduction or Possession of Contraband in a Penal Institution (Possession)	120	None	22E-3403(b); Second Degree Correctional Facility Contraband	12	NA	< 20	< 50%	None	9	13.5	19.4	25.7	28.9
22DC2701	Prostitution or Solicitation for Prostitution (Solicitation)	5.9	None	22E-4401; Prostitution 22E-4402(a), (c)(2); Enhanced Patronizing Prostitution 22E-4402(a); Patronizing Prostitution	0.3 12 0.3	NA NA NA	458	None	None	0.5	1	2	3	3
22DC2701(b)(2)	Prostitution or Solicitation for Prostitution (Prostitution)	5.9	None	22E-4401; Prostitution 22E-4402(a), (c)(2); Enhanced Patronizing Prostitution 22E-4402(a); Patronizing Prostitution	0.3 12 0.3	NA NA NA	< 20	None	None	1.5	1.5	1.5	1.5	1.5
22DC2701(b)(2)	Prostitution or Solicitation for Prostitution (Prostitution)(Two or More Priors)	24	None	22E-4401; Prostitution 22E-4402(a), (c)(2); Enhanced Patronizing Prostitution 22E-4402(a); Patronizing Prostitution	0.3 12 0.3	NA NA NA	< 20	None	None	1	1	1	1	1
22DC2705	Enticing or Compelling into Prostitution	240	None	22E-1602(b)(2); Enhanced Forced Commercial Sex 22E-1602; Forced Commercial Sex 22E-4403(a), (b)(2); Enhanced Trafficking in Commercial Sex 22E-4403; Trafficking in Commercial Sex	360 288 48 24	408 336 NA NA	< 20	None	None	6	9	25.2	30.6	33.3
22DC2707	Arranging for or Compelling Prostitution	240	None	22E-1602(b)(2); Enhanced Forced Commercial Sex 22E-1602; Forced Commercial Sex 22E-4403(a), (b)(2); Enhanced Trafficking in Commercial Sex 22E-4403; Trafficking in Commercial Sex	360 288 48 24	408 336 NA NA	< 20	None	None	5	7	8.2	8.6	8.8



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22DC2801	Robbery	180	None	22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-1201(a); First Degree Robbery 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-1201(b); Second Degree Robbery 22E-1201(c), (e)(5)(B); Enhanced Third Degree Robbery 22E-1201(c), (e)(5)(A); Enhanced Third Degree Robbery 22E-1201(e); Third Degree Robbery	216 144 144 96 48 96 48 24	240 192 192 108 60 108 60 30	856	21.5%	27.3%	36	60	72	84	96
22DC2802	Robbery (Attempt)	36	None	22E-301, 22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-301, 22E-1201(a); First Degree Robbery 22E-301, 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-301, 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-301, 22E-1201(b); Second Degree Robbery 22E-301, 22E-1201(c), (e)(5)(B); Enhanced Third Degree Robbery 22E-301, 22E-1201(c), (e)(5)(A); Enhanced Third Degree Robbery 22E-301, 22E-1201(c); Third Degree Robbery	216 144 144 96 48 96 48 24	240 192 192 108 60 108 60 30	396	None	< 25%	15	22	24	32	37.6
22DC2803(a)(1)	Carjacking (Unarmed)	252	84	22E-301, 22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-301, 22E-1201(a); First Degree Robbery 22E-301, 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-301, 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-301, 22E-1201(b); Second Degree Robbery	216 144 144 96 48	240 192 192 108 60	30	< 25%	< 25%	84	88.5	108	114.6	120
22DC2803(b)(1)	Carjacking (Armed)	480	180	22E-301, 22E-1201(a), (e)(4); Enhanced First Degree Robbery 22E-301, 22E-1201(a); First Degree Robbery 22E-301, 22E-1201(b), (e)(5)(B); Enhanced Second Degree Robbery 22E-301, 22E-1201(b), (e)(5)(A); Enhanced Second Degree Robbery 22E-301, 22E-1201(b); Second Degree Robbery	216 144 144 96 48	240 192 192 108 60	< 20	None	< 50%	180	180	180	180	180
22DC3002(a)(1)	First Degree Sex Abuse (Force)	Life Without Release	None	22E-1301(a)(2)(A), (f)(5); Enhanced First Degree Sexual Assault 22E-1301(a)(2)(A); First Degree Sexual Assault	360 288	408 336	58	41.4%	41.4%	160	225	300	448.8	475.2
22DC3002(a)(2)	First Degree Sex Abuse (Threatening)	Life Without Release	None	22E-1301(a)(2)(B), (f)(5); Enhanced First Degree Sexual Assault 22E-1301(a)(2)(B); First Degree Sexual Assault	360 288	408 336	< 20	None	None	250	250	250	250	250
22DC3003	Second Degree Sexual Abuse	240	None	22E-1301(b), (f)(5); Enhanced Second Degree Sexual Assault 22E-1301(b); Second Degree Sexual Assault	288 216	336 240	< 20	None	None	0	0	0	0	0
22DC3003(a)(1)	Second Degree Sex Abuse (Threatening)	240	None	22E-1301(b)(2)(A), (f)(5); Enhanced Second Degree Sexual Assault 22E-1301(b)(2)(A); Second Degree Sexual Assault	288 216	336 240	< 20	At least 75%	None	21	25.5	28.2	29.1	29.6
22DC3003(a)(2)	Second Degree Sex Abuse (Incapable of Declining)	240	None	22E-1301(b)(2)(B), (f)(5); Enhanced Second Degree Sexual Assault 22E-1301(b)(2)(B); Second Degree Sexual Assault	288 216	336 240	< 20	< 50%	None	48	60	69.6	76.8	80.4
22DC3004(a)(1)	Third Degree Sex Abuse (Force)	120	None	22E-1301(c)(2)(A), (f)(5); Enhanced Third Degree Sexual Assault 22E-1301(c)(2)(A); Third Degree Sexual Assault	144 96	168 108	32	< 50%	< 25%	24	33	41.4	58.8	76
22DC3004(a)(2)	Third Degree Sex Abuse (Threatening)	120	None	22E-1301(c)(2)(B), (f)(5); Enhanced Third Degree Sexual Assault 22E-1301(c)(2)(B); Third Degree Sexual Assault	144 96	168 108	< 20	None	None	30	30	30	30	30
22DC3005	Fourth Degree Sexual Abuse	60	None	22E-1301(d), (f)(5); Enhanced Fourth Degree Sexual Assault 22E-1301(d); Fourth Degree Sexual Assault	96 48	108 60	< 20	None	None	15	24	24	24	24
22DC3006	Misdemeanor Sexual Abuse	5.9	None	22E-1307(a); First Degree Nonconsensual Sexual Conduct 22E-1307(b); Second Degree Nonconsensual Sexual Conduct	24 12	30 14	292	< 25%	< 25%	6	6	6	6	6
22DC3008	First Degree Child Sexual Abuse	Life Without Release	None	22E-1302(a), (h)(7); Enhanced First Degree Sexual Abuse of a Minor 22E-1302(a); First Degree Sexual Abuse of a Minor 22E-1302(b), (h)(7); Enhanced Second Degree Sexual Abuse of a Minor 22E-1302(b); Second Degree Sexual Abuse of a Minor	360 288 288 216	408 336 336 240	70	45.7%	< 25%	90	134.2	182	210.6	246.6
22DC3009	Second Degree Child Sexual Abuse	120	None	22E-1302(d), (h)(7); Enhanced Fourth Degree Sexual Abuse of a Minor 22E-1302(d); Fourth Degree Sexual Abuse of a Minor 22E-1302(e), (h)(7); Enhanced Fifth Degree Sexual Abuse of a Minor 22E-1302(e); Fifth Degree Sexual Abuse of a Minor	216 144 144 96	240 168 168 108	96	33.3%	< 25%	36	48.5	69	72	85.5
22DC3009.01	First Degree Sexual Abuse of a Minor	180	None	22E-1302(c), (h)(8); Enhanced Third Degree Sexual Abuse of a Minor 22E-1302(c); Third Degree Sexual Abuse of a Minor	216 144	240 168	< 20	< 75%	< 50%	66	109.5	144.6	156.3	162.1
22DC3009.02	Second Degree Sex Abuse of a Minor	90	None	22E-1302(f), (h)(8); Enhanced Sixth Degree Sexual Abuse of a Minor 22E-1302(f); Sixth Degree Sexual Abuse of a Minor	96 48	108 60	< 20	< 75%	None	12	18	23.8	31.4	35.2
22DC3010-X	Enticing a Child	60	None	22E-1305; Enticing a Minor Into Sexual Conduct	24	30	< 20	None	None	6	6	6	6	6
22DC3010.01	Misdemeanor Sexual Abuse of a Child or Minor	5.9	None	22E-1304; Sexually Suggestive Conduct with a Minor	12	14	68	None	< 25%	6	6	6	6	7.2
22DC3010.02	Arranging for Sexual Contact with a Real or Fictitious Child	60	None	22E-1306; Arranging for Sexual Conduct with a Minor or Person Incapable of Consenting	24	30	< 20	None	None	24	24	24	24	24
22DC3015(a)(4)	First Degree Sexual Abuse of Patient or Client (Course of Treatment)	120	None	22E-1303(a)(2)(C); First Degree Sexual Abuse by Exploitation	96	108	< 20	< 75%	None	28	32	34.4	35.2	35.6
22DC3016(a)(1)	Second Degree Sexual Abuse of a Patient or Client (Representation of Medical or Therapeutic Purpose)	60	None	22E-1303(b)(2)(C); Second Degree Sexual Abuse by Exploitation	48	60	< 20	None	< 75%	24	30	33.6	34.8	35.4

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22DC3052	Unlawful Disclosure of Sexual Images	5.9	None	22E-1804, (d)(2); Enhanced Unauthorized Disclosure of a Sexual Recording 22E-1804; Unauthorized Disclosure of a Sexual Recording	24 12	30 14	< 20	None	None	6	6	6	6	6
22DC3102(b)	Sexual Performance Using Minors (Attend, Transmit, or Possess)	240	None	22E-1807(a); First Degree Creating or Trafficking an Obscene Image of a Minor 22E-1807(b); Second Degree Creating or Trafficking an Obscene Image of a Minor 22E-1808(a); First Degree Possession of an Obscene Image of a Minor 22E-1808(b); Second Degree Possession of an Obscene Image of a Minor 22E-1809(a); First Degree Arranging a Live Sexual Performance of a Minor 22E-1809(b); Second Degree Arranging a Live Sexual Performance of a Minor 22E-1808(a); First Degree Attending or Viewing a Live Sexual Performance of a Minor 22E-1808(b); Second Degree Attending or Viewing a Live Sexual Performance of a Minor	96 48 48 24 96 48 48 24	108 60 60 30 108 60 60 30	< 20	None	None	12	15	16.8	17.4	17.7
22DC3133	Stalking	120	None	22E-1801; Enhanced Stalking	24	30	< 20	< 25%	None	12	12	16	26	31
22DC3133(a)(1)	Stalking (With Intent to Cause Fear or Distress)	120	None	22E-1802; Enhanced Electronic Stalking	24	30	< 20	< 50%	None	6	9	10.8	11.4	11.7
22DC3133(a)(2)	Stalking (Knowing Will Cause Fear or Distress)	120	None	22E-1801; Stalking	12	14	< 20	None	None	6	6	6	6	6
22DC3133(a)(3)	Stalking (Should Know Will Cause Fear or Distress)	120	None	22E-1802; Electronic Stalking	12	14	< 20	< 50%	None	6	9	12.1	15.7	19.9
22DC3133-F	Stalking	120	None	22E-1802; Electronic Stalking	12	14	< 20	None	None	12	12	12	12	12
22DC3133-M	Stalking (Misdemeanor)	12	None	22E-1801; Stalking 22E-1802; Electronic Stalking	12 12	14 14	< 20	None	None	6	6	6	6	6
22DC3212(a)	Theft First Degree	120	None	22E-2101(a); First Degree Theft 22E-2101(b); Second Degree Theft 22E-2101(c); Third Degree Theft	96 48 24	NA NA NA	103	< 25%	< 25%	12	20	31.8	32	36
22DC3212(b)	Theft Second Degree	5.9	None	22E-2101(d); Fourth Degree Theft 22E-2101(e); Fifth Degree Theft	12 2	NA NA	3104	3.7%	< 25%	1.3	3	6	6	6
22DC3212(c)	Theft First Degree (Two or More Prior Convictions)	180	12	22E-2101(a); First Degree Theft 22E-2101(b); Second Degree Theft 22E-2101(c); Third Degree Theft	96 48 24	NA NA NA	< 20	None	None	12	12	12	12	12
22DC3212(c)	Theft Second Degree (Two or More Prior Convictions)	180	12	22E-2101(d); Fourth Degree Theft 22E-2101(e); Fifth Degree Theft	12 2	NA NA	25	None	< 25%	12	13	17.2	19.6	21.6
22DC3213	Shoplifting	3	None	22E-2104; Shoplifting	0.3	NA	320	None	None	1	1	3	3	3
22DC3214.01(d)(1)	Deceptive Labeling (Fewer than 1000 Sound or 100 Audiovisual)	12	None	22E-2207(a); First Degree Unlawful Labeling of a Recording	2	NA	< 20	< 75%	None	1.8	2.4	2.8	2.9	2.9
22DC3215	Unauthorized Use of A Vehicle	60	None	22E-2102; Unauthorized Use of a Motor Vehicle	12	NA	277	30.3%	< 25%	12	18	24	28	36
22DC3215(d)(2)(A)	Unauthorized Use of A Vehicle (Crime of Violence)	120	None	22E-2102; Unauthorized Use of a Motor Vehicle	12	NA	23	None	None	12	28	60	60	60
22DC3216	Taking Property Without Right	3	None	22E-2102; Unauthorized Use of Property	0.3	NA	< 20	< 25%	None	1.5	3	3	3	3
22DC3222(a)(1)	Fraud (First Degree) (\$1000 or More)	120	None	22E-2201(a); First Degree Fraud 22E-2201(b); Second Degree Fraud 22E-2201(c); Third Degree Fraud 22E-2201(d); Fourth Degree Fraud	96 48 24 12	NA NA NA NA	23	< 25%	None	12	12	12	12	15.6
22DC3222(a)(2)	Fraud (First Degree) (Under \$1000)	5.9	None	22E-2201(d); Fourth Degree Fraud 22E-2201(e); Fifth Degree Fraud	12 2	NA NA	22	None	None	3.3	6	6	6	63
22DC3222(b)(1)	Fraud (Second Degree) (\$1000 or More)	36	None	22E-301 and 22E-2201(a); Attempted First Degree Fraud 22E-2201(b); Second Degree Fraud 22E-2201(c); Third Degree Fraud 22E-2201(d); Fourth Degree Fraud	48 (1/2 the predicate) 48 24 12	NA NA NA NA	54	None	None	8	12	12	12.1	14.8
22DC3222(b)(2)	Fraud (Second Degree) (Under \$1,000)	5.9	None	22E-301 and 22E-2201(d); Attempted Fourth Degree Fraud 22E-2201(e); Fifth Degree Fraud	6 (1/2 the predicate) 2	NA NA	24	None	None	3	4.5	6	6	6
22DC3223(d)(1)	Credit Card Fraud (Felony)	120	None	22E-2202(d); Fourth Degree Payment Card Fraud 22E-2202(e); Fifth Degree Payment Card Fraud	12 2	NA NA	< 20	None	None	12	12	14.4	15.2	15.6
22DC3223(d)(1)	Credit Card Fraud (Misdemeanor)	5.9	None	22E-2202(d); Fourth Degree Payment Card Fraud 22E-2202(e); Fifth Degree Payment Card Fraud	12 2	NA NA	47	< 25%	< 25%	4	6	6	6	6
22DC3223(d)(2)	Credit Card Fraud (Felony)	120	None	22E-2202(a); First Degree Payment Card Fraud 22E-2202(b); Second Degree Payment Card Fraud 22E-2202(c); Third Degree Payment Card Fraud 22E-2202(d); Fourth Degree Payment Card Fraud	96 48 24 12	NA NA NA NA	< 20	< 25%	None	10	14	21.6	45.6	70.8
22DC3223(d)(2)	Credit Card Fraud (Misdemeanor)	5.9	None	22E-2202(d); Fourth Degree Payment Card Fraud 22E-2202(e); Fifth Degree Payment Card Fraud	12 2	NA NA	64	None	None	2	3	6	6	6
22DC3225.02(1)(B)	Insurance Fraud (First Degree)	180	None	No Recommendation To Date			< 20	None	None	6	8.2	10.5	11.2	11.6
22DC3225.03	Insurance Fraud (Second Degree)	60	None	No Recommendation To Date			< 20	None	None	6	9	10.8	11.4	11.7
22DC3227.02(1)-F	Identity Theft First Degree (Use to Obtain Property)	120	None	22E-2205(a); First Degree Identity Theft 22E-2205(b); Second Degree Identity Theft 22E-2205(c); Third Degree Identity Theft 22E-2205(d); Fourth Degree Identity Theft	96 48 24 12	NA NA NA NA	< 20	None	None	24.2	24.2	24.3	24.3	24.3
22DC3227.02(1)-M	Identity Theft Second Degree (Use to Obtain Property)	5.9	None	22E-2205(d); Fourth Degree Identity Theft 22E-2205(e); Fifth Degree Identity Theft	12 2	NA NA	< 20	None	None	3.5	5.5	6	6	6

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22DC3227.02(2)(A)-M	Identity Theft Second Degree (Intent to Obtain Property/Service) (Misdemeanor)	5.9	None	22E-2205(d); Fourth Degree Identity Theft 22E-2205(e); Fifth Degree Identity Theft	12 2	NA NA	< 20	None	None	6	6	6	6	6
22DC3227.02(3)-M	Identity Theft Second Degree (At Arrest or Connected to Crime)	5.9	None	No Recommendation To Date			< 20	None	None	2	2	2	2	2
22DC3227.02-F	Identity Theft First Degree	120	None	22E-2205(a); First Degree Identity Theft 22E-2205(b); Second Degree Identity Theft 22E-2205(c); Third Degree Identity Theft 22E-2205(d); Fourth Degree Identity Theft	96 48 24 12	NA NA NA NA	< 20	None	None	24	33	42	69	82.5
22DC3231	Trafficking Stolen Property	120	None	22E-2402(a); First Degree Trafficking Stolen Property 22E-2402(b); Second Degree Trafficking Stolen Property 22E-2402(c); Third Degree Trafficking Stolen Property 22E-2402(d); Fourth Degree Trafficking Stolen Property 22E-2205(e) Fifth Degree Trafficking Stolen Property	96 48 24 12 2	NA NA NA NA NA	< 20	None	None	6	6	6	6	6
22DC3232(c)(1)	Receiving Stolen Property (\$1000 or More)	84	None	22E-2401(a); First Degree Possession of Stolen Property 22E-2401(b); Second Degree Possession of Stolen Property 22E-2401(c); Third Degree Possession of Stolen Property 22E-2401(d); Fourth Degree Possession of Stolen Property	48 24 12 5.9	NA NA NA NA	71	< 25%	< 25%	12	12	18	22.2	24
22DC3232(c)(2)	Receiving Stolen Property (Under \$1000)	5.9	None	22E-2401(d); Fourth Degree Possession of Stolen Property 22E-2401(e); Fifth Degree Possession of Stolen Property	5.9 2	NA NA	204	< 25%	< 25%	2	4	6	6	6
22DC3242	Forgery	120	None	22E-2204(a); First Degree Forgery 22E-2204(b); Second Degree Forgery 22E-2204(c); Third Degree Forgery	48 24 12	NA NA NA	< 20	< 75%	None	9	10.5	11.4	11.7	11.8
22DC3242	Forgery (Uttering)	120	None	22E-2204(a); First Degree Forgery 22E-2204(b); Second Degree Forgery 22E-2204(c); Third Degree Forgery	48 24 12	NA NA NA	36	94.4%	None	2	3	5	6	6
22DC3242(c)	Forgery (Unlisted document)	36	None	22E-2204(a); First Degree Forgery 22E-2204(b); Second Degree Forgery 22E-2204(c); Third Degree Forgery	48 24 12	NA NA NA	< 20	At least 75%	None	4	6	6	6	6
22DC3251	Extortion	120	None	22E-2301(a) First Degree Extortion 22E-2301(b) Second Degree Extortion 22E-2301(c) Third Degree Extortion 22E-2301(d) Fourth Degree Extortion 22E-2301(e) Fifth Degree Extortion	144 96 48 24 5.9	NA NA NA NA NA	< 20	None	None	23	25.5	27	27.5	27.8
22DC3302	Unlawful Entry	6	None	22E-2601(a); First Degree Trespass 22E-2601(b); Second Degree Trespass 22E-2601(c); Third Degree Trespass	5.9 2 0.3	NA NA NA	1175	< 25%	< 25%	1	2	4	6	6
22DC3311	Disorderly Conduct on or Destruction of United States Property (Destruction)	6	None	No Recommendation To Date			< 20	None	None	2	2	2	2	2
22DC3312.01	Defacing Property	5.9	None	22E-2503(a); First Degree Criminal Damage to Property 22E-2503(b); Second Degree Criminal Damage to Property 22E-2503(c)(1); Third Degree Criminal Damage to Property 22E-2503(c)(2); Third Degree Criminal Damage to Property 22E-2503(d); Fourth Degree Criminal Damage to Property 22E-2503(e); Fifth Degree Criminal Damage to Property 22E-2504; Criminal Graffiti	96 48 24 24 12 2 0.3	NA NA NA NA NA NA NA	< 20	None	None	0.5	1.5	5.1	6	6
22DC3312.03	Wearing Hood or Mask With Unlawful Intent	5.9	None	None, repealed in D.C. Code 2020			< 20	None	None	0.2	0.2	0.2	0.2	0.2
22DC3531(b)	Voyeurism (Hidden Observation Post or Device)	12	None	22E-1803(a), (c)(3); Enhanced First Degree Voyeurism;	48	60	< 20	At least 75%	None	5	6	6	6	6
22DC3531(c)	Voyeurism (Recording)	12	None	22E-1803(a); First Degree Voyeurism	24	30	66	< 25%	None	1.5	1.5	6	12.2	12.2
22DC3531(d)	Voyeurism (Image of Private Area)	12	None	22E-1803(b), (c)(3); Enhanced Second Degree Voyeurism;	12	14	< 20	< 50%	None	9	12	12	12	12
22DC3531(f)(2)	Voyeurism (Distributing and Disseminating)	60	None	22E-1803(b); Second Degree Voyeurism	5.9	8	< 20	At least 75%	None	2.5	5.2	9.3	10.6	11.3
22DC4014	Failure to Register As Sex Offender	60	None	No Recommendation To Date			120	None	None	3	6	11.6	14.4	18
22DC4503(a)(1)	Unlawful Possession of a Firearm (Prior Conviction)	120	12				784	None	2.8%	24	24	36	36	42
22DC4503(a)(2)	Unlawful Possession of a Firearm (Prior Conviction Under Chapter 45)	120	None				< 20	None	< 25%	23	24	24	24	24
22DC4503(a)(3)	Unlawful Possession of a Firearm (Fugitive from Justice)	120	None	22E-4105(b); Second Degree Possession of a Firearm by an Unauthorized Person	24	NA	< 20	None	None	24	24	24	24	24
22DC4503(a)(5)	Unlawful Possession of a Firearm (Order to Relinquish)	120	None				< 20	None	None	24	24.2	24.3	24.3	24.3
22DC4503(a)(6)	Unlawful Possession of a Firearm (Intrafamily Offense)	120	None				38	None	< 25%	24	24	28	28.6	32.3
22DC4503(b)(1)	Unlawful Possession of a Firearm (Prior Crime of Violence)	180	36	22E-4105(a); First Degree Possession of a Firearm by an Unauthorized Person	48	NA	109	None	< 25%	36	42	54	60	63.6
22DC4503-X	Unlawful Possession of a Firearm	Cannot Determine	Cannot Determine	22E-4105(a); First Degree Possession of a Firearm by an Unauthorized Person 22E-4105(b); Second Degree Possession of a Firearm by an Unauthorized Person	48 24	NA NA	< 20	< 75%	< 25%	4	6	6	6	6
22DC4503-Z	Unlawful Possession of a Firearm	Cannot Determine	Cannot Determine				< 20	< 25%	None	6	12	12	12	12
22DC4503.01	Unlawful Discharge of a Firearm	12	None	22E-4601; Negligent Discharge of a Firearm	12	NA	< 20	None	None	6	12	12	12	12

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22DC4504(a)	Carrying Dangerous Weapon (Rifle or Shotgun) (Outside home or business)	60	None	22E-4102(a); First Degree Carrying a Dangerous Weapon 22E-4102(b); Second Degree Carrying a Dangerous Weapon 22E-4102(c); Third Degree Carrying a Dangerous Weapon	48 24 5.9	NA NA NA	< 20	None	None	12	12	12	12	12			
22DC4504(a)(1)	Carrying Dangerous Weapon Without A License (Outside home or business)	60	None				< 20	< 25%	< 25%	20	24	28	29.2	32.6			
22DC4504(a)(1)-X	Carrying Dangerous Weapon (Outside home or business)	60	None				< 20	< 75%	None	5.8	7.9	9.2	9.6	9.8			
22DC4504(a)(1)-X	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				< 20	None	None	12	12	18	21	22.5			
22DC4504(a)(1)-Y	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				720	4.4%	3.9%	10	12	18	24	24			
22DC4504(a)(1)-Y-1	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				20	< 25%	< 25%	9	13	24	25.2	30.6			
22DC4504(a)(1)-Y-3	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				89	None	< 25%	10	12.6	21.2	24	27.3			
22DC4504(a)(1)-Z-3	Carrying Dangerous Weapon (Pistol) (Outside home or business)	60	None				38	< 25%	None	12	15	19.8	24	24.1			
22DC4504(a)(2)	Carrying Dangerous Weapon (Outside home or business) (Prior felony)	120	None				< 20	None	None	11	14.2	20.4	22.2	23.1			
22DC4504(a)(2)-1	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				< 20	None	None	12	12	12	12	12			
22DC4504(a)(2)-Y	Carrying Dangerous Weapon Without A License (Prior felony)	120	None				< 20	None	None	9	10.5	11.4	11.7	11.8			
22DC4504(a)(2)-Y-2	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				< 20	None	None	17	21	22.8	23.4	23.7			
22DC4504(a)(2)-Y-3	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				42	None	None	12	20	24	24.9	30.1			
22DC4504(a)(2)-Z	Carrying Dangerous Weapon Without A License (Prior felony)	120	None				< 20	None	None	24	24	24	24	24			
22DC4504(a)(2)-Z-3	Carrying Dangerous Weapon (Pistol) (Prior Conviction)	120	None				< 20	None	< 25%	13	17.2	19.4	25.6	30.8			
22DC4504(a)-F	Carrying Dangerous Weapon	60	None				< 20	None	None	12	13.5	18	18	18			
22DC4504(a)-M	Carrying Dangerous Weapon (Misdemeanor)	12	None				< 20	At least 75%	None	0.9	0.9	0.9	0.9	0.9			
22DC4504(a)-M	Carrying Dangerous Weapon (Misdemeanor)	12	None				< 20	< 75%	None	3	5.2	6	6	6			
22DC4504(a)-X	Carrying Dangerous Weapon (Misdemeanor) (Pistol)	12	None				< 20	< 75%	< 25%	3	6	9.6	15.6	19.8			
22DC4504(a)-Y	Carrying Dangerous Weapon Without A License (Outside home or business)	60	None				< 20	< 25%	< 25%	10	23	36	36	36			
22DC4504(a)-Y-2	Carrying Dangerous Weapon (Misdemeanor) (Pistol)	12	None				< 20	None	None	12	12	12	12	12			
22DC4504(a)-Z	Carrying Dangerous Weapon Without A License (Outside home or business)	60	None				< 20	< 25%	< 25%	12	12	20	26	29			
22DC4504(a)-Z-2	Carrying Dangerous Weapon (Misdemeanor) (Pistol)	12	None				< 20	At least 75%	None	1	1	1	1	1			
22DC4504(a-1)	Carrying Dangerous Weapon (Rifle or Shotgun) (Outside home or business)	60	None				< 20	< 25%	< 25%	12	18	29.6	33.4	34.7			
22DC4504(b)	Possession of Firearm During Crime of Violence or Dangerous Crime	180	60				22E-4104(a); First Degree Possession of a Dangerous Weapon During a Crime 22E-4104(b); Second Degree Possession of a Dangerous Weapon During a Crime	24 12	NA NA	266	None	< 25%	60	84	96	117	120
22DC4504.02	Unlawful Transportation of a Firearm	12	None				22E-4109; Civil Provisions for Lawful Transportation of a Firearm or Ammunition, civil only	NA	NA	25	< 50%	None	3	5.2	7.8	12	12
22DC4504.02(b)	Unlawful Transportation of a Firearm	12	None	< 20	< 50%	None				3	3	6	6	6			
22DC4504.02(b)(1)	Unlawful Transportation of a Firearm	12	None	< 20	At least 75%	None				1.5	2	4.4	5.2	5.6			
22DC4514	Possession of a Prohibited Weapon	12	None	22E-4101(a); First Degree Possession of a Prohibited Weapon or Accessory	48	NA	312	74.7%	None	2.2	4	6	6	6			
22DC4514(a)	Possession of a Prohibited Weapon	12	None	22E-4101(b); Second Degree Possession of a Prohibited Weapon or Accessory	24	NA	22	< 50%	< 25%	3	4.5	6	7.6	14.8			
22DC4514(b)	Possession of a Prohibited Weapon	12	None	22E-4103(a); First Degree Possession of a Dangerous Weapon with Intent to Commit Crime	48	NA	250	42.4%	None	6	6	12	12	12			
22DC4514(c)	Possession of a Prohibited Weapon (Prior Conviction)	120	None	22E-4103(b); Second Degree Possession of a Dangerous Weapon with Intent to Commit Crime	12	NA	< 20	< 50%	None	6	6	6	6	6			
23DC585(b)	Failure to Appear for Citation Release	60	None	23-586; First Degree Failure to Appear after Release on Citation or Bench Warrant Bond 23-586; Second Degree Failure to Appear after Release on Citation or Bench Warrant Bond	5.9 0.3	NA NA	33	None	None	1.5	3	3.6	6	6			
23DC585(b)(1)	Failure to Appear for Citation Release (Misdemeanor)	Max of Offense On Which Released	None	23-586; Second Degree Failure to Appear after Release on Citation or Bench Warrant Bond	0.3	NA	68	None	None	1	3	3	3	3.5			
23DC585(b)(2)	Failure to Appear for Citation Release (Felony)	60	None	23-586; First Degree Failure to Appear after Release on Citation or Bench Warrant Bond	5.9	NA	< 20	None	None	0	0	0	0	0			
23DC1327(a)	Failure to Appear Before Court (Misdemeanor)	5.9	None	23-1327; Second Degree Failure to Appear in Violation of a Court Order	2	NA	304	None	None	3	3	6	6	6			
23DC1327(a)	Failure to Appear Before Court (Unspecified)	Cannot Determine	None	23-1327; First Degree Failure to Appear in Violation of a Court Order 23-1327; Second Degree Failure to Appear in Violation of a Court Order	12 2	NA NA	< 20	None	None	3	3	3	3	3			
23DC1327(a)(1)	Failure to Appear Before Court (Felony)	60	None	23-1327; First Degree Failure to Appear in Violation of a Court Order	12	NA	115	None	None	12	12	12.2	14	16			
23DC1327(a)(2)	Failure to Appear Before Court (Misdemeanor)	5.9	None	23-1327; Second Degree Failure to Appear in Violation of a Court Order	2	NA	1257	None	None	3	3	3	5	6			
23DC1328(a)(1)	Offenses Committed During Release (Felony)	60	None	22E-607 (c)(1) Pretrial Release Penalty Enhancement for any Class 1 or 2 Crime 22E-607 (c)(2) Pretrial Release Penalty Enhancement for any Class 3 or 4 Crime 22E-607 (c)(3) Pretrial Release Penalty Enhancement for any Class 5 or 6 Crime 22E-607 (c)(4) Pretrial Release Penalty Enhancement for any Class 7 or 8 Crime 22E-607 (c)(5) Pretrial Release Penalty Enhancement for any Class 9 Crime	72 48 24 12 5.9	NA NA NA NA NA	< 20	None	None	12	12	12	12	12			
23DC1328(a)(2)	Offenses Committed During Release (Misdemeanor)	5.9	None	22E-607 (c)(6) Pretrial Release Penalty Enhancement for any Class A or B Crime 22E-607 (c)(7) Pretrial Release Penalty Enhancement for any Class C, D, or E Crime	2 0.3	NA NA	< 20	None	None	0.5	0.5	0.5	0.5	0.5			

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
23DC1329(a)	Contempt for Condition of Release Violation	None	None	23-1329A; Criminal Contempt for Violation of a Release Condition	5.9	NA	464	None	None	1.5	3	4	6	6
24DC241.05	Work Release Violation	5.9	None	24-241.05A; Violation of Work Release	2	NA	< 20	None	None	4	5.2	5.7	5.8	5.9
25DC1001(a)	Possession of an Open Container of Alcohol	2	None	25-1001; Possession of an Open Container of Alcohol in a Motor Vehicle	2	NA	72	None	None	0.3	1	2	2	2.8
25DC1001(a)(2)	Possession of an Open Container of Alcohol (Vehicle)	2	None				< 20	None	None	1	2	2	2.4	2.7
25DC1001(a)(4)	Possession of an Open Container of Alcohol (Place Public Invited)	2	None				< 20	None	< 75%	0.5	0.8	0.9	1	1
35DC216	Fail to Pay WMATA Fare	0.3	None	Repeal			< 20	None	None	0	0	0	0	0
47DC4101(b)	Attempt to Evade or Defeat Tax (Misdemeanor)	5.9	None	No Recommendation To Date			< 20	None	None	6	6	6	6	6
48DC904.01(a)(1)(2)(D)	Controlled Substance Distribution (Schedule V)	12	None	48-904.01b (e) Fifth Degree Trafficking of a Controlled Substance.	3	NA	39	< 25%	None	2	3.8	6	6	6
48DC904.01(a)(1)-X	Controlled Substance Possession With Intent to Distribute	360	None	48-904.01b (a) First Degree Trafficking of a Controlled Substance	96	NA	801	51.2%	5.7%	14	20	24	30	36
				48-904.01b (b) Second Degree Trafficking of a Controlled Substance	48									
				48-904.01b (c) Third Degree Trafficking of a Controlled Substance	24									
				48-904.01b (d) Fourth Degree Trafficking of a Controlled Substance	12									
				48-904.01b (e) Fifth Degree Trafficking of a Controlled Substance	5.9									
48DC904.01(a)(1)-Y	Controlled Substance Distribution	360	None	48-904.01b (a) First Degree Trafficking of a Controlled Substance	96	NA	954	70.5%	3.4%	14	18	24	24	30
				48-904.01b (b) Second Degree Trafficking of a Controlled Substance	48	NA								
				48-904.01b (c) Third Degree Trafficking of a Controlled Substance	24	NA								
48DC904.01(a)(1)-Z	Controlled Substance Manufacture or Possessing W/Intent to Manufacture	360	None	48-904.01b (d) Fourth Degree Trafficking of a Controlled Substance	12	NA	< 20	At least 75%	None	3	3	3	3	3
				48-904.01b (e) Fifth Degree Trafficking of a Controlled Substance	5.9	NA								
48DC904.01(a)(2)(B)	Marijuana Distribution (Misdemeanor)	5.9	None	48-904.01b (d) Fourth Degree Trafficking of a Controlled Substance	12	NA	174	< 25%	None	1.5	3	6	6	6
48DC904.01(a)(2)(B)	Marijuana Possession with Intent to Distribute (Felony)	60	None	48-904.01b (d) Fourth Degree Trafficking of a Controlled Substance	12	NA	< 20	< 25%	< 25%	12	14	21.6	25.8	27.9
48DC904.01(a)(2)(B)	Marijuana Possession with Intent to Distribute (Misdemeanor)	5.9	None	48-904.01b (d) Fourth Degree Trafficking of a Controlled Substance	12	NA	120	< 25%	None	2	3	6	6	6
48DC904.01(b)(1)	Counterfeit Controlled Substance Distribution	360	None	48-904.01c (a); First Degree Trafficking of a Counterfeit Substance	96	NA	< 20	At least 75%	None	14	18	18	18	18
				48-904.01c (b); Second Degree Trafficking of a Counterfeit Substance	48	NA								
				48-904.01c (c); Third Degree Trafficking of a Counterfeit Substance	24	NA								
				48-904.01c (d) Fourth Degree Trafficking of a Counterfeit Substance	12	NA								
				48-904.01c (e) Fifth Degree Trafficking of a Counterfeit Substance	5.9	NA								
48DC904.01(d)(1)	Controlled Substance Possession (Misdemeanor)	5.9	None	48-904.01a (b); Second Degree Possession of a Controlled Substance	0.3	NA	2262	3.3%	< 25%	1.5	3	6	6	6
48DC904.01(d)(2)	Liquid PCP Possession	36	None	48-904.01a (a); First Degree Possession of a Controlled Substance	2	NA	291	47.4%	< 25%	10	14	18.9	24	24
48DC904.02(a)(5)	Maintaining Location for Sale, Storage, or Use of Controlled Substances	12	None	22E-210; 48-904.01b (a); Accomplice to First Degree Trafficking of a Controlled Substance	96	NA	< 20	None	None	0	0	0	0	0
				22E-210; 48-904.01b (b); Accomplice to Second Degree Trafficking of a Controlled Substance	48	NA								
				22E-210; 48-904.01b (c); Accomplice to Third Degree Trafficking of a Controlled Substance	24	NA								
				22E-210; 48-904.01b (d) Accomplice to Fourth Degree Trafficking of a Controlled Substance	12	NA								
				22E-210; 48-904.01b (e) Accomplice to Fifth Degree Trafficking of a Controlled Substance	5.9	NA								
				48-904.12; Maintaining Methamphetamine Production	12	NA								
48DC904.03(a)(3)	Controlled Substance Acquisition by Fraud	48	None	48-904.01a (a); First Degree Possession of a Controlled Substance	2	NA	< 20	At least 75%	None	0.8	0.9	1	1	1
				48-904.01a (b); Class C; Second Degree Possession of a Controlled Substance	0.3	NA								
				22E-2201(a); First Degree Fraud	96	NA								
				22E-2201 (b); Second Degree Fraud	48	NA								
				22E-2201 (c); Third Degree Fraud	24	NA								
				22E-2201 (d); Fourth Degree Fraud	12	NA								
				22E-2201 (e); Fifth Degree Fraud	2	NA								
48DC904.10	Possession of Hypodermic Needle with Intent to Administer Controlled Substance	5.9	None	Repealed			< 20	None	None	0.8	1.2	1.7	1.8	1.9
48DC1103(a)	Drug Paraphernalia Possession	1	None	48-904.10 Possession of Drug Manufacturing Paraphernalia	0.3	NA	312	None	None	1	1	1	3	4
48DC1103(b)	Drug Paraphernalia Delivery, Sale, or Possession With Intent to Distribute (Possession With Intent to Distribute)	24	None	48-904.11 Trafficking of Drug Paraphernalia	0.3	NA	< 20	None	None	0.3	0.3	0.3	0.3	0.3
48DC1103(b)-X	Drug Paraphernalia Delivery, Sale, or Possession With Intent to Distribute (Sale)	24	None				< 20	None	None	0	0	0	0	0
50DC1401.01(d)	Operation of Motor Vehicle Without Permit	3	None	No Recommendation To Date			56	None	None	1	1.2	2	3	3
50DC1403.01(e)-X	Operation of Motor Vehicle After License Suspension or Revocation (Suspension)	12	None	No Recommendation To Date			< 20	< 50%	None	1	3	3.6	4.8	5.4
50DC1501.04(a)(1)(A)	Operation of Motor Vehicle that is not Registered	1	None	No Recommendation To Date			< 20	None	None	1	1	1	1	1
50DC2201.04(b)	Reckless Driving	5.9	None	No Recommendation To Date			79	< 25%	None	2	3	3	3	6
50DC2201.04(b-1)(1)	Aggravated Reckless Driving (Speed)	12	None	No Recommendation To Date			< 20	None	None	3	3	3	3	3
50DC2201.05b(b)	Failure to Stop or Fleeing Officer in a Motor Vehicle	60	None	No Recommendation To Date			26	< 25%	None	9	13.8	16	22.5	24
50DC2201.05b(b)(1)	Failure to Stop or Fleeing Officer in a Motor Vehicle (Misdemeanor)	5.9	None	No Recommendation To Date			117	None	None	1.5	3	6	6	6
50DC2201.05b(b)(2)	Failure to Stop or Fleeing Officer in a Motor Vehicle (Felony)	60	None	No Recommendation To Date			153	None	< 25%	12	18	24	24	28
50DC2201.05c(a)(1)	Leaving After Vehicle Collision (Personal Injury)	12	None	No Recommendation To Date			< 20	None	None	6	6	6	7.8	9.9
50DC2201.05c(a)(2)	Leaving After Vehicle Collision (Personal Injury)	3	None	No Recommendation To Date			< 20	None	None	1.5	6	6	6	6

D.C. Code Citation	D.C. Code Citation Name	D.C. Code Max Sentence (without general enhancements) (months)	D.C. Code Mandatory Minimum	RCC Citation(s); RCC Name(s)	RCC Max Sentence (Without Repeat Offender or other RCC Ch. 6 enhancements) (months)	RCC Max Sentence (Repeat Offender) (months)	# Convictions (Grand Total)	% Convictions Attempted	% Convictions Enhanced (Any)	(All) Total Months Sentenced to Confinement 0.5 quantile	(All) Total Months Sentenced to Confinement 0.75 quantile	(All) Total Months Sentenced to Confinement 0.9 quantile	(All) Total Months Sentenced to Confinement 0.95 quantile	(All) Total Months Sentenced to Confinement 0.975 quantile
50DC2201.05c(a)(2)	Leaving After Vehicle Collision (Property Damage/Injury to Animal)	3	None	No Recommendation To Date			41	None	None	1	3	6	6	19
50DC2203.01	Negligent Homicide	60	None	22E-1103; Negligent Homicide	48	60	< 20	None	None	6	16.5	24.6	27.3	28.6
50DC2203.01-X	Negligent Homicide (Pedestrian)	60	None	22E-1103; Negligent Homicide	48	60	< 20	None	None	18	19.5	22.2	23.1	23.5
50DC2206.13	Operating a Vehicle Under the Influence of Alcohol or a Drug	12	.5 - 1.5	No Recommendation To Date			< 20	None	None	3	5.5	6	6	6
50DC2421.04(d)	Tampering With a Vehicle	3	None	No Recommendation To Date			< 20	None	None	2	2	2	2	2
51DC119(a)	False Statement to Obtain Unemployment Compensation	2	None	No Recommendation To Date			< 20	None	None	2	2	2	2	2

## Appendix G – Correspondence of RCC to D.C. Code Penalties - Technical Notes

### General Notes

#### (1) Columns A and B (Court citations).

- Entries correspond to the citations used in court records.
- See generally the caveats and qualifications in Research Memo #40 regarding the court data, including “Appendix B - Charge Groupings Descriptions” to Research Memo #40 regarding modifications to the citations and names during the data cleaning process.

#### (2) Column C.

- Entries state the maximum imprisonment sentences under the specified section without general enhancements.<sup>1</sup> “General enhancements” for purposes of this analysis refers to the following enhancements that apply to multiple offenses:
  - 22–851. Protection of District public officials.
  - 22–1804. Second conviction.
  - 22–1804a. Penalty for felony after at least 2 prior felony convictions.
  - 22-3020. Aggravating Circumstances. [For Chapter 30 Sex Offenses].
  - 22–3601. Enhanced penalty for crimes against senior citizen victims.
  - 22–3602. Enhanced penalty for committing certain dangerous and violent crimes against a citizen patrol member.
  - 22–3611. Enhanced penalty for committing crime of violence against minors.
  - 22-3703. Bias-related crime.<sup>2</sup>
  - 22–3751. Enhanced penalties for offenses committed against taxicab drivers.
  - 22–3751.01. Enhanced penalties for offenses committed against transit operators and Metrorail station managers.
  - 22–3752. Enumerated offenses.
  - 22–4502. Additional penalty for committing crime when armed.
  - 23–1328. Penalties for offenses committed during release.<sup>3</sup>
- Entries state the maximum imprisonment sentences under the specified section with offense-specific enhancements, unless a court-code in another row appears to separately address all charges with a certain offense-specific enhancement.<sup>4</sup>

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<sup>1</sup> Such general enhancements are typically “stackable” (i.e. combinable) and raise the statutory maximum a certain percentage (e.g. increase by half) rather than to a specified number. Consequently, if several general enhancements are applied, the maximum penalties can be doubled, tripled, or more.

<sup>2</sup> The court data provides its own row code (row) for this enhancement.

<sup>3</sup> The D.C. Court of Appeals has determined that Offenses Committed During Release (OCDR) should be treated as a sentencing enhancement, *Tansimore v. United States*, 355 A.2d 799, 803 (D.C. 1973). The court data provides its own row code (row) for this enhancement.

<sup>4</sup> Such offense-specific enhancements are *NOT* typically “stackable” (i.e. combinable) and raise the statutory maximum to a specified number rather than a certain percentage (e.g. increase by half).

“Offense-specific enhancements” for purposes of this analysis refers to enhancements or aggravators that are not listed above as a “general enhancement” and includes the following:

- § 24–403.01. Sentencing, supervised release, and good time credit for felonies committed on or after August 5, 2000.
- 22-2104.01. Sentencing procedure for murder in the first degree.
- Provisions unique to specific offenses that provide enhanced penalties for having a prior conviction.
- When court citations were unclear as to which penalty gradation applies, the entry states the highest possible penalty under the cited section or subsection.

**(3) Column D**

- Entries state only mandatory minimum sentences and do not include statutory minimums.<sup>5</sup>

**(4) Column E**

- This column includes RCC offenses that are comparable to the current D.C. Code offense. The lists of offenses in column E are not exhaustive, and additional RCC offenses may cover conduct constituting a given D.C. Code offense.

**(5) Columns F and G**

- Column F is based on the maximum sentences for RCC Classes in RCC § 22E-603 and the Appendix E - Table of RCC Specific Offense Classifications.<sup>6</sup>
- Column G is based on the penalty for RCC § 22E-606. Repeat Offender Penalty Enhancement.

**(6) Columns H onward (Analysis of Court Data)**

- See generally the caveats and qualifications in Research Memo #40.
- Note that the data does not include 2010-2019 Life Sentences, which were reported as follows (red highlighting indicates apparent errors in the data because these charges cannot receive life sentences, yellow highlighting indicates possible errors in the data because these charges can only receive life sentences under certain rare enhancements—see Research Memo #40 for more details):

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<sup>5</sup> For a list of statutory (and mandatory) minimum sentences, see Appendix CI of *D.C. Sentencing Commission, Voluntary Sentencing Guidelines Manual* (August 12, 2020) (available online at <https://scdc.dc.gov/publication/2020-voluntary-sentencing-guidelines-manual>).

<sup>6</sup> For the latest version of these documents as of 1-15-21, see *First Draft of Report #69 - Cumulative Update to Class Imprisonment Terms and Classification of RCC Offenses*.



Charge Description	Total Time Sentenced to Confinement (Months)*	Count
First Degree Child Sexual Abuse	0	6
First Degree Murder (Felony Murder)	0	12
First Degree Murder (Other than Felony Murder)	0	18
First Degree Sex Abuse (Force)	0	1
Second Degree Murder	0	1
Aggravated Assault (Causes Serious Bodily Injury)	0	1
Assault With Intent to Kill	0	1
Kidnapping	0	1
Mahem or Maliciously Disfiguring (Mayhem)	0	1
Robbery	0	1
Second Degree Child Sexual Abuse	0	1
Destruction of Property less than \$1000	Non-Zero	1
Unlawful Entry	Non-Zero	1

\* "Non-Zero" indicates a determinate sentence that conflicts with the "life" sentence.

### Specific Notes

- (1) 07DC2502.01(a), Possession of a Destructive Device. The court code refers to a section that refers to both unregistered firearms and destructive devices, and it seems both may be captured here (other rows detail separately destructive device and firearm). Further, to the extent firearms are included here, there is no distinction as to whether the penalty is for first offense (12 months) or with a prior offense (60 months).<sup>7</sup> As the row appears to potentially include unregistered firearms with a prior offense, the higher 60 month penalty is entered in Column C.
- (2) Unregistered Firearm and 07DC2502.01(a)-X, Possession or Control of a Destructive Device or Unregistered Firearm (Unregistered Firearm). The court code is without distinction as to whether the penalty is for first firearm offense (12 months) or with a prior offense (60 months).<sup>8</sup> As the row appears to potentially include unregistered firearms with a prior offense, the higher 60 month penalty is entered in Column C.
- (3) 07DC2502.01(a)-Y, Possession or Control of a Destructive Device or Unregistered Firearm (Possession of Destructive Device). As the title of the court code appears to limit

<sup>7</sup> D.C. Code § 7–2507.06(a)(2) Penalties. (“(A) Except as provided in subparagraph (B) of this paragraph, any person who is convicted a second time for possessing an unregistered firearm shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than 5 years, or both. (B) A person who in the person’s dwelling place, place of business, or on other land possessed by the person, possesses a pistol, or firearm that could otherwise be registered, shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than 1 year, or both.”).

<sup>8</sup> D.C. Code § 7–2507.06(a)(2) Penalties. (“(A) Except as provided in subparagraph (B) of this paragraph, any person who is convicted a second time for possessing an unregistered firearm shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than 5 years, or both. (B) A person who in the person’s dwelling place, place of business, or on other land possessed by the person, possesses a pistol, or firearm that could otherwise be registered, shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than 1 year, or both.”).

the charge to destructive devices, there is only one applicable maximum penalty of 12 months.<sup>9</sup>

- (4) 07DC2506.01(a), Unlawful Possession of Ammunition. The court code cites to the statute barring possession of ammunition, not the penalties in § 7–2507.06(3) which vary depending on whether there was 1 bullet or more.<sup>10</sup> There is no additional court code that appears to separately address one of the possible penalties. Therefore, the Column C entry reflects the penalty for the aggravated/enhanced version of the offense, 120 months for possessing more than one bullet rather than the 1 year penalty for a single bullet.
- (5) 08DC902, Illegal Disposal of Waste. The court code cites generally to the statute without distinction as to the penalties in paragraphs (b)(2), (b)(3), and (b)(4), which depend on the type of waste at issue and whether the disposal is for a commercial purpose.<sup>11</sup> No other court codes distinguish between the different penalties for the offense. Therefore, Column C reflects the penalty for the most serious version of this offense, 60 months, as opposed to the misdemeanor gradation of the offense (3 months).
- (6) 22DC303, Destruction of Property. The court code cites generally to the statute without distinction as to the penalty when the property has a value of \$1,000 or more (120 months) or when the property has some value (180 days, or 5.9 months). Separate court codes address these two gradations of the offense. Therefore, Column C reflects the penalty for the most serious gradation of the offense, 120 months.
- (7) 22DC401-S, Assault With Intent to Kill, Rob, Commit Sexual Abuse (Third Degree Sexual Abuse). The court code appears to inaccurately refers to 22DC401 because that statute only covers assaults with intent to commit first or second degree sexual abuse. Instead, the best construction of the record seems to be as attempted third degree sexual abuse, so the citations: in Column A should refer to 22DC3004; in Column B should refer to Third degree Sexual Abuse (Attempted); and in Column C should be 60 months. To maintain consistency with the analysis in CCRC Memo #40, these changes were not made at this

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<sup>9</sup> D.C. Code § 7–2507.06(a) Penalties. (“ Except as provided in §§ 7-2502.05, 7-2502.08, 7-2507.02, 7-2508.07, subchapter IX of this chapter, and 7-2510.11, any person convicted of a violation of any provision of this unit shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 1 year, or both;”).

<sup>10</sup> D.C. Code § 7–2507.06 (a)(3)(A) (“A person convicted of possessing more than one restricted pistol bullet in violation of § 7-2506.01(a)(3) may be sentenced to imprisonment for a term not to exceed 10 years and shall be sentenced to imprisonment for a mandatory-minimum term of not less than 1 year and shall not be released from prison or granted probation or suspension of sentence prior to serving the mandatory-minimum sentence, and, in addition, may be fined not more than the amount set forth in § 22-3571.01.

(B) A person convicted of possessing a single restricted pistol bullet in violation of § 7-2506.01(a)(3) shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 1 year, or both.”).

<sup>11</sup> D.C. Code § 8-902(b) (“(b)(1) Any person who violates subsection (a) of this section shall be liable to arrest. (2) Any person who disposes of solid waste which is neither hazardous nor medical waste in violation of subsection (a) of this section, shall be guilty of a misdemeanor, and shall be subject to a fine not to exceed \$5,000 for the first offense and \$10,000 for each subsequent offense, or shall be imprisoned for a period not to exceed 90 days, or both. Any person who disposes of solid waste for a commercial purpose shall be guilty of a felony, and shall be subject to a fine for each offense not to exceed \$40,000, or shall be imprisoned for a period not to exceed 5 years, or both. (3) Any person who knowingly disposes of hazardous waste in violation of subsection (a) of this section shall be guilty of a felony, and subject to a fine for each offense not to exceed \$40,000, and a term of imprisonment not to exceed 5 years. (4) Any person who knowingly disposes of medical waste in violation of subsection (a) of this section shall be guilty of a felony, and subject to a fine for each offense not to exceed \$40,000, and a term of imprisonment not to exceed 5 years.”).

time. However, the corresponding entries in columns D, E, and F are accurate as to the corresponding RCC statute.

- (8) 22DC405A, Resisting Arrest. There currently is no § 22-405A, but the citation appears to refer to the predecessor statute of current 22DC405.01, the resisting arrest statute. Column C reflects the 6 month penalty in D.C. Code 22DC405.01 for resisting arrest
- (9) 22DC801, Burglary. The court code cites generally to the statute without distinction as to the penalty for first degree burglary in subsection (a) (360 months) or the penalty for second degree burglary in subsection (b) (180 months). Separate court codes address first degree burglary in subsection (a) and second degree burglary in subsection (b). Therefore, Column C reflects the penalty for the most serious gradation of the offense, first degree (360 months).
- (10) 22DC811, Contributing to the Delinquency of a Minor. The court code cites generally to the statute without distinction as to the numerous different penalties in paragraphs (b)(1), (b)(2), (b)(3), and (b)(4), which depend on the type of conduct at issue, as well as whether there are prior convictions, or whether serious bodily injury or death resulted.<sup>12</sup> Only one other court code specifies a particular penalty under subsection (b) of the statute, committing the offense with a prior conviction (36 months in paragraph (b)(2)). Therefore, Column C reflects the most serious penalty for the offense, contributing to the delinquency of a minor when death results (120 months in paragraph (b)(5)).
- (11) 22DC811(a)(5), Contributing to the Delinquency of a Minor (Committing a Misdemeanor). The court code cites generally to one type of prohibited conduct in the current D.C. Code statute without distinction as to the numerous different penalties in paragraphs (b)(1), (b)(2), (b)(3), and (b)(4), which depend on the type of conduct at issue, as well as whether there are prior convictions, or whether serious bodily injury or death resulted.<sup>13</sup> Only one other court code specifies a particular penalty under subsection (b) of

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<sup>12</sup> D.C. Code § 22-811(b) (“(b)(1) Except as provided in paragraphs (2), (4) and (5) of this subsection, a person convicted of violating subsection (a)(1)-(6) of this section shall be fined not more than the amount set forth in § 22-3571.01, or imprisoned for not more than 6 months, or both. (2) A person convicted of violating subsection (a)(2)-(6) of this section, having previously been convicted of an offense under subsection (a)(2)-(6) of this section or a substantially similar offense in this or any other jurisdiction, shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 3 years, or both. (3) Except as provided in paragraphs (4) and (5) of this subsection, a person convicted of violating subsection (a)(7) of this section shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 5 years, or both. (4) A person convicted of violating subsection (a) of this section that results in serious bodily injury to the minor or any other person shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 5 years, or both. (5) A person convicted of violating subsection (a) of this section that results in the death of the minor or any other person shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 10 years, or both.

<sup>13</sup> D.C. Code § 22-811(b) (“(b)(1) Except as provided in paragraphs (2), (4) and (5) of this subsection, a person convicted of violating subsection (a)(1)-(6) of this section shall be fined not more than the amount set forth in § 22-3571.01, or imprisoned for not more than 6 months, or both. (2) A person convicted of violating subsection (a)(2)-(6) of this section, having previously been convicted of an offense under subsection (a)(2)-(6) of this section or a substantially similar offense in this or any other jurisdiction, shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 3 years, or both. (3) Except as provided in paragraphs (4) and (5) of this subsection, a person convicted of violating subsection (a)(7) of this section shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 5 years, or both. (4) A person convicted of violating subsection (a) of this section that results in serious bodily injury to the minor or any other person shall be fined not

the statute, committing the offense with a prior conviction (36 months in paragraph (b)(2)). Since the offense name that corresponds with the court code 22DC811(a)(5) does not suggest that an enhanced penalty applies, Column C reflects the penalty for least serious version of the offense, 6 months, which does not require a prior conviction or that death or serious bodily injury result (paragraph (b)(1)).

- (12) 22DC902, Trademark Counterfeiting. The court code cites generally to the statute without distinction as to paragraphs (b)(1), (b)(2), and (b)(3), which have different penalties depending on the number of prior convictions, the number of items involved, or the retail value of the items involved.<sup>14</sup> A separate court code specifies the penalty for the least serious version of the offense in paragraph (b)(1). Column C reflects the penalty for the most serious version of the offense, 120 months (paragraph (b)(3)).
- (13) 22DC933, Abuse of a Vulnerable Adult or Elderly Person. The court code cites generally to the statement of elements, not the penalties at § 22-936<sup>15</sup> which vary depending on what type of physical or mental harm, if any, occurred. Separate court codes address two of the three penalties for the offense—the base version of the offense, which encompasses inflicting or threatening physical injury (180 days, or 5.9 months, in subsection (a)), and the intermediate version of the offense, which prohibits inflicting serious bodily injury or severe mental distress (120 months in subsection (b)). No court code appears to address the most serious version of the offense, causing permanent bodily harm or death (240 months in subsection (c)). Column C reflects this most serious penalty, 240 months.
- (14) 22DC933, Abuse of a Vulnerable Adult or Elderly Person (Serious Bodily Injury or Severe Mental Distress). The court code cites generally to the statement of elements, not the penalties at § 22-936<sup>16</sup> which vary depending on what type of physical or mental

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more than the amount set forth in § 22-3571.01 or imprisoned for not more than 5 years, or both. (5) A person convicted of violating subsection (a) of this section that results in the death of the minor or any other person shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 10 years, or both.

<sup>14</sup> D.C. Code § 22-902(b) ((b) “A person convicted of counterfeiting shall be subject to the following penalties: (1) For the first conviction, except as provided in paragraphs (2) and (3) of this subsection, by a fine not more than the amount set forth in § 22-3571.01 or by imprisonment for not more than 180 days, or both; (2) For the second conviction, or if convicted under this section of an offense involving more than 100 but fewer than 1,000 items, or involving items with a total retail value greater than \$1,000 but less than \$10,000, by a fine not more than the amount set forth in § 22-3571.01 or by imprisonment for not more than 3 years, or both; and (3) For the third or subsequent conviction, or if convicted under this section of an offense involving the manufacture or production of items bearing counterfeit marks involving 1,000 or more items, or involving items with a total retail value of \$10,000 or greater, by a fine not more than the amount set forth in § 22-3571.01 or by imprisonment for not more than 10 years, or both.”).

<sup>15</sup> D.C. Code § 22-936 (“(a) A person who commits the offense of criminal abuse or criminal neglect of a vulnerable adult or elderly person shall be subject to a fine not more than the amount set forth in § 22-3571.01, imprisoned for not more than 180 days, or both. (b) A person who commits the offense of criminal abuse or criminal neglect of a vulnerable adult or elderly person which causes serious bodily injury or severe mental distress shall be subject to a fine of not more than the amount set forth in § 22-3571.01, imprisoned up to 10 years, or both. (c) A person who commits the offense of criminal abuse or criminal neglect of a vulnerable adult or elderly person which causes permanent bodily harm or death shall be subject to a fine of not more than the amount set forth in § 22-3571.01, imprisoned up to 20 years, or both.”).

<sup>16</sup> D.C. Code § 22-936 (“(a) A person who commits the offense of criminal abuse or criminal neglect of a vulnerable adult or elderly person shall be subject to a fine not more than the amount set forth in § 22-3571.01, imprisoned for

harm, if any, occurred. However, the penalty in subsection (b) of 22DC933 is specific to causing serious bodily injury or severe mental distress (120 months) and this is the penalty reflected in Column C.

- (15) 22DC1705, Maintaining Gambling Premises. This statute has an offense-specific repeat offender penalty enhancement<sup>17</sup> that is reflected in the maximum sentence in Column C.
- (16) 22DC1101, Cruelty to Children. The court code cites generally to the statute without distinction as to subsection (a) and paragraph (c)(1),<sup>18</sup> which establish the offense of and penalty for first degree cruelty to children (180 months), and paragraphs (b)(1), (b)(2), and (c)(2),<sup>19</sup> which establish the offense of and penalty for second degree cruelty to children (120 months). Separate court codes address the different penalties for first degree and second degree child cruelty. Therefore, Column C reflects the penalty for the most serious version of the offense, 180 months.
- (17) 22DC1805a, Conspiracy to Commit a Crime. The court code cites generally to the statute<sup>20</sup> without distinction as to paragraph (a)(1) and paragraph (a)(2), which have different penalties depending on the target offense—60 months, unless the target offense has a maximum term of imprisonment of less than 5 years, in which case the penalty is the maximum penalty for the target offense (paragraph (a)(1)), or 180 months, if the target offense is a “crime of violence” (paragraph (a)(2)). Separate court codes address the different penalties in paragraphs (a)(1) and (a)(2) of 22DC1805a. Therefore, Column C reflects the penalty for the most serious version of the offense, 180 months.

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not more than 180 days, or both. (b) A person who commits the offense of criminal abuse or criminal neglect of a vulnerable adult or elderly person which causes serious bodily injury or severe mental distress shall be subject to a fine of not more than the amount set forth in § 22-3571.01, imprisoned up to 10 years, or both. (c) A person who commits the offense of criminal abuse or criminal neglect of a vulnerable adult or elderly person which causes permanent bodily harm or death shall be subject to a fine of not more than the amount set forth in § 22-3571.01, imprisoned up to 20 years, or both.”).

<sup>17</sup> D.C. Code § 22-1705.

<sup>18</sup> D.C. Code § 22-1101(a), (c)(1) (“(a) A person commits the crime of cruelty to children in the first degree if that person intentionally, knowingly, or recklessly tortures, beats, or otherwise willfully maltreats a child under 18 years of age or engages in conduct which creates a grave risk of bodily injury to a child, and thereby causes bodily injury. . . (c)(1) Any person convicted of cruelty to children in the first degree shall be fined not more than \$10,000 or be imprisoned not more than 15 years, or both.”).

<sup>19</sup> D.C. Code § 22-1101(b)(1), (b)(2), (c)(2) (“(b) A person commits the crime of cruelty to children in the second degree if that person intentionally, knowingly, or recklessly: (1) Maltreats a child or engages in conduct which causes a grave risk of bodily injury to a child; or (2) Exposes a child, or aids and abets in exposing a child in any highway, street, field house, outhouse or other place, with intent to abandon the child. (c) . . . (2) Any person convicted of cruelty to children in the second degree shall be fined not more than the amount set forth in § 22-3571.01 or be imprisoned not more than 10 years, or both.”).

<sup>20</sup> D.C. Code § 22-1805a(a)(1), (a)(2) (“(a)(1) If 2 or more persons conspire either to commit a criminal offense or to defraud the District of Columbia or any court or agency thereof in any manner or for any purpose, each shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned not more than 5 years, or both, except that if the object of the conspiracy is a criminal offense punishable by less than 5 years, the maximum penalty for the conspiracy shall not exceed the maximum penalty provided for that offense. (2) If 2 or more persons conspire to commit a crime of violence as defined in § 23-1331(4), each shall be fined not more than the amount set forth in § 22-3571.01 nor the maximum fine prescribed for the offense, the commission of which was the object of the conspiracy, whichever is less, or imprisoned not more than 15 years nor the maximum imprisonment prescribed for the offense, the commission of which was the object of the conspiracy, whichever is less, or both.”).

- (18) 22DC2201(a)(1)(A), Obscene Activities and Conduct (Distribution) and 22DC2201(b)(1), Obscene Activities and Conduct (Distribution to Minor). These statutes have offense-specific repeat offender penalty enhancements<sup>21</sup> that are reflected in the maximum sentence in Column C.
- (19) 22DC2501, Possession of Implements of Crime. This statute has an offense-specific repeat offender penalty enhancement<sup>22</sup> that is reflected in the maximum sentence in Column C.
- (20) 22DC2603.02, Introduction or Possession of Contraband in a Penal Institution. The court code cites generally to the statement of elements, not the penalties at § 22–2603.03<sup>23</sup> which vary depending on the type of contraband at issue. No other court codes appear to distinguish the penalty based on the type of contraband. Therefore, the Column C entry reflects the penalty for the most aggravated/enhanced version of the offense, 120 months for Class A contraband.
- (21) 22DC2603.02, Unlawful Possession of Contraband in Penal Institution.
- Identical to immediately above.
- (22) 22DC2603.02(a), Introduction or Possession of Contraband in a Penal Institution (Introduction).
- Identical to immediately above.
- (23) 22DC2603.02(b), Introduction or Possession of Contraband in a Penal Institution (Possession).
- Identical to immediately above.
- (24) 22DC2701, Prostitution or Solicitation for Prostitution (Solicitation). The court code cites generally to the statute without distinction as to subparagraph (b)(1)(A) and subparagraph (b)(1)(B),<sup>24</sup> which have different penalties depending on the number of prior convictions—3 months for a first offense (subparagraph (b)(1)(A)) and 180 days, or 5.9 months, for a second offense (subparagraph (b)(1)(B)). A separate court code addresses the penalty in paragraph (b)(2) for a third or subsequent offense (24 months). The Column C entry reflects the penalty for a second offense, 180 days, or 5.9 months.
- (25) 22DC2701(b)(2), Prostitution or Solicitation for Prostitution. The court code cites to the penalty in paragraph (b)(2) of 22DC2701, which applies when there are two or more prior convictions, but the offense name does not specify this requirement. A separate court

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<sup>21</sup> D.C. Code § 22-2201(e).

<sup>22</sup> D.C. Code § 22-2501.

<sup>23</sup> D.C. Code § 22-2603.03(a), (b), (c) (“(a) A person convicted of violating this subchapter with regard to Class A contraband shall be imprisoned for not more than 10 years, fined not more than the amount set forth in § 22-3571.01, or both. (b) A person convicted of violating this subchapter with regard to Class B contraband shall be imprisoned for not more than 2 years, fined not more than the amount set forth in § 22-3571.01, or both. (c) A person convicted of violating § 22-2603.02(c) shall be imprisoned for not more than 1 year, fined not more than the amount set forth in § 22-3571.01, or both.”).

<sup>24</sup> D.C. Code § 22-2701(b) (“(b)(1) Except as provided in paragraph (2) of this subsection, a person convicted of prostitution or soliciting for prostitution shall be: (A) Fined not more than the amount set forth in § 22-3571.01, imprisoned for not more than 90 days, or both, for the first offense; and (B) Fined not more than the amount set forth in § 22-3571.01, imprisoned not more than 180 days, or both, for the second offense. (2) A person convicted of prostitution or soliciting for prostitution who has 2 or more prior convictions for prostitution or soliciting for prostitution, not committed on the same occasion, shall be fined not more than the amount set forth in § 22-3571.01, imprisoned for not more than 2 years, or both.”).

code cites to the penalty in paragraph (b)(2) and the offense name does specify this requirement. For consistency with the entry for solicitation for prostitution, discussed immediately above, the Column C entry reflects the penalty for a second offense, 180 days or 5.9 months.

- (26) 22DC2705, Enticing or Compelling into Prostitution. The court code cites generally to the statute without distinction as to paragraphs (c)(1) and (c)(2),<sup>25</sup> which have different penalties depending on the age of the person enticed or compelled—60 months if the person is 18 years of age or older (paragraph (c)(1)) and 240 months if the person is under 18 years of age (paragraph (c)(2)). No other court code distinguishes between paragraphs (c)(1) and (c)(2) of 22DC2705. Therefore, the Column C entry reflects the penalty for the most serious version of the offense, 240 months.
- (27) 22DC2706, Detaining or Compelling to Reside for Prostitution. The court code cites generally to the statute without distinction as to paragraphs (b)(1) and (b)(2),<sup>26</sup> which have different penalties depending on the age of the person detained or compelled—60 months if the person is 18 years of age or older (paragraph (b)(1)) and 240 months if the person is under 18 years of age (paragraph (b)(2)). No other court code distinguishes between paragraphs (b)(1) and (b)(2) of 22DC2706. Therefore, the Column C entry reflects the penalty for the most serious version of the offense, 240 months.
- (28) 22DC2707, Arranging for or Compelling Prostitution. The court code cites generally to the statute without distinction as to paragraphs (b)(1) and (b)(2),<sup>27</sup> which have different penalties depending on the age of the person arranged for or compelled to engage in prostitution—60 months if the person is 18 years of age or older (paragraph (b)(1)) and 240 months if the person is under 18 years of age (paragraph (b)(2)). No other court code distinguishes between paragraphs (b)(1) and (b)(2) of 22DC2707. Therefore, the Column C entry reflects the penalty for the most serious version of the offense, 240 months.
- (29) 22DC3009.03, Sexual Abuse of a Secondary Education Student. The court code cites to the statute for first degree sexual abuse of a secondary education student, but the

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<sup>25</sup> D.C. Code § 22-2705(c) (“(c)(1) Except as provided in paragraph (2) of this subsection, a person who violates subsection (a) or (b) of this section shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 5 years, or by a fine of not more than the amount set forth in § 22-3571.01, or both. (2) A person who violates subsection (a) or (b) of this section when the individual so placed, caused, compelled, induced, enticed, procured, taken, detained, or used or attempted to be so placed, caused, compelled, induced, enticed, procured, taken, detained, or used is under the age of 18 years shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 20 years or by a fine of not more than the amount set forth in § 22-3571.01, or both.”).

<sup>26</sup> D.C. Code § 22-2706(b) (“(b)(1) Except as provided in paragraph (2) of this subsection, a person who violates subsection (a) of this section shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 15 years or by a fine of not more than the amount set forth in § 22-3571.01, or both. (2) A person who violates subsection (a) of the section when the individual so detained or compelled is under the age of 18 years shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 20 years or by a fine of not more than the amount set forth in § 22-3571.01, or both.”).

<sup>27</sup> D.C. Code § 22-2707(b) (“(b)(1) Except as provided in paragraph (2) of this subsection, a person who violates subsection (a) of this section shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 5 years or by a fine of not more than the amount set forth in § 22-3571.01, or both. (2) A person who violates subsection (a) of this section when the individual so arranged for or caused to engage in prostitution or a sexual act or contact is under the age of 18 years shall be guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 20 years or by a fine of not more than the amount set forth in § 22-3571.01, or both.”).

offense name does not specify first degree. Column C reflects the penalty for first degree of the offense that is codified in 22DC3009.03.

- (30) 22DC4014, Failure to Register As Sex Offender. The court code cites generally to the registration requirement statute, not the penalties at § 22–4015 (a) which vary depending on whether there was a prior conviction.<sup>28</sup> There is no additional court code that appears to separately address one of the possible penalties. Therefore, the Column C entry reflects the penalty for the aggravated/enhanced version of the offense, 60 months for having a prior conviction rather than 5.9 months (180 days) for a first offense.
- (31) 22DC3133, Stalking. The court code cites generally to the statement of elements, not the penalties at § 22–3134 which vary depending on whether there was one or more prior convictions or other aggravating factors.<sup>29</sup> There are additional court codes that appears to separately address felony and misdemeanor penalties, leaving it ambiguous what is covered by this row. Therefore, the Column C entry reflects the penalty for the most aggravated/enhanced version of the offense, 120 months for having two or more prior convictions.
- (32) 22DC3133(a)(1), Stalking (With Intent to Cause Fear or Distress).  
 ○ Identical to immediately above.
- (33) 22DC3133(a)(2), Stalking (Knowing Will Cause Fear or Distress).  
 ○ Identical to immediately above.
- (34) 22DC3133(a)(3), Stalking (Should Know Will Cause Fear or Distress).  
 ○ Identical to immediately above.
- (35) 22DC3133-F, Stalking.  
 ○ Identical to immediately above (ambiguous as to which felony penalty).
- (36) 22DC3223(d)(1), Credit Card Fraud (Felony). There appears to be a court error here as 22DC3223(d)(1) is the misdemeanor penalty provision, while (d)(2) is the felony provision, yet the former has felony penalties while the latter is limited to misdemeanor penalties.<sup>30</sup> Consistent with CCRC Research Memo #40, the citation in Column A has not

<sup>28</sup> D.C. Code § 22–4015 (a) Penalties; mandatory release condition (“Any sex offender who knowingly violates any requirement of this chapter, including any requirement adopted by the Agency pursuant to this chapter, shall be fined not more than the amount set forth in § 22-3571.01, or imprisoned for not more than 180 days, or both. In the event that a sex offender convicted under this section has a prior conviction under this section, or a prior conviction in any other jurisdiction for failing to comply with the requirements of a sex offender registration program, the sex offender shall be fined not more than the amount set forth in § 22-3571.01, or imprisoned not more than 5 years, or both.”).

<sup>29</sup> D.C. Code § 22–3134 Penalties (“(a) Except as provided in subsections (b) and (c) of this section, a person who violates § 22-3133 shall be fined not more than the amount set forth in § 22-3571.01, imprisoned for not more than 12 months, or both. (b) A person who violates § 22-3133 shall be fined not more than the amount set forth in § 22-3571.01, imprisoned for not more than 5 years, or both, if the person: (1) At the time, was subject to a court, parole, or supervised release order prohibiting contact with the specific individual; (2) Has one prior conviction in any jurisdiction of stalking any person within the previous 10 years; (3) At the time, was at least 4 years older than the specific individual and the specific individual was less than 18 years of age; or (4) Caused more than \$ 2,500 in financial injury. (c) A person who violates § 22-3133 shall be fined not more than the amount set forth in § 22-3571.01, imprisoned for not more than 10 years, or both, if the person has 2 or more prior convictions in any jurisdiction for stalking any person, at least one of which was for a jury demandable offense.”).

<sup>30</sup> D.C. Code § 22-3223(d) (“(d)(1) Except as provided in paragraph (2) of this subsection, any person convicted of credit card fraud shall be fined not more than the amount set forth in § 22-3571.01, imprisoned for not more than 180 days, or both. (2) Any person convicted of credit card fraud shall be fined not more than the amount set forth in § 22-



been changed, but the entries in Columns B-F correctly reflect the felony/misdemeanor nature of the court records and their corresponding RCC offenses.

- (37) 22DC3223(d)(2), Credit Card Fraud (Misdemeanor).
  - o Identical to immediately above.
- (38) 22DC3242, Forgery. The court code cites generally to the statute without distinction as to the subsections, which have different penalties depending on the type of document at issue—120 months (for documents listed in subsection (a)),<sup>31</sup> 60 months (for documents listed in subsection (b)),<sup>32</sup> or 36 months (for other unlisted documents in subsection (c)).<sup>33</sup> There is a court code that separately addresses the penalty in subsection (c) for unlisted documents, 22DC3242(c), but no court code appears to distinguish between subsection (a) and subsection (b). Therefore, the Column C entry reflects the penalty for the most serious version of the offense, 120 months.
- (39) 22DC3242, Forgery (Uttering).
  - o Identical to immediately above.
- (40) 22DC3302, Unlawful Entry. The court code cites generally to the statute without distinction as to the subsections which have different penalties depending on whether the property is a public building (6 months)<sup>34</sup> or otherwise (5.9 months).<sup>35</sup> There is no additional court code that appears to separately address one of the possible penalties. Therefore, the Column C entry reflects the penalty for the aggravated/enhanced version of the offense, 6 months.
- (41) 22DC4504(a), Carrying Dangerous Weapon (Rifle or Shotgun) (Outside home or business). The court code appears to inaccurately refer to subsection (a) of 22DC4504. Paragraph (a)(1) of 22DC4504 codifies the penalty for carrying a rifle or shotgun<sup>36</sup> outside the home or place of business (60 months). Subsection (a) codifies the penalty (12 months under D.C. Code § 22-4515) for carrying a rifle or shotgun if the penalties in paragraph (a)(1) and paragraph (a)(2) do not apply. Because the offense name is specific to “outside home or business” and paragraph (a)(1) falls under subsection (a), Column C includes uses the 60 months penalty.
- (42) 22DC4504(a)-F, Carrying Dangerous Weapon. The court code cites generally to subsection (a), which contains the misdemeanor penalty for the offense (12 months under D.C. Code § 22-4515). Paragraph (a)(1) of 22DC4504 codifies the felony penalty for carrying a dangerous weapon outside the home or business (60 months). However, the court data indicates penalties greater than 12 months for 22DC4504(a)-F and there is a

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3571.01, imprisoned for not more than 10 years, or both, if the value of the property or services obtained or paid for is \$1,000 or more.”).

<sup>31</sup> D.C. Code § 22-3242(a) (“(a) Any person convicted of forgery shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 10 years, or both, if the written instrument purports to be . . .”).

<sup>32</sup> D.C. Code § 22-3242(b) (“(b) Any person convicted of forgery shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 5 years, or both, if the written instrument is or purports to be . . .”).

<sup>33</sup> D.C. Code § 22-3242(c) (“(c) Any person convicted of forgery shall be fined not more than the amount set forth in § 22-3571.01 or imprisoned for not more than 3 years, or both, in any other case.”).

<sup>34</sup> D.C. Code § 22-3302(b).

<sup>35</sup> D.C. Code § 22-3302(a).

<sup>36</sup> Subsection (a-1) of 22DC4504 is specific to carrying a “rifle” or “shotgun,” but has the same penalties as under subsection (a).

- separate court code for misdemeanor carrying a dangerous weapon under subsection (a) of 22DC4504. Therefore, Column C reflects the penalty for the felony offense (60 months).
- (43) 22DC4504(a)-Y, Carrying Dangerous Weapon Without A License (Outside home or business). The court code appears to inaccurately refer to subsection (a) of 22DC4504. Paragraph (a)(1) of 22DC4504 codifies the penalty for carrying a dangerous weapon outside the home or place of business (60 months). Subsection (a) codifies the penalty (12 months under D.C. Code § 22-4515) for carrying a dangerous weapon if the penalties in paragraph (a)(1) and paragraph (a)(2) do not apply. Because the offense name is specific to “outside home or business” and paragraph (a)(1) falls under subsection (a), Column C includes uses the 60 months penalty.
- (44) 22DC4504(a)-Z, Carrying Dangerous Weapon Without A License (Outside home or business). The court code appears to inaccurately refer to subsection (a) of 22DC4504. Paragraph (a)(1) of 22DC4504 codifies the penalty for carrying a dangerous weapon outside the home or place of business (60 months). Subsection (a) codifies the penalty (12 months under D.C. Code § 22-4515) for carrying a dangerous weapon if the penalties in paragraph (a)(1) and paragraph (a)(2) do not apply. Because the offense name is specific to “outside home or business” and paragraph (a)(1) falls under subsection (a), Column C includes uses the 60 months penalty.
- (45) 22DC4515a(a), Manufacture, Transfer, Possession, or Use of an Explosive (Possession of a Molotov Cocktail). This statute has an offense-specific repeat offender penalty enhancement<sup>37</sup> that is reflected in the maximum sentence in Column C.
- (46) 23DC585(b), Failure to Appear for Citation Release. The court code cites generally to the statute subsection without distinction as to the subparagraphs which have different penalties depending on whether the release is for a misdemeanor (max of the penalty available for the misdemeanor on which was released) or a felony (60 months). There are additional court codes that appear to separately address both of the possible penalties, this undifferentiated code is ambiguous. Therefore, the Column C entry reflects the penalty for the aggravated/enhanced version of the offense, 60 months.
- (47) 48DC904.01(a)(1)-X, Controlled Substance Possession With Intent to Distribute. The court code cites generally to paragraph (a)(1) without distinction as to the penalties in paragraph (a)(2) and its subparagraphs, which have different penalties depending on the Schedule of the controlled substance at issue. Therefore, Column C reflects the penalties for the most serious version of the offense in subparagraph (d)(2)(A).
- (48) 48DC904.01(a)(1)-Y, Controlled Substance Distribution. The court code cites generally to paragraph (a)(1) without distinction as to the penalties in paragraph (a)(2) and its subparagraphs, which have different penalties depending on the Schedule of the controlled substance at issue. Only one court code cites to a subparagraph with a specific penalty, 48DC904.01(a)(1)(2)(D), Controlled Substance Distribution (Schedule V). Therefore, Column C reflects the penalties for the most serious version of the offense in subparagraph (d)(2)(A).

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<sup>37</sup> D.C. Code § 22-2501.

- (49) 48DC904.01(a)(1)-Z, Controlled Substance Manufacture or Possessing W/Intent to Manufacture. The court code cites generally to paragraph (a)(1) without distinction as to the penalties in paragraph (a)(2) and its subparagraphs, which have different penalties depending on the Schedule of the controlled substance at issue. Therefore, Column C reflects the penalties for the most serious version of the offense in subparagraph (d)(2)(A)
- (50) 48DC904.01(b)(1), Counterfeit Controlled Substance Distribution. The court code cites generally to paragraph (b)(1) without distinction as to paragraph (b)(2) and its subparagraphs, which have different penalties depending on the Schedule of the controlled substance at issue. Therefore, Column C reflects the penalties for the most serious version of the offense in subparagraph (b)(2)(A).
- (51) 48DC904.06, Controlled Substance Distribution to a Minor. The court code cites generally to the statute without distinction as to subsection (a) or subsection (b), which have different penalties depending largely on the Schedule of the controlled substance at issue. Therefore, Column C reflects the penalties for the more serious version of the offense in subsection (a).
- (52) 48DC1103(b), Drug Paraphernalia Delivery, Sale, or Possession With Intent to Distribute (Possession With Intent to Distribute). This statute has an offense-specific repeat offender penalty enhancement that is reflected in the maximum sentence in Column C.
- (53) 50DC2201.04(b), Reckless Driving. This statute has an offense-specific repeat offender penalty enhancement that is reflected in the maximum sentence in Column C.
- (54) 50DC2201.04(b-1)(1), Aggravated Reckless Driving (Speed). This statute has an offense-specific repeat offender penalty enhancement that is reflected in the maximum sentence in Column C.
- (55) 50DC2201.05b(b), Failure to Stop or Fleeing Officer in a Motor Vehicle. The court code cites generally to the statute subsection without distinction as to the paragraphs, which have different penalties. Paragraph (b)(1) specifies a penalty of 180 days, or 5.9 months. Paragraph (b)(2) specifies a penalty of 60 months if the operator of the motor vehicle drives in a reckless manner or causes property damage or bodily injury (paragraph (b)(2) with a maximum penalty of 60 months. There are additional court codes that appear to separately address both of the possible penalties, this undifferentiated code is ambiguous. Therefore, the Column C entry reflects the penalty for the aggravated/enhanced version of the offense, 60 months.
- (56) 50DC2201.05c(a)(1), Leaving After Vehicle Collision (Personal Injury). This statute has an offense-specific repeat offender penalty enhancement that is reflected in the maximum sentence in Column C.
- (57) 50DC2201.05c(a)(2), Leaving After Vehicle Collision (Personal Injury). The court code appears to inaccurately refer to paragraph (a)(2) of 50DC2201. Paragraph (a)(2) of 50DC2201 is limited to property damage or injury to a domestic animal. Paragraph (a)(1) of 50DC2201 requires personal injury. Because another court code correctly cites to paragraph (a)(1) for “Leaving After Vehicle Collision (Personal Injury),” Column C in Row 332 includes penalty information for paragraph (a)(2) of 50DC2201. This statute

also has an offense-specific repeat offender penalty enhancement that is reflected in the maximum sentence in Column C.

- (58) 50DC2206.13, Operating a Vehicle Under the Influence of Alcohol or a Drug. The court code cites generally to the statute without distinction as to subsections (a), (b), (c), and (d), which have different penalties depending on the number of prior convictions and the person’s alcohol or drug concentration. A separate court code specifies the penalty for the least serious version of the offense in subsection (a), a first offense. Therefore, Column C reflects the penalty for the most serious version of the offense, 12 months (subsection (c)), for two or more prior convictions. The most serious version of the offense has additional mandatory minimums depending on the person’s alcohol or drug concentration.<sup>38</sup> Column D reflects that the mandatory minimum penalty for this most serious version of the offense “is .5 – 1.5” months.
- (59) 50DC2206.13(a), Operating a Vehicle Under the Influence of Alcohol or a Drug (First offense); 50DC2206.13(a), Operating a Vehicle While Intoxicated (First Offense). The court code specifies the penalty for the least serious version of the offense in subsection (a) for a first offense, 5.9 months (180 days). The most serious version of the offense has mandatory minimums depending on the person’s alcohol or drug concentration.<sup>39</sup> Column D reflects that the mandatory minimum penalty for this most serious version of the offense “is .3 – .6” months.

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<sup>38</sup> D.C. Code § 50-2206.13(c) (“(c) A person violating any provision of § 50-2206.11 or § 50-2206.12 when the person has 2 or more prior offenses under § 50-2206.11, § 50-2206.12, or § 50-2206.14 and is being sentenced on the current offense shall be fined not less than \$2,500 and not more than \$10,000, or incarcerated for not more than one year, or both; provided, that a 15-day mandatory-minimum term of incarceration shall be imposed, and in addition: (1) A 20-day mandatory-minimum term of incarceration shall be imposed if the person's alcohol concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine; or (2) A 25-day mandatory-minimum term of incarceration shall be imposed if the person's alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or 0.32 grams per 100 milliliters of urine; or (3) A 30-day mandatory-minimum term of incarceration shall be imposed if the person's alcohol concentration was more than 0.30 grams per 100 milliliters of blood or per 210 liters of breath or 0.39 grams per 100 milliliters of urine; and (4) A 25-day mandatory-minimum term of incarceration shall be imposed if the person's blood or urine contains a Schedule I chemical or controlled substance as defined in § 48-902.04, Phencyclidine, Cocaine, Methadone, Morphine, or one of its active metabolites or analogs.”).

<sup>39</sup> D.C. Code § 50-2206.13(a) (“Except as provided in subsections (b) and (c) of this section, a person violating any provision of § 50-2206.11 or § 50-2206.12 shall upon conviction for the first offense be fined \$1,000, or incarcerated for not more than 180 days, or both; provided, that: (1) A 10-day mandatory-minimum term of incarceration shall be imposed if the person’s alcohol concentration was at least 0.20 grams per 100 milliliters of blood or per 210 liters of breath, or was at least 0.25 grams per 100 milliliters of urine; or (2) A 15-day mandatory-minimum term of incarceration shall be imposed if the person’s alcohol concentration was more than 0.25 grams per 100 milliliters of blood or per 210 liters of breath or 0.32 grams per 100 milliliters of urine; or (3) A 20-day mandatory-minimum term of incarceration shall be imposed if the person’s alcohol concentration was more than 0.30 grams per 100 milliliters of blood or per 210 liters of breath or 0.39 grams per 100 milliliters of urine; and (4) A 15-day mandatory-minimum term of incarceration shall be imposed if the person’s blood or urine contains a Schedule I chemical or controlled substance as listed in § 48-902.04, Phencyclidine, Cocaine, Methadone, Morphine, or one of its active metabolites or analogs.”).