

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 12-05**

Filing of Community Impact Statements Prior to Sentencing

WHEREAS, pursuant to D. C. Code § 23-1904, 1905 (2011) (“the statutes”), a representative of a “community” affected by a crime shall have the right to submit, prior to the imposition of sentence, a Community Impact Statement (“Statement”), which describes the impact that a particular crime has had on a community, as hereafter defined; and

WHEREAS, pursuant to the statutes, the term “community” means an informal or formal association or group of people living, working, or attending school in the same place or neighborhood and sharing common interests arising from a social, business, religious, governmental, scholastic, or recreational associations; and

WHEREAS, pursuant to the statutes, the Court shall consider the Community Impact Statement in determining the appropriate sentence to be imposed on the defendant; and

WHEREAS, pursuant to the statutes, the Community Impact Statement must be presented in a timely manner such that sentencing in a misdemeanor case shall not be continued solely because such a statement has not been submitted; and

WHEREAS, pursuant to D. C. Code § 23-1904(f)(3) (2011), the Chief Judge of the Superior Court shall establish reasonable procedures with respect to the time and manner that a Community Impact Statement is submitted to the Court;

NOW, THEREFORE, it is by the Court,

ORDERED, the Court shall only accept a Community Impact Statement that is presented by and through the prosecuting authority, i.e., the Office of the Attorney General or the Office of the United States Attorney, which shall be responsible for notifying any interested community association of its right to make such a Statement in accordance with the procedures set forth hereafter; it is further

ORDERED, that by submitting such a Community Impact Statement the prosecuting authority is certifying to the Court that (1) the group submitting the Statement is a community association, as defined by D. C. Code § 23-1904, 1905 (2011) and, (2) the person submitting the Statement is a valid representative of the community association; it is further

ORDERED, that in all cases the Court shall make available to the defendant, through counsel, the Community Impact Statement at such time so as to allow the defendant ample opportunity to review and/or respond to the Statement; it is further

ORDERED, that with respect to a sentencing for a felony offense, the prosecuting authority shall submit a Community Impact Statement within a reasonable time period prior to

the imposition of the sentence so as to allow the Court and the defendant an opportunity to review the Statement; it is further

ORDERED, that with respect to sentencing for a misdemeanor offense, the prosecuting authority shall submit a Community Impact Statement such that the sentencing shall not be continued solely to obtain a Community Impact Statement; and it is further

ORDERED, that this Administrative Order shall take effect on April 25, 2012.

SO ORDERED.

BY THE COURT

Date: April 25, 2012

/s/

Lee F. Satterfield
Chief Judge

Copies to:

Judges
Senior Judges
Magistrate Judges
Executive Officer
Clerk of the Court
Division Directors
Public Defender Service
Office of the Attorney General
Office of the United States Attorney
Library
Washington Daily Law Reporter