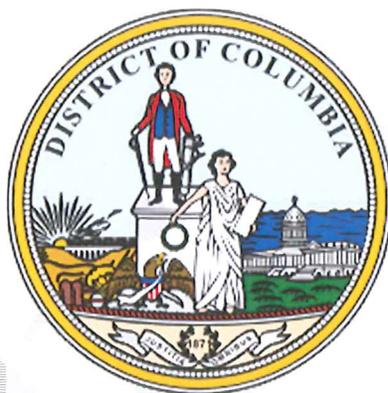




# D.C. Criminal Code Revision Project Project Management Plan

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**CCR COMMITTEE APPROVED DRAFT**

February 2015

DISTRICT OF COLUMBIA SENTENCING AND CRIMINAL CODE REVISION  
COMMISSION

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Appendix A: Project Work Schedule

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## ***Plan Objectives***

The Project Management Plan (Plan) outlines the scope, methodology, timeline, milestones, and deliverables involved in the Criminal Code Revision Project (Project) of the DC Sentencing and Criminal Code Revision Commission (Commission) through September 30, 2016. The Plan serves as the primary tool for managing the Project, and has been approved by the full Commission and its Committee on Criminal Code Reform (Committee). The Plan also addresses communications with the Council of the District of Columbia (Council) and describes procedures to manage risks associated with the Project.

This Plan, subject to the Commission's approval on March 17, 2015, is the first major change to the Plan since it was first adopted by the Commission in March 2013. The Project Management Plan originally approved in March 2013 had a different sequence, placing revision of weapon offenses after drug offenses for the last quarter of 2014. However, pursuant to a Commission vote on September 16, 2014, revision of offenses against persons was re-sequenced ahead of weapons to allow for resolution of pending litigation and legislation affecting weapons regulation. The Commission's PAR for the last quarter of 2014 does not reflect the Commission decision to re-sequence revision and states the agency did not reach its performance goal for revising weapons offenses.

This Plan was developed to prioritize work on legislative mandates where Commission member agreement is strongest and makes several changes regarding future work. Specifically, as described below, in this Plan the Commission has added, and prioritized the work in Milestone 5 which consists of CCR Committee development of draft recommendations for enactment of Title 22 and identification of offenses that are unconstitutional, exist in common law, or are obsolete. Milestones 6 and 8 were also added to the Project Management Plan, consisting of two additional agency reviews that will allow for cumulative reviews of work to-date. To offset the time spent on these activities added to the Project Management Plan, the Project no longer intends to revise certain weapon offenses, inchoate offenses, and crimes involving government operations described in the prior Project Management Plan. Apart from these changes, this Plan is otherwise consistent with the prior version and includes analysis, review, and recommendations for revision to many of the District's most serious felonies.

## ***Statutory Mandate***

The Commission is an independent government agency in the District of Columbia. In 2006, the Council enacted the Advisory Commission on Sentencing Amendment Act, mandating that the Commission examine the D.C. criminal code and make comprehensive recommendations providing for a uniform and coherent body of law. The Council's mandate in D.C. Code § 3-101, et seq., states:

- (a) Beginning January 1, 2007, the Commission shall also have as its purpose the preparation of comprehensive recommendations to the Council and the Mayor that:
- (1) Revise the language of criminal statutes to be clear and consistent;
  - (2) In consultation with the Codification Counsel in the Office of the General Counsel for the Council of the District of Columbia, organize existing criminal statutes in a logical order;
  - (3) Assess whether criminal penalties (including fines) for felonies are proportionate to the seriousness of the offense, and, as necessary, revise the penalties so they are proportionate;
  - (4) Propose a rational system for classifying misdemeanor criminal statutes, determine appropriate levels of penalties for such classes; and classify misdemeanor criminal statutes in the appropriate classes;
  - (5) Identify any crimes defined in common law that should be codified, and propose recommended language for codification, as appropriate;
  - (6) Identify criminal statutes that have been held to be unconstitutional;
  - (7) Propose such other amendments as the Commission believes are necessary; and
  - (8) Enable the adoption of Title 22 as an enacted title of the District of Columbia Official Code.
- (b) No later than March 31, 2007, the Commission shall submit to the Council and the Mayor a work plan and schedule for carrying out the responsibilities authorized by this section. The work of the Commission under this section shall be completed no later than September 30, 2016.
- (c) The Commission shall submit its recommendations for criminal code revisions in the form of reports. Each report shall be accompanied by draft legislation or other specific steps for implementing the recommendations for criminal code revisions.

This mandate was designed to ensure that the District of Columbia maintain “an effective and fair criminal justice system.”<sup>1</sup> In enacting D.C. Code § 3-101.01, the Council noted that “the existence of overlapping provisions and confusing or outdated language, penalties that are disproportionate to the crime or disparate from penalties of similar crimes, and other inconsistencies impede the fair and just administration of the law.”<sup>2</sup> To improve the administration of justice, the Council ordered the Commission to analyze the District’s Code and “propose reforms . . . that create a uniform and coherent body of criminal law in the District of Columbia.”<sup>3</sup>

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<sup>1</sup> D.C. COUNCIL, COMM. ON THE JUDICIARY, COMM. REP. 16-172, at 1 (2006).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* at 1-2.

## ***Project Scope***

The scope of the Council’s mandate potentially involves numerous titles, sections, and subsections of the D.C. Code. A preliminary review of the D.C. Code by agency staff has revealed hundreds of statutory sections that potentially fall within the Project’s scope. While the majority of criminal offenses are grouped in Title 22, provisions in over a dozen other titles subject violators to imprisonment. Some of the offenses outside Title 22, such as the District’s controlled substances laws and the Bail Reform Act, are among the most frequently adjudicated.

The Project’s scope is also broad insofar as it entails a review of both the statutory language describing particular criminal offenses, and also the organization and legal status of criminal offenses as enacted provisions. Such a sweeping revision is necessary because the D.C. Code’s criminal provisions have never undergone comprehensive reform. Piecemeal reform efforts in the past, while helpful, have not addressed systemic problems of organization, consistency, and proportionality across offenses. The Code currently uses an unintuitive, alphabetical organization scheme and often describes offenses using opaque and archaic common law terminology. There are no general provisions providing consistent definitions or rules of construction across all offenses, so D.C. Code sections often are repetitious or use language in conflicting ways. Certain offenses derived from the common law—such as manslaughter<sup>4</sup>—are frequently charged but do not even have their basic elements described in the Code.

## ***Project Methodology***

Given the broad scope of the Project, the Commission is pursuing priorities that address some or all of each aspect in the Council’s mandate, including:

1. the drafting of new, general provisions to improve the clarity and consistency of language in all criminal offenses (for example, new, consistent definitions of mental states that will be used for every offense);
2. the reorganization of criminal offenses listed in Title 22;
3. the revision of the most frequently convicted and serious criminal offenses in the D.C. Code to improve their clarity and consistency and to have proportionate penalties;
4. the identification and revision of outdated references in criminal statutes;
5. the identification of obsolete offenses that should be repealed;
6. the identification of crimes defined in common law that should be codified;
7. the identification of criminal statutes that have been held to be unconstitutional; and
8. the enablement of adopting Title 22 as an enacted title of the D.C. Code.

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<sup>4</sup> D.C. CODE § 22-2105 (“Whoever is guilty of manslaughter shall be sentenced to a period of imprisonment not exceeding 30 years.”).

As described further in the Project Work Schedule (Appendix A), the bulk of the Commission’s work pursuant to this Plan focuses on developing recommendations for revision of offenses in the District’s Code that concern the most serious and/or frequent felony convictions. The offenses listed in Figure 1, below, accounted for over 69% of total adult felony convictions and 60% of total adult misdemeanor convictions in 2014 when their different degrees, attempt, and closely related offenses are tallied.<sup>5</sup>

**Figure 1: Common Felony Convictions**

<b>Offense</b>	<b>Code Section</b>
Theft	D.C. Code § 22-3211
Unauthorized Use of Motor Vehicle	D.C. Code § 22-3215
Destruction of Property	D.C. Code § 22-303
Receipt of Stolen Property	D.C. Code § 22-3232
Fraud	D.C. Code § 22-3221
Arson	D.C. Code § 22-301
Burglary	D.C. Code § 22-801
Drug Distribution (Various)	D.C. Code § 48-904.01
Drug Possession with Intent to Distribute (Various)	D.C. Code § 48-904.01
Drug Possession (Various)	D.C. Code § 48-904.01
Robbery	D.C. Code § 22-2801
Carjacking	D.C. Code § 22-2803
Threats	D.C. Code § 22-1810
Assault	D.C. Code § 22-404
Murder	D.C. Code § 22-2101
Sex Abuse	D.C. Code § 22-3002
Child Sex Abuse	D.C. Code § 22-3008
Kidnapping	D.C. Code § 22-2001

A complete list of sections of the Code that will be addressed by the Project is attached in Appendix A.

Notably, the Commission also will develop recommendations on revision of numerous misdemeanor crimes related to the offenses listed above. For example, the Commission will not only address the felony offenses of aggravated assault and assault with significant bodily injury, but also the misdemeanor offenses of assault on a police officer and simple assault.

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<sup>5</sup> This analysis by Project staff is based on a review of 2014 adult felony conviction data.

## ***Project Timeline***

The Council has specified that Commission work on this Project shall be completed no later than September 30, 2016. Figure 2, below, provides a graphical overview of the Project's milestones that measure progress toward the Project's completion.

**Figure 2: Project Management Plan: Milestones 1-12**

<b>Milestone 1:</b>	<b>Drafting of General Provisions</b>	<b>Target Completion: 9/15/13</b>
<b>Milestone 2:</b>	<b>Reorganization of Title 22 Offenses</b>	<b>Target Completion: 10/15/13</b>
<b>Milestone 3:</b>	<b>CCR Committee Draft Revision of Specified Offenses Against Property</b>	<b>Target Completion: 5/15/14</b>
<b>Milestone 4:</b>	<b>CCR Committee Draft Revision of Specified Drug Offenses</b>	<b>Target Completion: 7/30/14</b>
<b>Milestone 5:</b>	<b>CCR Committee Identification of Unconstitutional, Common Law, Obsolete, and Outdated Statutory Provisions; Prepare for Enactment of Title 22</b>	<b>Target Completion: 6/30/15</b>
<b>Milestone 6:</b>	<b>CCR Committee Agency Review of Work for Milestones 4 &amp; 5</b>	<b>Target Completion: 10/30/15</b>
<b>Milestone 7:</b>	<b>CCR Committee Analysis, Review, and Potential Revision of Specified Offenses Against Persons</b>	<b>Target Completion: 4/30/16</b>
<b>Milestone 8:</b>	<b>CCR Committee Agency Review of Work for Milestone 7</b>	<b>Target Completion: 6/15/16</b>
<b>Milestone 9:</b>	<b>CCR Committee Penalty Review</b>	<b>Target Completion: 6/15/16</b>
<b>Milestone 10:</b>	<b>Final CCR Committee Review</b>	<b>Target Completion: 7/15/16</b>
<b>Milestone 11:</b>	<b>Final Commission Review</b>	<b>Target Completion: 9/15/16</b>
<b>Milestone 12:</b>	<b>Presentation to Council and Mayor</b>	<b>Target Completion: 9/30/16</b>

***Project Milestone Description***

Each Milestone marks progress toward one or more of the Commission’s legislative mandates, as described in Figure 3, below.

**Figure 3: Project Milestones**

No	Milestone	Work Description and Relation of Milestone to Project Mandate	Scheduled Completion
1	Drafting of General Provisions with Commentary	The drafting of general provisions involves creating new code provisions that provide definitions and principles that apply to all specific offenses that are revised. This will advance the Commission’s mandate to make criminal statutes more “clear and consistent.” The accompanying Commentary will explain the meaning of the draft general provisions and provide supporting authorities as necessary to aid interpretation.	9/15/13
2	Reorganization of Title 22 Specific Offenses	The development of a reorganization scheme for Title 22 includes preliminary analysis of all lesser included offenses, categorization of offenses by general relationship (for example, offenses against property), and potentially the combination of like offenses within one code section. This will organize existing criminal statutes in a logical order. This task will involve consultation with the Codification Counsel in the Office of the General Counsel for the Council of the District of Columbia.	10/15/13
3	CCR Committee Draft Revision of Specified Offenses Against Property	The property offenses are listed in Appendix A. This revision will make criminal offense language more “clear and consistent.” Draft Commentary entries will be developed that provide guidance on the meaning of revised offenses as necessary.	5/15/14
4	CCR Committee Draft Revision of Specified Drug Offenses	The drug offenses are listed in Appendix A. This revision will make criminal offense language more “clear and consistent.” Draft Commentary entries will be developed that provide guidance on the meaning of revised offenses as necessary.	7/30/14

No	Milestone	Work Description and Relation of Milestone to Project Mandate	Scheduled Completion
5	CCR Committee Identification of Unconstitutional, Common Law, Obsolete, and Outdated Statutory Provisions; Prepare for Enactment of Title 22	<p>This work addresses several legislative mandates for the Project. The Committee will examine statutes held to be unconstitutional by a court of competent jurisdiction. It will also identify crimes defined in “common law”, including both offenses entirely lacking reference in the D.C. Code as well as offenses referenced in the D.C. Code but lacking any statement of the elements that must be proven for conviction. The Committee, by unanimous agreement, will identify criminal statutes that should be repealed because they are obsolete and specific provisions within criminal statutes that refer to outdated institutions, specify prosecutorial authority in a manner that is out of date with binding court rulings, or use gender specific language. Preparing for enactment of Title 22 will include consultation with the Codification Counsel in the Office of the General Counsel for the Council of the District of Columbia and provision of legal research to enable Council enactment.</p>	6/30/15
6	CCR Committee Agency Review of Work for Milestone 4 & 5	<p>Agency review helps ensure that any concerns about CCR Committee recommendations developed pursuant to the Project mandate are discovered in advance of the Project completion date. The CCR Committee agency representatives will review the Committee work completed for Milestones 4 and 5 with their respective agencies. Written responses will describe any concerns for further Committee and Commission consideration. The agency review will not take CCR Committee meeting time except, as necessary, to discuss any responses. CCR Committee meetings will be devoted to work on Milestone 7 while agencies perform their reviews.</p>	10/30/15

No	Milestone	Work Description and Relation of Milestone to Project Mandate	Scheduled Completion
7	CCR Committee Analysis, Review, and Potential Revision of Specified Offenses Against Persons	The offenses against persons are listed in Appendix A. This analysis, review, and potential revision will seek to make criminal offense language more “clear and consistent.” Draft Commentary entries will be developed that provide guidance on the meaning of revised offenses as necessary.	4/30/16
8	CCR Committee Agency Review of Work for Milestone 7	Agency review is intended ensure that any concerns about CCR Committee draft recommendations are discovered in advance of the Project completion date. The CCR Committee agency representatives will review the Committee work completed for Milestones 7 with their respective agencies. This review will occur in two stages. All Offenses Against Persons completed as of 12/30/15 will be submitted for review in the first stage, with remaining offenses following as they are completed. Written responses will describe any concerns for further Committee and Commission consideration. The agency review will not take CCR Committee meeting time except, as necessary, to discuss any responses. CCR Committee meetings will be devoted to work on Milestones 7 and 9 while agencies perform their reviews.	6/15/16
9	CCR Committee Penalty Review	This review will involve a comparison of all statutes revised by the CCR Committee to determine appropriate levels of penalties and ensure proportionality for both felonies and misdemeanors.	6/15/16
10	Final CCR Committee Review	This review will provide the Committee an opportunity to evaluate its draft recommendations in totality. The Committee will also confirm that its draft Commentary adequately explains the intended meaning of all revisions and cites appropriate authorities.	7/15/16

No	Milestone	Work Description and Relation of Milestone to Project Mandate	Scheduled Completion
11	Final Commission Review	Commissioners are all invited to participate in the CCR Committee’s work and are regularly updated on CCR Committee work. However, the final presentation to the full Commission will provide members the opportunity to review the Committee’s work products and discuss any desired changes to the recommendations.	9/15/16
12	Presentation to Council and Mayor	The Commission will deliver to the D.C. Council and Mayor its recommendations regarding revision of District criminal statutes and other matters legislatively mandated for the Project.	9/30/16

***Project Deliverables List***

The Project will create two major external deliverables comprising its recommendations to the Council and Mayor for revision of specific offenses. These two documents will include: (1) a compilation of revised statutory sections; and (2) an accompanying “Commentary.” Additional documents will contain other Commission recommendations regarding: reorganization of criminal statutes; identification of criminal statutes held to be unconstitutional; identification of crimes defined in common law that should be codified; obsolete offenses that should be repealed; outdated statutory provisions that should be amended; and enactment of Title 22 of the D.C. Code.

If there is disagreement in the Commission regarding its recommendations for revision of the Code, the specific contested code language will be bracketed. The Commentary will describe the Commission’s intended meaning and supporting authorities for its recommended revisions as necessary. To further document areas of agreement and disagreement, Committee members involved in drafting revisions to specific offenses may include their individual opinions on specific revisions in the Commentary.

***Identification of Key Management Personnel***

The D.C. Council’s mandate is directed to the Commission as a whole. However, five members of the Commission serve on the Criminal Code Revision Committee that has been given primary responsibility for development of the Project. The Committee meets twice monthly to review specific portions of the criminal code, draft revised language, and explain its revised language in a draft Commentary. The Commission monitors the Committee’s progress through regular status reports and retains final authority to issue recommendations to the Council

and Mayor. At any time, the Commission may give input on the Committee's work or request additional information to follow up on a Committee status report.

The five Committee members' diverse and balanced backgrounds ensure recommendations for a comprehensive, fair, and effective criminal code. Mr. Ronald Gainer, a retired attorney formerly employed by the United States Department of Justice, serves as the chairman of the Committee. Chairman Gainer is an established expert in the area of criminal law reform and has written extensively on the topic. The remaining committee members include Professor Donald Braman, an Associate Professor of Law at the George Washington University School of Law; Mr. Dave Rosenthal, Senior Assistant Attorney General for the Public Safety Division of the Office of the Attorney General for the District of Columbia; Ms. Laura Hankins, Special Counsel for the Public Defender Service of the District of Columbia; and Ms. Renata Kendrick Cooper, Special Counsel to the United States Attorney for the District of Columbia (Policy and Legislation).

The agency's day-to-day operation is supervised by a project director, an attorney who manages a staff of four full-time employees. New funding in FY 2013 allowed the agency to hire its first full-time project director and three additional staff positions (two attorneys and a law clerk). The project director started work at the Commission in November 2012 and other new employees began their employment in January 2013. The increased staffing provides the Commission with research capabilities that are critical to code revision. In addition, the Project is utilizing the volunteer services of local law students for certain research projects.

### ***Communications to the Council and Mayor***

In addition to providing information on the status of the Project at the agency's annual performance and budget hearings, semi-annual Project updates will be provided to the Council. Each update will include a summary description of the Code sections revised in the past year, the expected revisions for the coming year, and changes to the Management Plan. The first semi-annual update will be submitted to the Council by September 30<sup>th</sup> of every year. The second semi-annual update on the Project will be part of the overall Commission's annual report that is submitted to the Council by April 30<sup>th</sup> every year.

By September 30, 2016, the Commission will deliver to the Council and Mayor its recommendations regarding revision of District criminal statutes and other matters legislatively mandated for the Project.

### ***Risk/Issue Management***

The Commission will continually monitor the Project's compliance with this Management Plan and take steps to mitigate any risks or issues as they arise. Primary responsibility for monitoring and mitigating risks as they arise lies with the Committee and project director. In its reporting to the full Commission and its semi-annual reporting to the

Council and Mayor, any new, significant risks or issues will be noted by the Committee. At this time, several internal and external risks and issues have been identified that could impact the success of this Project.

The internal risks to the Project chiefly consist of:

- (1) the uncertainty of estimates used in developing the Project's timeline; and
- (2) the possibility of stalemate in Committee members' decision making.

Without a recent, comparable model of comprehensive criminal code reform in the District or other states, it is challenging to predict the time and resources required to accomplish a comprehensive review of criminal offenses. Based on prior Project progress and the difficulty of scheduled work, the Commission has provided its best estimates of the time and resources necessary for the Project. However, these estimates are provisional.

Moreover, the Project's success depends significantly on consensus and agreements being reached at the Committee level. There are numerous controversial areas in any code reform effort where consensus may not be reached and a stalemate situation could result. If such a stalemate situation should occur, there quickly could be a corresponding impact on the Project's timeline.

The Commission is already aware of a significant difference of opinion among the agencies represented in the Committee about whether the scope of Project work to-date exceeds the scope intended by the Council in 2006 when it created the Project. This difference of opinion has not been resolved. However, in light of this difference of opinion, in February 2015 the Commission directed creation of this new Project Management Plan which prioritizes work on legislative mandates where Commission member agreement is strongest. All Committee members have agreed to this new Plan, with the caveat that there will be ongoing conversations at the Committee level concerning the scope of its work. It is reasonable to expect that there will be continued disagreements about the proper scope of revision that could cause delay in Committee decision making and Project progress on Milestone 7 (Analysis, Review, and Potential Revision of Offenses Against Persons).

The external risks to the Project chiefly consist of:

- (1) the possibility of legal changes (by judicial or legislative bodies); and
- (2) changes to Commission membership or agency staff.

The Commission monitors legislative and judicial decisions that affect its work and, when necessary, will revise its work to ensure that its final recommendations are well-informed and based upon an accurate understanding of the current state of criminal law in the District. Because of the cumulative and comprehensive nature of criminal code revision, any changes to

the agency's current staffing or Commission membership could impact progress as well. The Committee's current membership reflects a particularly unique set of experiences with the District's criminal code, criminal code reform, and insights from key institutions. The loss of participation by any member could result in a setback to the Commission's code reform efforts.

### ***Change Management***

If the Project does not achieve a scheduled milestone, or if it becomes evident that a scheduled milestone will not be achieved, the project director will notify the Committee in writing of the problem and add the matter to the agenda for discussion at the Committee's next scheduled meeting.

Upon notification by the project director of a problem, the Committee, by majority vote, will take action that assures compliance with the Plan. When compliance is not feasible, the Committee will propose an amendment to this Plan to be presented to the full Commission. The Committee will inform the Commission in writing regarding the nature of the problem and its proposed amendment to this Plan. Potential actions or amendments may include: changes to the Committee meeting schedule, alteration of the scope of the staff's legal research, modification of the management responsibilities of the project director, or changes to the selection and sequencing of code offenses being revised.

The Commission will review information related to any problems regarding the Plan and, by majority vote, decide whether to accept or reject any amendments to this Plan proposed by the Committee. Final responsibility for the success of the Project lies with the Commission and it may, on its own authority, make changes to this Plan at any time.



**APPENDIX A: PROJECT WORK SCHEDULE**

Milestones	Code Section/Topic Reviewed & Recommendations Developed	Target # Committee Meetings	Duration in Months	Target Committee Work	Actual Committee Completion
<b>Milestone 1 – Drafting of General Provisions</b>	Short Title	11	5.5	3/30/13 9/15/13	9/15/13
	Effect of Headings and Captions				
	Interaction with Other Code Provisions				
	Burden of Proof for Offense Elements				
	Conduct Requirement				
	Voluntariness Requirement				
	Culpable Mental State Requirement				
	Culpable Mental State Definitions				
	Rules of Construction Governing Culpable Mental States				
	Effect of Ignorance or Mistake				
Identification of Objective Elements					
Index of Definitions					
<b>Milestone 2 – Reorganization of Title 22 Offenses</b>	Offenses in Title 22 reorganized into new societal interest categories and unnecessary statutes moved out of Title 22.	2	1	9/15/13 10/15/13	- 10/15/13
	<b>Milestone 3 – CCR Committee Draft Revision of Specified Offenses Against Property</b>	14	7	10/15/13 5/15/14	- 5/15/14



SCCRC – Criminal Code Revision Project Work Schedule

Milestones	Code Section/Topic Reviewed & Recommendations Issued	Target # Committee Meetings	Duration in Months	Target Committee Work	Actual Committee Completion
(continued)	§ 22-3204 Case Referral	(continued)	(continued)	(continued)	(continued)
	§ 22-3211 Theft				
	§ 22-3216 Taking Property Without Right				
	§ 22-3215 Unauthorized Use of a Motor Vehicle				
	§ 22-3231 Trafficking in Stolen Property				
	§ 22-3232 Receiving Stolen Property				
	§ 22-3213 Shoplifting				
	§ 22-3221 Fraud				
	§ 22-301 Arson				
	§ 22-303 Malicious burning, destruction, or injury of another's property				
§ 22-801 Burglary					
<b>Milestone 4 – CCR Committee Draft Revision of Specified Drug Offenses</b>	§ 48-904.01(a) Manufacturing, Distribution, and Possession with Intent to Distribute a Controlled Substance	5	2.5	5/15/14 7/30/14	7/30/14
	§ 48-904.01(b) Creation, Distribution, and Possession with Intent to Distribute Counterfeit Substances				
	§ 48-904.01(d) Possession of a Controlled Substance				
	§ 48-904.01(e) Conditional Discharge for Possession as First Offense				
	§ 48-904.01(f) Charging Provision				
	§ 48-904.01(g) Definition of "Offense"				
	§ 48-904.06 Distribution to Minors				
	§ 48-904.07 Enlistment of Minors				
	§ 48-904.07A Drug Free Zones				



SCCRC – Criminal Code Revision Project Work Schedule

Milestones	Code Section/Topic Reviewed & Recommendations Issued	Target # Committee Meetings	Duration in Months	Target Committee Work	Actual Committee Completion
<b>Milestone 5 – CCR Committee Identification of Unconstitutional, Common Law, Obsolete, and Outdated Statutory Provisions; Prepare for Enactment of Title 22</b>	Identification of criminal statutes that have been held to be unconstitutional.	8	4	2/28/15 6/30/15	
	Identification of crimes defined in common law that should be codified.				
	Identification of Obsolete Criminal Offenses that should be repealed.				
	Identification of Outdated references that should be amended.				
	Enable the adoption of Title 22 as an enacted title of the D.C. Code				
<b>Milestone 6– CCR Committee Agency Review of Work for Milestones 4 &amp; 5</b>	Committee Members’ Agency Review of Drug Offense Revisions, Identification of Unconstitutional and Common Law Statutes, and Enactment of Title 22.	1 (Discussion of Results)	4	6/30/15 10/30/15	-
	<b>Milestone 7– CCR Committee Analysis, Review, and Potential Revision of Specified Offenses Against Persons</b>				
<b>Milestone 7– CCR Committee Analysis, Review, and Potential Revision of Specified Offenses Against Persons</b>	§ 22-2001 Kidnapping	18 (Two meetings during this time period are apportioned to Milestones 6 & 8)	10	6/30/15 4/30/16	
	§ 22-2801 Robbery				
	§ 22-2803 Carjacking				
	§ 22-3001 Definitions				
	§ 22-3002 First degree sexual abuse				
	§ 22-3003 Second degree sexual abuse				
	§ 22-3004 Third degree sexual abuse				
	§ 22-3005 Fourth degree sexual abuse				
	§ 22-3006 Misdemeanor sexual abuse				
	§ 22-3007 Defense to sexual abuse				
§ 22-3008 First degree child sexual abuse					
§ 22-3009 Second degree child sexual abuse					



SCCRC – Criminal Code Revision Project Work Schedule

Milestones	Code Section/Topic Reviewed & Recommendations Issued	Target # Committee Meetings	Duration in Months	Target Committee Work	Actual Committee Completion
(continued)	§ 22-3009.01 First degree sexual abuse of a minor	(continued)	(continued)	(continued)	
	§ 22-3009.02 Second degree sexual abuse of a minor				
	§ 22-3009.03 First degree sexual abuse of a secondary education student				
	§ 22-3009.04 Second degree sexual abuse of a secondary education student				
	§ 22-3010 Enticing a child or minor				
	§ 22-3010.01 Misdemeanor sexual abuse of a child or minor				
	§ 22-3011 Defenses to child sexual abuse and sexual abuse of a minor				
	§ 22-3012 State of mind proof requirement				
	§ 22-3013 First degree sexual abuse of a ward, patient, client, or prisoner				
	§ 22-3014 Second degree sexual abuse of a ward, patient, client, or prisoner				
	§ 22-3015 First degree sexual abuse of a patient or client				
	§ 22-3016 Second degree sexual abuse of a patient or client				
	§ 22-3017 Defenses to sexual abuse of a ward, patient, client				
	§ 22-3018 Attempts to commit sexual offenses				
	§ 22-3019 No immunity from prosecution for spouses or domestic partners				
	§ 22-3020 Aggravating circumstances				
	§ 22-2101 Murder in the first degree—Purposeful killing; killing while perpetrating certain crimes				
	§ 22-2102 Murder in the first degree—Placing obstructions upon or displacement of railroads				



SCCRC – Criminal Code Revision Project Work Schedule

Milestones	Code Section/Topic Reviewed & Recommendations Issued	Target # Committee Meetings	Duration in Months	Target Committee Work	Actual Committee Completion
(continued)	§ 22-2103 Murder in the second degree § 22-2104 Penalty for murder in first and second degrees § 22-2105 Penalty for Manslaughter § 22-401 Assault with intent to kill, rob, or poison, or to commit first degree sexual abuse, second degree sexual abuse or child sexual abuse § 22-402 Assault with intent to commit mayhem or with a dangerous weapon § 22-403 Assault with intent to commit any other offense § 22-404 Assault or threatened assault in a menacing manner; stalking § 22-404.01 Aggravated Assault § 22-405 Assault on member of police force, campus or university police, or fire department § 22-406 Mayhem or maliciously disfiguring § 22-407 Threats to do bodily harm § 22-1810 Threatening to kidnap or injure a person or damage his property	(continued)	(continued)	(continued)	
<b>Milestone 8– CCR Committee Agency Review of Work for Milestone 7</b>	Committee Members' Agency Review of Offenses Against Persons. (This review will occur in two stages. All Offenses Against Persons completed as of 12/30/15 will be submitted for review in the first stage, with remaining offenses following as they are completed.)	1 (Discussion of Results)	4	12/30/15 6/15/16	-
<b>Milestone 9– CCR Committee Penalty Review</b>	Committee Members' Review of Penalties and Proportionality of Revised Offenses.	3	1.5	4/30/16 6/15/16	-



SCCRC – Criminal Code Revision Project Work Schedule

Milestones	Code Section/Topic Reviewed & Recommendations Issued	Target # Committee Meetings	Duration in Months	Target Committee Work	Actual Committee Completion
Milestone 10– Final CCR Committee Review	Committee Members’ Review of Recommended Draft Code and Commentary.	2	1	6/15/16 7/15/16	-
Milestone 11 –Final Commission Review	Presentation to Commission, Resolution of Feedback, and Approval.	4	2	7/15/16 - 9/15/16	
Milestone 12– Presentation to Council and Mayor	Project Complete.	1	0.5	9/15/16 9/30/16	-