

**APPENDIX H.**  
**D.C. VOLUNTARY SENTENCING GUIDELINES RANKINGS**

Appendix H is the current Voluntary Sentencing Guidelines Rankings as they appear in the D.C. Sentencing Commission's 2020 Voluntary Sentencing Guidelines Manual (publicly available at [sdc.dc.gov/publication/2020-voluntary-sentencing-guidelines-manual](https://sdc.dc.gov/publication/2020-voluntary-sentencing-guidelines-manual)). Specifically, this Appendix includes Appendices A, B, C-I, and D of the Sentencing Commission's report.

## APPENDIX A -- MASTER GRID

August 2020

Sentencing Ranges Listed In Months

|   |   | Criminal History Score |              |              |              |          |
|---|---|------------------------|--------------|--------------|--------------|----------|
|   | Ranking Group<br>Most Common Offenses   | 0 to ½<br>A            | ¾ to 1¼<br>B | 2 to 3¾<br>C | 4 to 5¾<br>D | 6 +<br>E |
| 3 Points*   | <b>Group 1</b><br>1st degree murder w/armed<br>1st degree murder  | 360 - 720              | 360 - 720    | 360 - 720    | 360 - 720    | 360 +    |
|   | <b>Group 2</b><br>2nd degree murder w/armed<br>2nd degree murder<br>1st degree sex abuse<br>1st degree sex abuse w/armed  | 144 - 288              | 156 - 300    | 168 - 312    | 180 - 324    | 192 +    |
|   | <b>Group 3</b><br>Voluntary manslaughter w/armed<br>1st degree child sex abuse<br>Carjacking while armed<br>Assault with intent to kill w/armed<br>Armed burglary I | 90 - 180               | 102 - 192    | 114 - 204    | 126 - 216    | 138 +    |
|   | <b>Group 4</b><br>Aggravated assault w/armed<br>Voluntary manslaughter  | 48 - 120               | 60 - 132     | 72 - 144     | 84 - 156     | 96 +     |
|   | <b>Group 5</b><br>PFCOV<br>Armed robbery<br>Burglary I<br>Obstruction of justice<br>Assault with intent to kill   | 36 - 84                | 48 - 96      | 60 - 108     | 72 - 120     | 84 +     |
|   | <b>Group 6</b><br>ADW<br>Robbery<br>Aggravated assault<br>2nd degree child sex abuse<br>Assault with intent to rob  | 18 - 60                | 24 - 66      | 30 - 72      | 36 - 78      | 42 +     |
| 2 Points*   | <b>Group 7</b><br>Burglary II<br>3rd degree sex abuse<br>FIP-PCOV<br>Negligent homicide<br>Attempt 2nd degree sex abuse   | 12 - 36                | 18 - 42      | 24 - 48      | 30 - 54      | 36 +     |
|   | <b>Group 8</b><br>Carrying a pistol (CPWL)<br>UUV<br>Attempt robbery/burglary<br>FIP <sup>32</sup><br>1st degree theft<br>Assault w/significant bodily injury       | 6 - 24                 | 10 - 28      | 14 - 32      | 18 - 36      | 22 +     |
| 1 Point*  | <b>Group 9</b><br>Escape/prison breach<br>BRA<br>Receiving stolen property<br>Forgery/uttering<br>Fraud   | 1 - 12                 | 3 - 16       | 5 - 20       | 7 - 24       | 9 +      |
| *Criminal History Points for prior convictions in these groups.                           |   |                        |              |              |              |          |
| White/unshaded boxes – prison or compliant long split only.                               |   |                        |              |              |              |          |
| Dark shaded boxes – prison, compliant long split, or short split permissible.             |   |                        |              |              |              |          |
| Light shaded boxes – prison, compliant long split, short split, or probation permissible. |   |                        |              |              |              |          |

<sup>32</sup>D.C. Code § 22-4503 provides that the offense of Unlawful Possession of a Firearm penalizes possession by a convicted felon, as well as possession by a person who has in the last five years been convicted of an intra-family offense, among other offenses.

## APPENDIX B -- DRUG GRID

August 2020

Sentencing Ranges Listed In Months

|   |  | Criminal History Score |                     |                     |                     |                 |
|---|--|------------------------|---------------------|---------------------|---------------------|-----------------|
|   | <b>Ranking Group</b><br>Most common offenses   | 0 to ½<br><b>A</b>     | ¾ to 1¾<br><b>B</b> | 2 to 3¾<br><b>C</b> | 4 to 5¾<br><b>D</b> | 6 +<br><b>E</b> |
| <b>2 Points*</b>  | <b>Group 1</b><br>Distribution w/a (any drug)<br>PWID w/a (any drug)   | <b>30-72</b>           | <b>36-78</b>        | <b>42-84</b>        | <b>48-90</b>        | <b>54+</b>      |
| <b>1 Point*</b>   | <b>Group 2</b><br>Distribution or PWID<br>(schedule I or II narcotic/<br>abusive drugs)  | <b>12-30</b>           | <b>16-36</b>        | <b>20-42</b>        | <b>24-48</b>        | <b>28+</b>      |
|   | <b>Group 3</b><br>Distribution or PWID<br>(except schedule I or II<br>narcotic or abusive drugs)<br>Attempt distribution or<br>attempt PWID<br>(schedule I or II narcotic/<br>abusive drugs)<br>Possession of Liquid PCP | <b>6-18</b>            | <b>10-24</b>        | <b>14-30</b>        | <b>18-36</b>        | <b>22+</b>      |
| <b>¾ Point*</b>   | <b>Group 4</b><br>Attempt distribution or<br>attempt PWID<br>(except schedule I or II<br>narcotic or abusive drugs)<br>Attempt possession of<br>liquid PCP   | <b>3-12</b>            | <b>5-16</b>         | <b>7-20</b>         | <b>9-24</b>         | <b>11+</b>      |
| *Criminal History Points for prior convictions in these groups.                           |  |                        |                     |                     |                     |                 |
| White/unshaded boxes – prison or compliant long split only.                               |  |                        |                     |                     |                     |                 |
| Dark shaded boxes – prison, compliant long split, or short split permissible.             |  |                        |                     |                     |                     |                 |
| Light shaded boxes – prison, compliant long split, short split, or probation permissible. |  |                        |                     |                     |                     |                 |

† The previous version of the Drug Grid can be found in on the Commission's website.

## APPENDIX C-I

### SENTENCING CHART FOR FELONIES COMMITTED ON OR AFTER 5:00 p.m., AUGUST 11, 2000 ARRANGED IN ORDER BY D.C. CODE CITATION (2001)

Use this Appendix to find the offense severity group, the maximum prison sentence and amount of supervised release the judge may/must impose initially under the Sentencing Reform Amendment Act of 2000. In some cases, the maximum sentence will depend on factors set forth in the statute. Please refer to the statute. Appendix C contains the same information in alphabetical order by common name. The offense severity is blank for enhanced versions of offenses. Those have the same offense severity score as the unenhanced offense. See Chapter 4 (Adjusting the Box).

#### ABBREVIATIONS:

|                   |  |
|-------------------|--|
| “*”               | means that an offense is a Class A felony. A person convicted of such an offense may be imprisoned not more than 5 years upon revocation of supervised release. See D.C. Code 24-403.01 (b)(7)(A).   |
| “e”               | means that the offense is subject to a statutory enhancement specific to the offense that raises the top of the Guidelines range. See Chapter 4 and Appendix H.  |
| “M”               | in the minimum column means mandatory minimum, a minimum that generally cannot be suspended. See Section 3.6.  |
| “or SOR”          | in the Supervised Release column means that the offense is necessarily a registration offense under D.C. Code § 22-4001 <sup>50</sup> and that the judge may impose a greater term of supervised release up to the maximum period of sex offender registration to which the defendant is subject (ten years or life). See D.C. Code §§ 22-4001 (6), (8), 24-403.01 (b)(4). |
| “not < X”         | in the minimum column means that if the judge imposes a sentence of imprisonment, he or she cannot impose a sentence of less than X. The judge may impose a sentence of X (or more) and MAY suspend execution of part or all of it.  |
| “(30/40/60)”      | that appears under “LWOR” [life without release] for several offenses and under “40” for carjacking means that the judge cannot impose a sentence in excess of the number in parentheses unless the jury finds an aggravating circumstance beyond a reasonable doubt.  |
| “same term/fine”  | means the same term or fine as the underlying or predicate offense.  |
| “x the term/fine” | means the preceding number times the term or fine for the underlying offense.  |
| “V” or “D”        | in the Violent/Dangerous column means a crime of violence pursuant to D.C. Code 23-1331(4) or a dangerous crime pursuant to D.C. Code § 22-4501(2).  |
| “w/a”             | means an offense subject to D.C. Code § 22-4502 imposing additional penalties for committing a crime of violence while armed. See <i>Hager v. United States</i> , 791 A.2d 911 (D.C. 2002).  |

Revised July 2020

<sup>50</sup> Other offenses are registration offenses if the victim was a minor or if they involve a sexual act or sexual contact without consent or with a minor, or assaulting or threatening another with intent to commit a sexual act or sexual contact, or causing the death of another before, during or after such an act. See D.C. Code § 22-4001(8)(C) - (F). Those do not have “or SOR” in the Supervised Release column.

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001)                | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|---|---------------------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Possession of Unregistered Weapon -- 2 <sup>nd</sup> offense                                | 7-2502.01<br>7-2507.06(a)(2)(A) | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Sell, Transport, Distribute a Firearm, Destructive Device or Ammunition to Persons Under 18 | 7-2507.06(a)(1)                 | M 7                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Armor Piercing Ammunition   | 7-2507.06(a)(3)                 | M 7                    | 10                                | 2                   | 8   | 3  | M 1   |                   | 25,000         |
| Possession of a Large Capacity Ammunition Feeding Device                                    | 7-2507.06(a)(4)                 | M 9                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500         |
| Illegal Dumping (commercial)  | 8-902(b)(2)                     | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Contempt for violating conditions of release, if felony                                     | 11-944                          | M 9 <sup>51</sup>      | Life                              | 5                   | Life  | 5  |   |                   |                |
| Contempt, if any other felony   | 11-944                          | <sup>52</sup>          |                                   |                     |   |  |   |                   |                |
| Arson   | 22-301                          | M 6                    | 10                                | 2                   | 8   | 3  | not < 1   | V                 | 25,000         |
| Arson -- Own property w/ intent to defraud  | 22-302                          | M 6                    | 15                                | 2                   | 13  | 3  |   | V                 | 37,500         |
| Destruction of Property (DP) -- \$1,000+  | 22-303                          | M 8                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Assault with Intent to Kill or Poison w/a*  | 22-401<br>22-4502               | M3                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |

<sup>51</sup> This ranking only applies to the instant conviction. The scoring of a prior contempt conviction is discussed in § 2.2.12 (Scoring Contempt Convictions).

<sup>52</sup> Proportionate, not a Guidelines offense. See § 2.2.12 (Scoring Contempt Convictions).

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)       | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)  | Violent/Dangerous | Fine (Dollars) |
|--|------------------------|------------------------|-----------------------------------|---------------------|---|--|--|-------------------|----------------|
| Assault with Intent to Rob w/a*  | 22-401<br>22-4502      | M5                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Assault with Intent to 1 <sup>o</sup> or 2 <sup>o</sup> Sexual Abuse or Child Sex Abuse w/a* | 22-401<br>22-4502      | M5                     | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Assault with Intent to Kill or Poison  | 22-401                 | M 5                    | 15                                | 2                   | 13  | 3  | not < 2  | V                 | 37,500         |
| Assault with Intent to Rob   | 22-401                 | M 6                    | 15                                | 2                   | 13  | 3  | not < 2  | V                 | 37,500         |
| Assault with Intent to 1 <sup>o</sup> or 2 <sup>o</sup> Sexual Abuse or Child Sex Abuse      | 22-401<br>24-403.01(e) | M6                     | 15                                | 2                   | 13  | 3 or SOR   | not < 2  | V                 | 37,500         |
| Child Sex Abuse, Assault with Intent to Commit -- 1 <sup>o</sup> or 2 <sup>o</sup>           | 22-401<br>24-403.01(e) | M 6                    | 15                                | 2                   | 13  | 3 or SOR   | not < 2  | V                 | 37,500         |
| Assault with a Dangerous Weapon (ADW)  | 22-402                 | M 6                    | 10                                | 2                   | 8   | 3  |  | V                 | 25,000         |
| Assault with a Dangerous Weapon (ADW) -- Attempt   | 22-402<br>22-1803      | M8                     | 5                                 | 2                   | 3   | 3  |  | V                 | 12,500         |
| Assault with Intent to Commit Mayhem w/a*  | 22-402<br>22-4502      | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001)        | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|---|-------------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Assault with Intent to Commit Mayhem                  | 22-402                  | M 7                    | 10                                | 2                   | 8   | 3  |   | V                 | 25,000         |
| Assault with Intent to Commit any other Felony w/a*   | 22-403<br>22-4502       | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Assault with Intent to Commit any other Felony        | 22-403                  | M 8                    | 5                                 | 2                   | 3   | 3  |   | V                 | 12,500         |
| Assault with Significant Injury (Felony Assault)      | 22-404(a)(2)            | M 8                    | 3                                 | 1                   | 2   | 3  |   | V                 | 12,500         |
| Assault with Significant Injury w/a* (Felony Assault) | 22-404(a)(2)<br>22-4502 | M 6                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Aggravated Assault w/a*                               | 22-404.01(b)<br>22-4502 | M 4                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Aggravated Assault                                    | 22-404.01(b)            | M 6                    | 10                                | 2                   | 8   | 3  |   | V                 | 25,000         |
| Aggravated Assault -- Attempt                         | 22-404.01(c)            | M 8                    | 5                                 | 2                   | 3   | 3  |   | V                 | 12,500         |
| Assault on Police Officer (APO) w/a*                  | 22-405(c)<br>22-4502    | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Assault on Police Officer (APO)                       | 22-405(c)               | M 7                    | 10                                | 2                   | 8   | 3  |   | V                 | 25,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001)             | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars)         |
|---|------------------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|------------------------|
| Assault on Police Officer (APO) w/ deadly weapon -- 2 <sup>nd</sup> + offense or prior felony | 22-405(c)<br>24-403.01(f)(1) | M 7 <sup>e</sup>       | 10                                | 2                   | 8   | 3  | not < 1   | V                 | 25,000                 |
| Malicious Disfigurement w/a*  | 22-406<br>22-4502            | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000                 |
| Malicious Disfigurement   | 22-406                       | M 6                    | 10                                | 2                   | 8   | 3  |   | V                 | 25,000                 |
| Mayhem w/a*   | 22-406<br>22-4502            | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000                 |
| Mayhem  | 22-406                       | M 6                    | 10                                | 2                   | 8   | 3  |   | V                 | 25,000                 |
| Bigamy  | 22-501                       | M 8                    | 7                                 | 2                   | 5   | 3  | not < 2   |                   | \$25,000               |
| Breaking and Entering -- Vending Machines   | 22-601                       | M 9                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500                 |
| Corrupt Influence   | 22-704                       | M 9                    | 5                                 | 2                   | 3   | 3  | not < 6 months  |                   | 12,500                 |
| Bribery -- Public Servant   | 22-712                       | M 8                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000 or 2x the value |
| Bribery -- Witness  | 22-713                       | M 8                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500                 |
| Obstructing Justice*  | 22-722                       | M 5                    | 30                                | 5                   | 30  | 5  | not < 3   |                   | 75,000                 |
| Tampering with Physical Evidence  | 22-723                       | M 9                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500                 |



Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001)     | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|---|----------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Burglary I w/a*   | 22-801(a)<br>22-4502 | M 3                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Burglary I  | 22-801(a)            | M 5                    | 30                                | 3                   | 27  | 5  | not < 5   | V                 | 75,000         |
| Burglary II w/a*  | 22-801(b)<br>22-4502 | M 6                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Burglary II   | 22-801(b)            | M 7                    | 15                                | 2                   | 13  | 3  | not < 2   | V                 | 37,500         |
| Contributing to the Delinquency of a Minor: Death   | 22-811(b)(5)         | M 6                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Contributing to the Delinquency of a Minor: Commission of felony, serious bodily injury   | 22-811(b)(3), (4)    | M 8                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Contributing to the Delinquency of a Minor: 2 <sup>nd</sup> + offense   | 22-811(b)(2)         | M 9                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500         |
| Government Officials, Intimidating, Impeding, Interfering, Retaliating  | 22-851(b)            | M 8                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Government Officials/Family, Stalking, Threatening, Assaulting, Kidnapping, Injuring or Vandalizing, Damaging, Destroying or Taking Property of | 22-851(c), (d)       | M 9                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500         |
| Injure/Obstruct a Police Animal - Significant Bodily Injury/Death   | 22-861(b)(2)         | M8                     | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Counterfeiting -- 2 <sup>nd</sup> offense or value \$1,000 to 10,000 or 100 - 1,000 items   | 22-902(b)(2)         | M 9                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001)              | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)  | Violent/Dangerous | Fine (Dollars) |
|---|-------------------------------|------------------------|-----------------------------------|---------------------|---|--|--|-------------------|----------------|
| Counterfeiting -- 3+ offense or value > \$10,000 or 1,000 items                                 | 22-902(b)(3)                  | M 9                    | 10                                | 2                   | 8   | 3  |  |                   | 25,000         |
| Criminal Abuse or Neglect of a Vulnerable Adult -- Death  | 22-936(c)                     | M 5                    | 20                                | 2                   | 18  | 3  |  |                   | 50,000         |
| Criminal Abuse or Neglect of a Vulnerable Adult -- Permanent bodily harm                        | 22-933<br>22-936(c)           | M 6                    | 20                                | 2                   | 18  | 3  |  |                   | 50,000         |
| Criminal Abuse or Neglect of a Vulnerable Adult -- Serious bodily injury/severe mental distress | 22-933<br>22-936(b)           | M 7                    | 10                                | 2                   | 8   | 3  |  |                   | 25,000         |
| Financial Exploitation of a Vulnerable Adult or Elderly Person -- \$1000 or More                | 22-933.01<br>22-936.01(a)(1)  | M8                     | 10                                | 2                   | 8   | 3  |  |                   | 25,000         |
| Financial Exploitation of a Vulnerable Adult or Elderly Person -- 2+ Prior Convictions          | 22-933.01<br>22-936.01(b)     | M8                     | 15                                | 2                   | 13  | 3  |  |                   | 37,500         |
| Gang Recruitment w/a*   | 22-951(c)<br>22-4502          | M 5                    | 30                                | 5                   | 30  | 5  | M5 1st<br>firearm<br>M10 2nd<br>firearm<br>M5 2nd<br>other                                     | V                 | 75,000         |
| Gang Recruitment, Retaliation or Participation  | 22-951(c)                     | M 7                    | 10                                | 2                   | 8   | 3  |  | V                 | 25,000         |
| Gang Participation  | 22-951(b)                     | M 8                    | 5                                 | 2                   | 3   | 3  |  |                   | 12,500         |
| Cruelty to Animals  | 22-1001(d)                    | M 9                    | 5                                 | 2                   | 3   | 3  |  |                   | 12,500         |
| Animal Fighting, Engaging in  | 22-1006.01                    | M 9                    | 5                                 | 2                   | 3   | 3  |  |                   | 12,500         |
| Cruelty to Children -- 1 <sup>o</sup> w/a*  | 22-1101(a), (c)(1)<br>22-4502 | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001)   | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)  | Violent/Dangerous | Fine (Dollars) |
|---|--------------------|------------------------|-----------------------------------|---------------------|---|--|--|-------------------|----------------|
| Cruelty to Children -- 1 <sup>o</sup>                             | 22-1101(a), (c)(1) | M 6                    | 15                                | 2                   | 13  | 3  |  | V                 | 37,500         |
| Cruelty to Children -- 2 <sup>o</sup>                             | 22-1101(b), (c)(2) | M 8                    | 10                                | 2                   | 8   | 3  |  |                   | 25,000         |
| Riot, Inciting (felony)   | 22-1322(d)         | M 7                    | 10                                | 2                   | 8   | 3  |  |                   | 25,000         |
| False Personation   | 22-1403            | M 9                    | 5                                 | 2                   | 3   | 3  | not < 1  |                   | 12,500         |
| Impersonating a Public Official                                   | 22-1404            | M 9                    | 3                                 | 1                   | 2   | 3  | not < 1  |                   | 12,500         |
| Bad Checks \$1000+  | 22-1510            | M 9                    | 3                                 | 1                   | 2   | 3  | not < 1  |                   | 12,500         |
| Illegal Lottery   | 22-1701            | M 9                    | 3                                 | 1                   | 2   | 3  |  |                   | 12,500         |
| Gaming  | 22-1704            | M 9                    | 5                                 | 2                   | 3   | 3  |  |                   | 12,500         |
| Corrupt Influence -- Athletics                                    | 22-1713(a)         | M 9                    | 5                                 | 2                   | 3   | 3  | not < 1  |                   | 12,500         |
| Attempt Crime of Violence w/a*<br>(Unless otherwise specified)    | 22-1803<br>22-4502 | <sup>53</sup>          | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Attempt Crime of Violence unarmed<br>(Unless otherwise specified) | 22-1803            | M 8                    | 5                                 | 2                   | 3   | 3  |  | V                 | 12,500         |
| Repeats --1 prior   | 22-1804            |                        | 1½ x<br>the<br>term               |                     |   |  |  |                   | 1½ x the fine  |
| Repeats -- 2+ priors  | 22-1804            |                        | 3 x the<br>term                   |                     |   |  |  |                   | 3 x the fine   |
| Three Strikes for Felonies*                                       | 22-1804a(a)(1)     |                        | 30                                | 5                   | 30  | 5  |  |                   | 75,000         |

<sup>53</sup> Same group as unarmed completed offense.

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)   | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years) | Violent/Dangerous | Fine (Dollars)                             |
|--|--------------------|------------------------|-----------------------------------|---------------------|---|--|-----------------|-------------------|--|
| Three Strikes for Violent Felonies*                      | 22-1804a (a)(2)    |                        | LWOR                              | 5                   | LWOR  | 5  | not < 15        |                   | 125,000                                    |
| Aiding & Abetting  | 22-1805            |                        | Same as principal                 |                     |   |  |                 |                   | Same as principal                          |
| Conspiracy in general                                    | 22-1805a(a)(1)     | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500                                     |
| Conspiracy in general<br>If underlying offense < 5 years | 22-1805a(a)(1)     | M 9                    | Same term                         | 1                   | x minus 1                                       | 3  |                 |                   | Same fine                                  |
| Conspiracy to Commit Murder or an Armed COV              | 22-1805a(a)(2)     | M 5 <sup>54</sup>      | 15                                | 2                   | 13  | 3  |                 | V                 | Not > 37,500 or maximum for underlying off |
| Conspiracy to Commit COV                                 | 22-1805a(a)(2)     | M 7 <sup>55</sup>      | 15 <sup>56</sup>                  | 2                   | x minus 2                                       | 3  |                 | V                 | Not > 37,500 or maximum for underlying off |
| Accessory After the Fact                                 | 22-1806            | <sup>57</sup>          | ½ the term                        |                     |   |  |                 |                   | ½ the fine                                 |
| Offenses not covered by D.C. Code                        | 22-1807            | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500                                     |
| Threats -- Felony  | 22-1810            | M 8                    | 20                                | 2                   | 18  | 3  |                 |                   | 50,000                                     |
| Human Trafficking -- Forced Labor                        | 22-1832<br>22-1837 | M 5                    | 20                                | 2                   | 18  | 3  |                 |                   | 50,000                                     |
| Human Trafficking -- Forced Labor -- Attempt             | 22-1832<br>22-1837 | M 7                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000                                     |

<sup>54</sup> If underlying offense is in M 6 or M 7, the conspiracy is in the same offense severity group.

<sup>55</sup> If underlying offense is in M 8 or M 9, the conspiracy is in the same offense severity group.

<sup>56</sup> The maximum statutory penalty may not exceed 15 years or the maximum penalty prescribed for the underlying offense, whichever is lower.

<sup>57</sup> See §§ 2.1 and 2.2.2 for the severity level and scoring of accessory convictions.

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)   | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars)            |
|--|--------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|---------------------------|
| Human Trafficking -- Labor or Commercial Sex Acts            | 22-1833<br>22-1837 | M 5                    | 20                                | 2                   | 18  | 3  |   |                   | 50,000                    |
| Human Trafficking -- Labor or Commercial Sex Acts -- Attempt | 22-1833<br>22-1837 | M 7                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000                    |
| Human Trafficking -- Sex Trafficking of Children             | 22-1834<br>22-1837 | M 5                    | 20                                | 2                   | 18  | 3  |   |                   | 50,000                    |
| Human Trafficking -- Sex Trafficking of Children -- Attempt  | 22-1834<br>22-1837 | M 7                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000                    |
| Human Trafficking -- Documents                               | 22-1835<br>22-1837 | M 8                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500                    |
| Human Trafficking -- Documents -- Attempt                    | 22-1835<br>22-1837 | M 9                    | 2½                                | 1                   | 1½  | 3  |   |                   | 12,500                    |
| Human Trafficking -- Benefitting Financially                 | 22-1836<br>22-1837 |                        | Same as principal                 |                     |   |  |   |                   | Same as principal         |
| Human Trafficking -- Benefitting Financially -- Attempt      | 22-1836<br>22-1837 |                        | Same as principal attempt         |                     |   |  |   |                   | Same as principal attempt |
| Human Trafficking -- Victim held/services provided >180 days | 22-1837            |                        | 1½ x the term                     |                     |   |  |   |                   | 1 ½ x the fine            |
| Incest   | 22-1901            | M 7                    | 12                                | 2                   | 10  | 3  |   |                   | 37,500                    |
| Kidnapping w/a*  | 22-2001<br>22-4502 | M 3                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000                    |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense                                 | D.C. Code (2001)                        | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|---|---|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Kidnapping*                             | 22-2001                                 | M 5                    | 30                                | 5                   | 30  | 5  |   | V                 | 75,000         |
| Murder I w/a*                           | 22-2101<br>22-2104<br>22-4502           | M 1                    | LWOR (60)                         | 5                   | LWOR  | 5  | M30   | V                 | 250,000        |
| Murder I*                               | 22-2101<br>22-2104<br>24-403.01(b-2)    | M 1                    | LWOR (60)                         | 5                   | LWOR  | 5  | M30   | V                 | 250,000        |
| Murder I -- Obstruction of Railway*     | 22-2102<br>22-2104<br>24-403.01(b-2)    | M 1                    | LWOR (60)                         | 5                   | LWOR  | 5  | M30   | V                 | 250,000        |
| Murder II w/a*                          | 22-2103<br>22-2104<br>22-4502           | M 2                    | Life (40)                         | 5                   | Life  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 250,000        |
| Murder II*                              | 22-2103<br>22-2104<br>24-403.01(b-2)    | M 2                    | Life (40)                         | 5                   | Life  | 5  |   | V                 | 250,000        |
| Aggravated Murder I*                    | 22-2104<br>22-2104.01<br>24-403.01(b-2) | M 1 <sup>e</sup>       | LWOR                              | 5                   | LWOR  | 5  |   | V                 | 250,000        |
| Solicitation of Murder                  | 22-2107(a)                              | M 4                    | 20                                | 2                   | 18  | 3  |   |                   | 50,000         |
| Solicitation of Other Crime of Violence | 22-2107(b)                              | M 6                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Manslaughter -- Voluntary -- w/a*       | 22-2105<br>22-4502                      | M 3                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 250,000        |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)           | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|--|----------------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Manslaughter -- Voluntary  | 22-2105                    | M 4                    | 30                                | 3                   | 27  | 5  |   | V                 | 250,000        |
| Manslaughter -- Involuntary -- w/a*  | 22-2105<br>22-4502         | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 250,000        |
| Manslaughter -- Involuntary  | 22-2105                    | M 5                    | 30                                | 3                   | 27  | 5  |   | V                 | 250,000        |
| Murder of P.O.*  | 22-2106                    | M 1                    | LWOR                              |                     | LWOR  |  | M-LWOR  | V                 | 250,000        |
| Obscenity -- 2 <sup>nd</sup> + offense   | 22-2201(e)                 | M 9                    | 3                                 | 1                   | 2   | 3  | not < 6 months  |                   | 1,000 - 12,500 |
| Perjury  | 22-2402                    | M 8                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Perjury, Subornation of  | 22-2403                    | M 8                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| False Swearing   | 22-2404                    | M 9                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500         |
| Possession of Implements of Crime -- 2 <sup>nd</sup> + offense or after felony   | 22-2501<br>24-403.01(f)(3) | M 9                    | 5                                 | 2                   | 3   | 3  | not < 1   |                   | 12,500         |
| Escape, and Attempt Escape   | 22-2601                    | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Contraband -- Introducing into prison and possession by inmate: Class A material | 22-2603                    | M 8                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Contraband -- Introducing into prison and possession by inmate: Class B material | 22-2603                    | M 9                    | 2                                 | 1                   | 1   | 3  |   |                   | 12,500         |
| Prostitution, Engaging In or Soliciting -- 3+ offense                            | 22-2701                    | M 9                    | 2                                 | 1                   | 1   | 3  |   |                   | 12,500         |
| Child Prostitution -- Abducting/Enticing   | 22-2704                    | M 5                    | 20                                | 2                   | 18  | 3 or SOR   | not < 2   |                   | 50,000         |
| Child Prostitution -- Harboring  | 22-2704                    | M 5                    | 20                                | 2                   | 18  | 3 or SOR   | not < 2   |                   | 50,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)   | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|--|--------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Prostitution -- Inducing or Compelling                 | 22-2705(c)(1)      | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Prostitution -- Inducing or Compelling a Minor         | 22-2705(c)(2)      | M 5                    | 20                                | 2                   | 18  | 3 or SOR   |   |                   | 50,000         |
| Prostitution -- Against Will                           | 22-2706(b)(1)      | M 6                    | 15                                | 2                   | 13  | 3  |   |                   | 37,500         |
| Prostitution -- Against Will a Minor                   | 22-2706(b)(2)      | M 5                    | 20                                | 2                   | 18  | 3 or SOR   |   |                   | 50,000         |
| Prostitution -- Procuring                              | 22-2707(b)(1)      | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Prostitution -- Procuring a Minor                      | 22-2707(b)(2)      | M 5                    | 20                                | 2                   | 18  | 3 or SOR   |   |                   | 50,000         |
| Prostitution, Causing Spouse to Live in                | 22-2708            | M 8                    | 10                                | 2                   | 8   | 3  | not < 1   |                   | 25,000         |
| Prostitution -- Detaining in Disorderly House for Debt | 22-2709            | M 9                    | 5                                 | 2                   | 3   | 3  | not < 1   |                   | 12,500         |
| Prostitution, Procuring for House of                   | 22-2710            | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Prostitution, Procuring for 3 <sup>rd</sup> Persons    | 22-2711            | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Prostitution, Operating House of                       | 22-2712            | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Prostitution -- Keeping Bawdy or Disorderly House      | 22-2722            | M 9                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Robbery -- w/a*  | 22-2801<br>22-4502 | M 5                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other<br>not < 2 <sup>58</sup> | V                 | 75,000         |
| Robbery  | 22-2801            | M 6                    | 15                                | 2                   | 13  | 3  | not < 2   | V                 | 37,500         |

<sup>58</sup> Two year statutory minimum if no mandatory minimum applies.



Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense                                  | D.C. Code (2001)                        | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars)      |
|--|---|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|---------------------|
| Robbery -- Attempt w/a*                  | 22-2802<br>22-4502                      | M 6                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000              |
| Robbery -- Attempt                       | 22-2802                                 | M 8                    | 3                                 | 1                   | 2   | 3  |   | V                 | 12,500              |
| Carjacking w/a*                          | 22-2803(b)<br>22-4502<br>24-403.01(b-2) | M 3                    | 40<br>(30)                        | 5                   | 40<br>(30)                                      | 5  | M15   | V                 | 125,000<br>(75,000) |
| Carjacking                               | 22-2803(a)                              | M 5                    | 21                                | 2                   | 19  | 3  | M7  | V                 | 75,000              |
| Sex Abuse -- Aggravated 1 <sup>o</sup> * | 22-3002<br>22-3020                      | M 2 <sup>e</sup>       | LWOR                              | 5                   | LWOR  | 5 or SOR   |   | V                 | 125,000             |
| Sex Abuse -- 1 <sup>o</sup> w/a*         | 22-3002<br>22-4502                      | M 2                    | LWOR<br>(30)                      | 5                   | LWOR<br>(30)                                    | 5 or SOR   | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 125,000<br>(75,000) |
| Sex Abuse -- 1 <sup>o</sup> *            | 22-3002<br>24-403.01(e)                 | M 2                    | LWOR<br>(30)                      | 5                   | LWOR<br>(30)                                    | 5 or SOR   | not < 7 if prior COV  | V                 | 125,000<br>(75,000) |
| Sex Abuse -- Attempt 1 <sup>o</sup> w/a* | 22-3002<br>22-3018<br>22-4502           | M 5                    | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000              |
| Sex Abuse -- Attempt 1 <sup>o</sup>      | 22-3002<br>22-3018                      | M 6                    | 15                                | 2                   | 13  | 3 or SOR   |   | V                 | 37,500              |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense                      | D.C. Code (2001)              | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|------------------------------|-------------------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Sex Abuse -- 2° w/a*         | 22-3003<br>22-4502            | M 4                    | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Sex Abuse -- 2°              | 22-3003<br>24-403.01(e)       | M 5                    | 20                                | 2                   | 18  | 3 or SOR   | not < 7 if prior COV  | V                 | 50,000         |
| Sex Abuse -- Attempt 2° w/a* | 22-3003<br>22-3018<br>22-4502 | M 5                    | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Sex Abuse -- Attempt 2°      | 22-3003<br>22-3018            | M 7                    | 10                                | 2                   | 8   | 3 or SOR   |   | V                 | 25,000         |
| Sex Abuse -- 3° w/a*         | 22-3004<br>22-4502            | M5                     | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Sex Abuse -- 3°              | 22-3004                       | M 7                    | 10                                | 2                   | 8   | 3 or SOR   |   | V                 | 25,000         |
| Sex Abuse -- Attempt 3°      | 22-3004<br>22-3018            | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |   | V                 | 12,500         |
| Sex Abuse -- 4°              | 22-3005                       | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |   |                   | 12,500         |
| Sex Abuse -- Attempt 4°      | 22-3005<br>22-3018            | M 9                    | 2½                                | 1                   | 1½  | 3 or SOR   |   |                   | 12,500         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)                          | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)  | Violent/Dangerous | Fine (Dollars)      |
|--|---|------------------------|-----------------------------------|---------------------|---|--|--|-------------------|---------------------|
| Child Sex Abuse -- Aggravated 1 <sup>o</sup> * | 22-3008<br>22-3020<br>24-403.01(b-2)      | M 3 <sup>o</sup>       | LWOR                              | 5                   | LWOR  | 5 or SOR   |  | V                 | 125,000             |
| Child Sex Abuse -- 1 <sup>o</sup> w/a*         | 22-3008<br>22-4502<br>24-403.01(b-2)      | M 2                    | LWOR<br>(30)                      | 5                   | LWOR<br>(30)                                    | 5 or SOR   | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 125,000<br>(75,000) |
| Child Sex Abuse* -- 1 <sup>o</sup>             | 22-3008<br>24-403.01(e)<br>24-403.01(b-2) | M 3                    | LWOR<br>(30)                      | 5                   | LWOR<br>(30)                                    | 5 or SOR   | not < 7 if<br>prior COV  | V                 | 125,000<br>(75,000) |
| Child Sex Abuse -- Attempt 1 <sup>o</sup> w/a* | 22-3008<br>22-3018<br>22-4502             | M 5                    | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000              |
| Child Sex Abuse -- Attempt 1 <sup>o</sup>      | 22-3008<br>22-3018                        | M 6                    | 15                                | 2                   | 13  | 3 or SOR   |  | V                 | 37,500              |
| Child Sex Abuse -- 2 <sup>o</sup> w/a*         | 22-3009<br>22-4502                        | M 5                    | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000              |
| Child Sex Abuse -- 2 <sup>o</sup>              | 22-3009<br>24-403.01(e)                   | M 6                    | 10                                | 2                   | 8   | 3 or SOR   | not < 7 if<br>prior COV  | V                 | 25,000              |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)                | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|--|---------------------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Child Sex Abuse -- Attempt 2 <sup>o</sup> w/a*   | 22-3009<br>22-3018<br>22-4502   | M 5                    | 30                                | 5                   | 30  | 5 or SOR   | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Child Sex Abuse -- Attempt 2 <sup>o</sup>        | 22-3009<br>22-3018              | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |   | V                 | 12,500         |
| Sex Abuse of a Minor -- 1 <sup>o</sup>           | 22-3009.01                      | M 6                    | 15                                | 2                   | 13  | 3 or SOR   |   |                   | 37,500         |
| Sex Abuse of a Minor -- Attempt 1 <sup>o</sup>   | 22-3009.01<br>22-3018           | M 7                    | 7½                                | 2                   | 5½  | 3 or SOR   |   |                   | 25,000         |
| Sex Abuse of a Minor -- 2 <sup>o</sup>           | 22-3009.02                      | M 7                    | 7½                                | 2                   | 5½  | 3 or SOR   |   |                   | 25,000         |
| Sex Abuse of a Minor -- Attempt 2 <sup>o</sup>   | 22-3009.02<br>22-3018           | M 9                    | 3¾                                | 1                   | 2¾  | 3 or SOR   |   |                   | 12,500         |
| Sex Abuse of a Student -- 1 <sup>o</sup>         | 22-3009.03                      | M 7                    | 10                                | 2                   | 8   | 3 or SOR   |   |                   | 25,000         |
| Sex Abuse of a Student -- Attempt 1 <sup>o</sup> | 22-3009.03<br>22-3018           | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |   |                   | 12,500         |
| Sex Abuse of a Student -- 2 <sup>o</sup>         | 22-3009.04                      | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |   |                   | 12,500         |
| Sex Abuse of a Student -- Attempt 2 <sup>o</sup> | 22-3009.04<br>22-3018           | M 9                    | 2½                                | 1                   | 1½  | 3 or SOR   |   |                   | 12,500         |
| Child Sex Abuse -- Enticing                      | 22-3010(a), (b)<br>24-403.01(e) | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   | not < 7 if prior COV  |                   | 12,500         |
| Child Sex Abuse -- Enticing -- Attempt           | 22-3010<br>22-3018              | M 9                    | 2½                                | 1                   | 1½  | 3 or SOR   |   |                   | 12,500         |
| Child Sex Abuse -- Arranging for Sexual Contact  | 22-3010.02                      | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |   |                   | 12,500         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)      | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years) | Violent/Dangerous | Fine (Dollars) |
|--|-----------------------|------------------------|-----------------------------------|---------------------|---|--|-----------------|-------------------|----------------|
| Child Sex Abuse -- Arranging for Sexual Contact -- Attempt | 22-3010.02<br>22-3018 | M 9                    | 2½                                | 1                   | 1½  | 3 or SOR   |                 |                   | 12,500         |
| Sex Abuse -- Ward -- 1°                                    | 22-3013               | M 7                    | 10                                | 2                   | 8   | 3 or SOR   |                 |                   | 25,000         |
| Sex Abuse -- Ward -- Attempt 1°                            | 22-3013<br>22-3018    | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |                 |                   | 12,500         |
| Sex Abuse -- Ward -- 2°                                    | 22-3014               | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |                 |                   | 12,500         |
| Sex Abuse -- Ward -- Attempt 2°                            | 22-3014<br>22-3018    | M 9                    | 2½                                | 1                   | 1½  | 3 or SOR   |                 |                   | 12,500         |
| Sex Abuse -- Patient 1°                                    | 22-3015               | M 7                    | 10                                | 2                   | 8   | 3 or SOR   |                 |                   | 25,000         |
| Sex Abuse -- Patient -- Attempt 1°                         | 22-3015<br>22-3018    | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |                 |                   | 12,500         |
| Sex Abuse -- Patient -- 2°                                 | 22-3016               | M 8                    | 5                                 | 2                   | 3   | 3 or SOR   |                 |                   | 12,500         |
| Sex Abuse -- Patient -- Attempt 2°                         | 22-3016<br>22-3018    | M 9                    | 2½                                | 1                   | 1½  | 3 or SOR   |                 |                   | 12,500         |
| Sex Abuse -- Aggravated other than 1°                      | 22-3020               |                        | 1½ x the term                     |                     |   |  |                 |                   | 1½ x the fine  |
| Unlawful Publication -- 1° (Revenge Pornography)           | 22-3053               | M9                     | 3                                 | 1                   | 2   | 3  |                 |                   | 12,500         |
| Sex Performance w/ Minors -- 1 <sup>st</sup> offense       | 22-3102<br>22-3103(1) | M 8                    | 10                                | 2                   | 8   | 3 or SOR   |                 |                   | 25,000         |
| Sex Performance w/ Minors -- 2 <sup>nd</sup> + offense     | 22-3102<br>22-3103(2) | M 8 <sup>e</sup>       | 20                                | 2                   | 18  | 3 or SOR   |                 |                   | 50,000         |
| Stalking - Felony  | 22-3133<br>22-3134(b) | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500         |
| Stalking - Felony: if two or more qualifying convictions   | 22-3133<br>22-3134(c) | M 9 <sup>e</sup>       | 10                                | 2                   | 8   | 3  |                 |                   | 25,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense                         | D.C. Code (2001)      | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)  | Violent/Dangerous | Fine (Dollars) |
|---------------------------------|-----------------------|------------------------|-----------------------------------|---------------------|---|--|--|-------------------|----------------|
| Terrorism – Murder I*           | 22-3153(a)            | M1                     | LWOR                              | 5                   | LWOR  | 5  | LWOR   | V                 | 250,000        |
| Terrorism – Murder I w/a*       | 22-3153(a)<br>22-4502 | M1                     | LWOR                              | 5                   | LWOR  | 5  | LWOR   | V                 | 250,000        |
| Terrorism – Murder I – LEO*     | 22-3153(b)            | M1                     | LWOR                              | 5                   | LWOR  | 5  | LWOR   | V                 | 250,000        |
| Terrorism – Murder I w/a – LEO* | 22-3153(b)<br>22-4502 | M1                     | LWOR                              | 5                   | LWOR  | 5  | LWOR   | V                 | 250,000        |
| Terrorism – Murder II*          | 22-3153(c)            | M2                     | Life                              | 5                   | Life  | 5  |  | V                 | 250,000        |
| Terrorism – Murder II w/a*      | 22-3153(c)<br>22-4502 | M2                     | Life                              | 5                   | Life  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 250,000        |
| Terrorism – Manslaughter        | 22-3153(d)            | M4                     | Life                              | 5                   | Life  | 5  |  | V                 | 250,000        |
| Terrorism – Manslaughter w/a*   | 22-3153(d)<br>22-4502 | M3                     | Life                              | 5                   | Life  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 250,000        |
| Terrorism – Kidnapping*         | 22-3153(e)            | M4                     | Life                              | 5                   | Life  | 5  |  | V                 | 125,000        |
| Terrorism – Kidnapping w/a*     | 22-3153(e)<br>22-4502 | M3                     | Life                              | 5                   | Life  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 125,000        |
| Terrorism – AWIK                | 22-3153(f)            | M4                     | 30                                | 3                   | 27  | 5  |  | V                 | 75,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense                                   | D.C. Code (2001)      | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|---|-----------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Terrorism – AWIK w/a*                     | 22-3153(f)<br>22-4502 | M3                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Terrorism – Mayhem/Malicious Disfig.      | 22-3153(g)            | M5                     | 20                                | 2                   | 18  | 3  |   | V                 | 50,000         |
| Terrorism – Mayhem/Malicious Disfig. w/a* | 22-3153(g)<br>22-4502 | M4                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Terrorism – Arson                         | 22-3153(h)            | M5                     | 20                                | 2                   | 18  | 3  |   | V                 | 50,000         |
| Terrorism – Arson w/a*                    | 22-3153(h)<br>22-4502 | M4                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Terrorism – Destruction of Prop.          | 22-3153(i)            | M5                     | 20                                | 2                   | 18  | 3  |   | V                 | 50,000         |
| Terrorism – Destruction of Prop. w/a*     | 22-3153(i)<br>22-4502 | M4                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V                 | 75,000         |
| Terrorism – Murder I -- Attempt/Conspire  | 22-3153(j)            | M4                     | 30                                | 3                   | 27  | 5  |   | V                 | 75,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)      | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)  | Violent/Dangerous | Fine (Dollars) |
|--|-----------------------|------------------------|-----------------------------------|---------------------|---|--|--|-------------------|----------------|
| Terrorism – Murder I w/a -- Attempt/Conspire*                  | 22-3153(j)<br>22-4502 | M3                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism – Murder I – LEO -- Attempt/Conspire                 | 22-3153(j)            | M3                     | 30                                | 3                   | 27  | 5  |  | V                 | 75,000         |
| Terrorism – Murder I w/a – LEO -- Attempt/Conspire*            | 22-3153(j)<br>22-4502 | M2                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism – Kidnapping -- Attempt/Conspire                     | 22-3153(j)            | M5                     | 30                                | 3                   | 27  | 5  |  | V                 | 75,000         |
| Terrorism – Kidnapping w/a -- Attempt/Conspire*                | 22-3153(j)<br>22-4502 | M4                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism – Mayhem/Malicious Disfig.<br>Attempt/Conspire       | 22-3153(l)            | M6                     | 15                                | 2                   | 13  | 3  |  | V                 | 37,500         |
| Terrorism – Mayhem/Malicious Disfig. w/a*<br>Attempt/Conspire* | 22-3153(l)<br>22-4502 | M5                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism – Arson -- Attempt/Conspire                          | 22-3153(l)            | M6                     | 15                                | 2                   | 13  | 3  |  | V                 | 37,500         |



Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)      | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)  | Violent/Dangerous | Fine (Dollars) |
|--|-----------------------|------------------------|-----------------------------------|---------------------|---|--|--|-------------------|----------------|
| Terrorism – Arson w/a -- Attempt/Conspire*                                     | 22-3153(l)<br>22-4502 | M5                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism – Destruction of Prop. -- Attempt/Conspire                           | 22-3153(l)            | M6                     | 15                                | 2                   | 13  | 3  |  | V                 | 37,500         |
| Terrorism – Destruction of Prop. w/a -- Attempt/Conspire*                      | 22-3153(l)<br>22-4502 | M5                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism – Material Support   | 22-3153(m)            | M5                     | 20                                | 2                   | 18  | 3  |  | V                 | 50,000         |
| Terrorism – Material Support w/a*  | 22-3153(m)<br>22-4502 | M4                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism – Soliciting   | 22-3153(n)            | M6                     | 20                                | 2                   | 18  | 3  |  | V                 | 50,000         |
| Terrorism – Soliciting w/a*  | 22-3153(n)<br>22-4502 | M5                     | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup><br>firearm<br>M10 2 <sup>nd</sup><br>firearm<br>M5 2 <sup>nd</sup><br>other | V                 | 75,000         |
| Terrorism - Weapon of Mass Destruction, Manufacture/Poss.                      | 22-3154(a)            | M3                     | life                              | 5                   | life  | 5  |  | V                 | 125,000        |
| Terrorism - Weapon of Mass Destruction, Manufacture/ Poss. -- Attempt/Conspire | 22-3154(b)            | M5                     | 30                                | 3                   | 27  | 5  |  | V                 | 75,000         |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)            | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years) | Violent/Dangerous | Fine (Dollars)          |
|--|-----------------------------|------------------------|-----------------------------------|---------------------|---|--|-----------------|-------------------|-------------------------|
| Terrorism - Weapon of Mass Destruction, Use, Disseminate, or Detonate  | 22-3155(a)                  | M2                     | life                              | 5                   | life  | 5  |                 | V                 | 125,000                 |
| Terrorism - Weapon of Mass Destruction, Use, Disseminate, or Detonate -- Attempt/Conspire                    | 22-3155(b)                  | M3                     | 30                                | 3                   | 27  | 5  |                 | V                 | 75,000                  |
| Theft -- 1 <sup>o</sup>  | 22-3211<br>22-3212(a)       | M 8                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000                  |
| Theft -- 1 <sup>o</sup> if two or more theft convictions   | 22-3211<br>22-3212(c)       | M 8                    | 10                                | 2                   | 8   | 3  | M1              |                   | 25,000                  |
| Theft -- 2 <sup>o</sup> if two or more theft convictions   | 22-3211<br>22-3212(c)       | M 9                    | 10                                | 2                   | 8   | 3  | M1              |                   | 25,000                  |
| Deceptive Labeling   | 22-3214.01(d)(2)            | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500                  |
| Unauthorized Use of a Motor Vehicle (UUV) -- Rental  | 22-3215(d)(4)               | M 8                    | 3                                 | 1                   | 2   | 3  |                 |                   | 12,500                  |
| Unauthorized Use of a Motor Vehicle (UUV) -- Private<br>Two or more UUV or Theft 1 <sup>o</sup> convictions  | 22-3215(d)(3)               | M 8 <sup>e</sup>       | 15                                | 2                   | 13  | 3  | not < 2 ½       |                   | 5,000 –<br>37,500       |
| Unauthorized Use of a Motor Vehicle (UUV) -- Private<br>During or to facilitate COV                          | 22-3215(d)(2)               | M 7                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000                  |
| Unauthorized Use of a Motor Vehicle (UUV) -- Private<br>During or to facilitate COV w/ serious bodily injury | 22-3215(d)(2)               | M 7                    | 10                                | 2                   | 8   | 3  | not < 5         |                   | 25,000                  |
| Unauthorized Use of a Motor Vehicle (UUV) -- Private   | 22-3215(d)(1)               | M 8                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500                  |
| Fraud -- 1 <sup>o</sup> -- \$1,000+  | 22-3221(a)<br>22-3222(a)(1) | M 9                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000/ 2x the<br>value |
| Fraud -- 2 <sup>o</sup> -- \$1,000+  | 22-3221(b)<br>22-3222(b)(1) | M 9                    | 3                                 | 1                   | 2   | 3  |                 |                   | 12,500/ 2x the<br>value |
| Credit Card Fraud -- \$1,000+  | 22-3223(d)(1)               | M 9                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000                  |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)               | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years) | Violent/Dangerous | Fine (Dollars)                          |
|--|--------------------------------|------------------------|-----------------------------------|---------------------|---|--|-----------------|-------------------|---|
| Insurance Fraud -- 1 <sup>o</sup> -- \$1,000+                            | 22-3225.02<br>22-3225.04(a)    | M 9                    | 15                                | 2                   | 13  | 3  |                 |                   | 37,500                                  |
| Insurance Fraud -- 2 <sup>o</sup> -- \$1,000+<br>1 <sup>st</sup> offense | 22-3225.03<br>22-3225.04(b)(1) | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500                                  |
| Insurance Fraud -- 2 <sup>o</sup> -- \$1,000+<br>2 <sup>nd</sup> offense | 22-3225.03<br>22-3225.04(b)(2) | M 9 <sup>e</sup>       | 10                                | 2                   | 8   | 3  |                 |                   | 25,000                                  |
| Telephone Solicitation Fraud -- \$20,000+                                | 22-3226.06(a)<br>22-3226.10    | M 9                    | 4                                 | 1                   | 3   | 3  |                 |                   | 12,500                                  |
| Telephone Solicitation Fraud -- > \$5,000 to < 20,000                    | 22-3226.06(a)<br>22-3226.10    | M 9                    | 3                                 | 1                   | 3   | 3  |                 |                   | 12,500                                  |
| Identity Theft -- 1 <sup>o</sup>   | 22-3227.02<br>22-3227.03(a)    | M 8                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000 or 2x<br>the financial<br>injury |
| Identity Theft -- 1 <sup>o</sup> against senior citizen                  | 22-3227.02<br>22-3227.03(c)    | M 8 <sup>e</sup>       | 15                                | 2                   | 13  | 3  |                 |                   | 1 ½ x the fine                          |
| Trafficking in Stolen Property   | 22-3231                        | M 8                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000                                  |
| Receiving Stolen Property (RSP) -- \$1,000+                              | 22-3232(c)(1)                  | M 9                    | 7                                 | 2                   | 5   | 3  |                 |                   | 25,000                                  |
| Tampering with a VIN -- \$1,000+   | 22-3233(b)(2)                  | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500                                  |
| Forgery and Uttering:<br>Legal tender                                    | 22-3241<br>22-3242 (a)         | M 9                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000                                  |
| Forgery and Uttering:<br>Token   | 22-3241<br>22-3242(b)          | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500                                  |
| Forgery and Uttering:<br>Other   | 22-3241<br>22-3242(c)          | M 9                    | 3                                 | 1                   | 2   | 3  |                 |                   | 12,500                                  |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense                                    | D.C. Code (2001)   | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars) |
|--|--------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|----------------|
| Extortion with threats of violence w/a*    | 22-3251<br>22-4502 | M 8                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V <sup>59</sup>   | 75,000         |
| Extortion                                  | 22-3251            | M 8                    | 10                                | 2                   | 8   | 3  |   | V <sup>60</sup>   | 25,000         |
| Blackmail with threats of violence -- w/a* | 22-3252<br>22-4502 | M 8                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | V <sup>61</sup>   | 75,000         |
| Blackmail                                  | 22-3252            | M 9                    | 5                                 | 2                   | 3   | 3  |   | V <sup>62</sup>   | 12,500         |
| Grave Robbing                              | 22-3303            | M 9                    | 3                                 | 1                   | 2   | 3  | not < 1   |                   | 12,500         |
| Destruction of Property (DP) -- explosives | 22-3305            | M 8                    | 10                                | 2                   | 8   | 3  | not < 2   |                   | 25,000         |
| Water Pollution -- Malicious               | 22-3318            | M 9                    | 3                                 | 1                   | 2   | 3  | not < 1   |                   | 500 – 12,500   |
| Obstructing Railways                       | 22-3319            | M 9                    | 10                                | 2                   | 8   | 3  |   |                   | 25,000         |
| Voyeurism -- Distribution                  | 22-3531(f)(2)      | M 8                    | 5                                 | 2                   | 3   | 3  |   |                   | 12,500         |
| Senior Citizen Victim                      | 22-3601            |                        | 1½ x the term                     |                     |   |  |   |                   | 1 ½ x the fine |

<sup>59</sup> D.C. Code § 23-1331(4) provides that a crime of violence includes “extortion or blackmail accompanied by threats of violence.”

<sup>60</sup> D.C. Code § 23-1331(4) provides that a crime of violence includes “extortion or blackmail accompanied by threats of violence.”

<sup>61</sup> D.C. Code § 23-1331(4) provides that a crime of violence includes “extortion or blackmail accompanied by threats of violence.”

<sup>62</sup> D.C. Code § 23-1331(4) provides that a crime of violence includes “extortion or blackmail accompanied by threats of violence.”

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)       | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years) | Violent/Dangerous | Fine (Dollars) |
|--|------------------------|------------------------|-----------------------------------|---------------------|---|--|-----------------|-------------------|----------------|
| Citizen Patrol Victim  | 22-3602                |                        | 1½ x the term                     |                     |   |  |                 |                   | 1½ x the fine  |
| Crime of Violence Against Minors   | 22-3611                |                        | 1½ x the term                     |                     |   |  |                 |                   | 1 ½ x the fine |
| Bias-Related Crime   | 22-3703                |                        | 1½ x the term                     |                     |   |  |                 |                   | 1 ½ x the fine |
| Taxicab Driver, Offenses Against   | 22-3751                |                        | 1 ½ x the term                    |                     |   |  |                 |                   | 1 ½ the fine   |
| Sex Offender -- Failure to Register -- 2 <sup>nd</sup> offense   | 22-4015(a)             | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500         |
| Gun-Free Zone  | 22-4502.01             |                        | 2 x the term                      |                     |   |  |                 |                   | 2x the fine    |
| Unlawful Possession of a Firearm: prior convictions > 1 yr and COV other than Conspiracy                 | 22-4503(a)(1)          | M 7                    | 15                                | 2                   | 13  | 3  | M3              |                   | 37,500         |
| Unlawful Possession of a Firearm: prior conviction > 1 yr  | 22-4503(a)(1)          | M 8 <sup>63</sup>      | 10                                | 2                   | 8   | 3  | M1              |                   | 25,000         |
| Unlawful Possession of a Firearm: others   | 22-4503(a)(2) – (a)(6) | M 8                    | 10                                | 2                   | 8   | 3  | not < 2         |                   | 25,000         |
| Carrying a Pistol – Felony (CPWL)<br>Carrying Dangerous Weapon – Felony (CDW)<br>1 <sup>st</sup> offense | 22-4504(a)(1)          | M 8                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500         |

<sup>63</sup> Defendants convicted of Firearm, Unlawful Possession of by a person with a prior conviction > 1 year with a criminal history score of 2 to 3.75 fall into Master Grid box 8:C with a sentencing range of 14 to 32 months incarceration, prison or short split permissible. However, because of the mandatory minimum 12-month sentence, a short split sentence is not permissible under the Guidelines. The court must sentence the defendant to at least 14 months to impose a Guidelines compliant sentence. If the court determines that a split sentence of 12 months incarceration or more, but less than 14 months, is appropriate, it may sentence the defendant accordingly, but this would constitute a departure from the Guidelines. The court should note the reason for the departure on the docket.

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001) | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years) | Violent/Dangerous | Fine (Dollars) |
|---|------------------|------------------------|-----------------------------------|---------------------|---|--|-----------------|-------------------|----------------|
| Carrying a Pistol – Felony (CPWL)<br>Carrying Dangerous Weapon – Felony (CDW)<br>2 <sup>nd</sup> + offense or after felony conviction | 22-4504(a)(2)    | M 8 <sup>e</sup>       | 10                                | 2                   | 8   | 3  |                 |                   | 25,000         |
| Possession of a Firearm During a Crime of Violence or Dangerous Crime (PFCOV)   | 22-4504(b)       | M 5                    | 15                                | 2                   | 13  | 3  | M5              |                   | 37,500         |
| Possession of Prohibited Weapon (PPW) -- 2 <sup>nd</sup> + offense or after felony  | 22-4514          | M 9                    | 10                                | 2                   | 8   | 3  |                 |                   | 25,000         |
| Molotov Cocktails -- 1 <sup>st</sup> offense  | 22-4515a         | M 9                    | 5                                 | 2                   | 3   | 3  | not < 1         |                   | 12,500         |
| Molotov Cocktails -- 2 <sup>nd</sup> offense  | 22-4515a         | M 9 <sup>e</sup>       | 15                                | 2                   | 13  | 3  | not < 3         |                   | 37,500         |
| Molotov Cocktails -- 3 <sup>rd</sup> + offense*   | 22-4515a         | M 9 <sup>e</sup>       | 30                                | 5                   | 30  | 5  | not < 5         |                   | 75,000         |
| Interception, Disclosure, and Use of Wire or Oral Communications  | 23-542           | M9                     | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500         |
| Bail Reform Act (BRA) violation   | 23-1327(a)(1)    | M 9                    | 5                                 | 2                   | 3   | 3  | not < 1         |                   | 12,500         |
| Offenses Committed During Release (felony) <sup>64</sup>  | 23-1328(a)(1)    | M 9 <sup>65</sup>      | 5                                 |                     |   |  | not < 1         |                   | 12,500         |
| Assault on Police Officer (APO) w/ deadly weapon -- 2 <sup>nd</sup> + offense or prior felony   | 24-403.01(f)(1)  | M 7 <sup>e</sup>       | 10                                | 2                   | 8   | 3  | not < 1         | V                 | 25,000         |
| Aggravating Circumstances   | 24-403.01(b-2)   |                        | LWOR                              | 5                   | LWOR  | 5  |                 |                   | 125,000        |
| False Statement (Money Transmissions)   | 26-1023(b)       | M 9                    | 3                                 | 1                   | 2   | 3  |                 |                   | 12,500         |
| Money Transmission Without a License  | 26-1023(c)       | M 9                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500         |

<sup>64</sup> OCDR (felony) is an enhancement, not a separate offense. However, it operates similarly to a separate offense. Therefore, the Guidelines treat it as if it were a separate offense when determining a defendant's applicable sentencing range in the instant case for which it was charged.

<sup>65</sup> OCDR (felony) is classified as a M9 offense only when it is a charge in the instant case. Because it is technically an enhancement, not a distinct separate offense, it should not be scored as part of a defendant's prior criminal history score.

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense  | D.C. Code (2001)              | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years)   | Violent/Dangerous | Fine (Dollars)                                   |
|--|-------------------------------|------------------------|-----------------------------------|---------------------|---|--|---|-------------------|--|
| Tax – Attempt to Evade or Defeat -- \$10,000+  | 47-4101(a)                    | M9                     | 10                                | 2                   | 8   | 3  |   |                   | 25,000 or 2x amount evaded + cost of prosecution |
| Drugs -- Distribution, or PWID:<br>I, II Narcotics and abusive drugs (heroin, cocaine, PCP, methamphetamine, etc.)                             | 48-904.01(a)(2)(A), (b)       | D 2                    | 30                                | 3                   | 27  | 5  |   | D                 | 75,000   |
| Drugs -- Distribution, or PWID:<br>I, II, III Non-narcotic and non-abusive drugs (including marijuana -- 2 <sup>nd</sup> offense or > ½ pound) | 48-904.01(a)(2)(B), (b)       | D 3                    | 5                                 | 2                   | 3   | 3  |   | D                 | 12,500   |
| Drugs -- Distribution, or PWID:<br>IV  | 48-904.01(a)(2)(C), (b)       | D 3                    | 3                                 | 1                   | 2   | 3  |   | D                 | 12,500   |
| Drugs -- Distribution, or PWID w/a* (any drug)   | 48-904.01(a), (b)<br>22-4502  | D 1                    | 30                                | 5                   | 30  | 5  | M5 1 <sup>st</sup> firearm<br>M10 2 <sup>nd</sup> firearm<br>M5 2 <sup>nd</sup> other | D                 | 75,000   |
| Drugs -- Possession of Liquid PCP  | 48-904.01(d)(2)               | D 3                    | 3                                 | 1                   | 2   | 3  |   |                   | 12,500   |
| Drugs -- Fraud   | 48-904.03                     | D 3                    | 4                                 | 1                   | 3   | 3  |   |                   | 12,500   |
| Drugs -- Maintaining place for   | 48-904.03a                    | D 2                    | 25                                | 3                   | 22  | 3  | not < 5   |                   | 75,000   |
| Drugs -- Distribution to Minors  | 48-904.06                     |                        | 2 x the term                      |                     |   |  |   |                   | same fine  |
| Drugs -- Enlisting Minors --<br>1 <sup>st</sup> offense  | 48-904.07(b)(1) <sup>66</sup> |                        | 10                                | 2                   | 8   | 3  |   |                   | 25,000   |

<sup>66</sup> D.C. Code § 48-904.07 provides that a person who, for profit or benefit, enlists a minor to sell or distribute drugs in violation of D.C. Code § 48-904.01 (a), “shall be punished in the same manner as if that person directly sold or distributed the controlled substance” and that the penalties indicated here are “additional.”

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| Offense   | D.C. Code (2001)              | Offense Severity Group | Maximum Statutory Penalty (Years) | Backup Time (Years) | Maximum prison term that can be imposed (Years) | Supervised Release<br>If > 1 year, years<br>If ≤ 1 year, up to years | Minimum (Years) | Violent/Dangerous | Fine (Dollars) |
|---|-------------------------------|------------------------|-----------------------------------|---------------------|---|--|-----------------|-------------------|----------------|
| Drugs -- Enlisting Minors -- 2 <sup>nd</sup> + offense                        | 48-904.07(b)(2) <sup>65</sup> |                        | 20                                | 2                   | 18  | 3  |                 |                   | 50,000         |
| Drug-Free Zones   | 48-904.07a                    |                        | 2 x the term                      |                     |   |  |                 |                   | 2x the fine    |
| Drugs -- 2 <sup>nd</sup> + offense  | 48-904.08                     |                        | 2 x the term                      |                     |   |  |                 |                   | 2 x the fine   |
| Drugs -- Attempt or Conspiracy of a while armed offense in Drug Group 1       | 48-904.09                     | D 2                    | same term as completed offense    |                     |   |  |                 |                   | same fine      |
| Drugs -- Attempt or Conspiracy of an offense in Drug Group 2                  | 48-904.09                     | D 3                    | same term as completed offense    |                     |   |  |                 |                   | same fine      |
| Drugs -- Attempt or Conspiracy of an offense in Drug Group 3                  | 48-904.09                     | D 4                    | same term as completed offense    |                     |   |  |                 |                   | same fine      |
| Obstructing Service of a Drug Search Warrant                                  | 48-921.02(n)                  | M 9                    | 2                                 | 1                   | 1   | 3  |                 |                   | 12,500         |
| Drug Paraphernalia  | 48-1103(e)(4)                 | M 9                    | 2                                 | 1                   | 1   | 3  |                 |                   | 12,500         |
| Drug Paraphernalia -- Distributing to a Minor                                 | 48-1103(c)                    | D 3                    | 8                                 | 2                   | 6   | 3  |                 |                   | 25,000         |
| Possession of Drug Paraphernalia (PDP) w/ Intent -- 2 <sup>nd</sup> + offense | 48-1103(b)                    | M 9                    | 2                                 | 1                   | 1   | 3  |                 |                   | 12,500         |
| Fleeing Law Enforcement   | 50-2201.05b(b)(2)             | M 8                    | 5                                 | 2                   | 3   | 3  |                 |                   | 12,500         |
| Negligent Homicide (Vehicular)  | 50-2203.01                    | M 7                    | 5                                 | 2                   | 3   | 3  |                 |                   | 250,000        |



## APPENDIX D – RANKING CHART (Most Common Offenses)

Revised July 2020

| Most Common Offenses by Master Group |   |   |
|--------------------------------------|---|---|
| 1                                    | Murder 1 <sup>o</sup> w/a<br>Murder 1   | Murder of a law enforcement officer 1 <sup>o</sup>  |
| 2                                    | Murder 2 <sup>o</sup> w/a<br>Murder 2 <sup>o</sup><br>Sexual abuse 1 <sup>o</sup>   | Child sexual abuse 1 <sup>o</sup> w/a<br>Sexual abuse 1 <sup>o</sup> w/a  |
| 3                                    | AWIK w/a<br>Burglary 1 <sup>o</sup> w/a<br>Carjacking w/a   | Child sexual abuse 1 <sup>o</sup><br>Kidnapping w/a<br>Voluntary manslaughter w/a   |
| 4                                    | Aggravated assault w/a  | Voluntary manslaughter  |
| 5                                    | Armed robbery<br>Current APO w/a (30-year statutory maximum)<br>AWI commit any offense w/a<br>AWI commit robbery w/a<br>AWIK<br>Burglary 1 <sup>o</sup><br>Carjacking<br>Involuntary Manslaughter w/a<br>Involuntary Manslaughter<br>Kidnapping<br>Malicious disfigurement w/a<br>Mayhem w/a<br>Obstruction of justice<br>PFCOV                               | Child sexual abuse 2 <sup>o</sup> w/a<br>Sexual abuse 2 <sup>o</sup> w/a<br>Sexual abuse 2 <sup>o</sup><br>AWI commit 1 <sup>o</sup> child sexual abuse w/a<br>AWI commit 2 <sup>o</sup> child sexual abuse w/a<br>AWI commit 1 <sup>o</sup> sexual abuse w/a<br>AWI commit 2 <sup>o</sup> sexual abuse w/a<br>Child sexual abuse, attempt 1 <sup>o</sup> w/a<br>Child sexual abuse, attempt 2 <sup>o</sup> w/a<br>Sexual abuse, attempt 1 <sup>o</sup> w/a<br>Sexual abuse, attempt 2 <sup>o</sup> w/a |
| 6                                    | Aggravated assault<br>Arson<br>Former APO with a dangerous weapon*<br>ADW<br>AWI commit robbery<br>Attempt robbery w/a<br>Burglary 2 <sup>o</sup> w/a<br>Cruelty to children 1 <sup>o</sup><br>Malicious disfigurement  | Mayhem<br>Robbery<br>AWI commit 1 <sup>o</sup> child sexual abuse<br>AWI commit 2 <sup>o</sup> child sexual abuse<br>AWI commit 1 <sup>o</sup> sexual abuse<br>AWI commit 2 <sup>o</sup> sexual abuse<br>Child sexual abuse, attempt 1 <sup>o</sup><br>Child sexual abuse 2 <sup>o</sup><br>Sexual abuse, attempt 1 <sup>o</sup>  |
| 7                                    | AWI commit mayhem<br>Current APO (10-year statutory maximum)<br>Burglary 2 <sup>o</sup><br>Negligent homicide<br>Felon in possession of firearm (prior COV not conspiracy)†   | Sexual abuse, attempt 2 <sup>o</sup><br>Sexual abuse of a patient 1 <sup>o</sup><br>Sexual abuse of a ward 1 <sup>o</sup><br>Sexual abuse 3 <sup>o</sup><br>UUV (during or to facilitate a crime of violence)   |
| 8                                    | AWI commit any offense<br>Aggravated assault, attempt<br>Assault with Significant Injury<br>Burglary, attempt<br>CPWL/CDW<br>Cruelty to children 2 <sup>o</sup><br>DP (f)<br>Extortion<br>UPF (felon in possession of a firearm)<br>Introducing contraband into penal institution:<br>Class A Materials<br>Kidnapping, attempt<br>Perjury<br>Robbery, attempt | Theft 1 <sup>o</sup><br>Threats<br>Trafficking in stolen property<br>UUV<br>Child sexual abuse, attempt 2 <sup>o</sup><br>Enticing a child<br>Sexual abuse of a patient, attempt 1 <sup>o</sup><br>Sexual abuse of a ward, attempt 1 <sup>o</sup><br>Sexual abuse, attempt 3 <sup>o</sup><br>Sexual abuse 4 <sup>o</sup><br>Sexual abuse of a patient 2 <sup>o</sup><br>Sexual abuse of a ward 2 <sup>o</sup><br>Unlawful possession of a firearm   |
| 9                                    | Bad check<br>Bail reform act (BRA)<br>Blackmail<br>Credit card fraud<br>Escape<br>False personation of a police officer<br>Forgery<br>Fraud 1 <sup>o</sup><br>Fraud 2 <sup>o</sup><br>Impersonating a public official   | Introducing contraband into penal institution:<br>Class B Materials<br>PPW -- second + offense<br>RSP<br>Breaking and Entering (vending machine)<br>Uttering<br>Enticing a child. attempt<br>Sexual abuse 4 <sup>o</sup> , attempt<br>Sexual abuse of a patient 2 <sup>o</sup> , attempt<br>Sexual abuse of a ward 2 <sup>o</sup> , attempt<br>Theft 2 <sup>o</sup> , if two or more Theft convictions  |

Appendix H. D.C. Voluntary Sentencing Guidelines Rankings  
D.C. Sentencing Commission 2020 Voluntary Sentencing Guidelines

| <b>Most Common Offenses by Drug Group</b> |   |  |
|---|---|--|
| 1   | Distribution w/a (any drug)   | PWID w/a (any drug)  |
| 2   | Distribution and PWID of Schedule I and II narcotic/abusive drugs (Heroin, Cocaine, PCP, Methamphetamine)   | Enlisting minors<br>Maintaining place for drugs  |
| 3   | Distribution and PWID of marijuana or any drug in Schedule III or IV, or a non-narcotic or non-abusive drug in Schedule I or II<br>Possession of Liquid PCP<br>Drug Paraphernalia – Distributing to a minor | Attempt Distribution and Attempt PWID of Schedule I and II narcotic/abusive drugs (Heroin, Cocaine, PCP, Methamphetamine)<br>Drugs – fraud |
| 4   | Attempt Distribution and Attempt PWID of marijuana or any drug in Schedule III or IV, or a non-narcotic or non-abusive drug in Schedule I or II   | Attempt Possession of Liquid PCP   |