

Addendum A: Updated Prosecution Data

The following represents revised data about prosecution of a specific group of cases for which the Independent Expert Consultant had preliminary data from other sources. This data constitutes the original list of cases for which the Department of Forensic Sciences had prosecution data as of June 2015. This list of cases has been reviewed and updated by the US Attorney's Office for the District of Columbia and will replace the data discussed on page 46 of the report entitled "The Metropolitan Police Department's Implementation of the Sexual Assault Victims' Rights Amendment Act of 2014."

Of 331 cases in which a PERK was done in calendar year 2014, as of November 20, 2015:

- 39 cases were charged. Of those 39 cases:
 - 21 resulted in a guilty plea.
 - 1 resulted in a trial with a guilty verdict
 - 1 resulted in a trial with an acquittal
 - 9 were dismissed
 - 6 cases are pending trial as of today
 - 1 case is listed as pending, but the defendant fled the country and a bench warrant exists should he ever return to the District.
 - 21 were cases in which the underlying relationship was domestic in nature, i.e. these were domestic violence cases in which a sexual assault occurred with or without other forms of violence.

It is important to note that these numbers do not indicate a prosecution rate per se for 2 reasons. First, they are an arbitrary pool of cases in which the crime was reported between January 2014 and December 2014 and that were charged between January 2014 and June 2015. Other cases may have been charged in the meantime as evidence kits were processed in large batches to resolve the backlog of cases noted in the PERK Audit. Second, the cases in which there are PERKs only represent approximately 30% of the cases reported to MPD each year. There are very likely many other cases that have been charged from among the entire pool of reports to police. These additional cases may alter the calculation considerably. Additionally, we don't yet know how many warrants MPD presented to the USAO stemming from 2014 reports and therefore we don't know what the total number of cases the USAO was drawing from when making decisions. As the forensic evidence becomes available from the backlog, there may be additional warrants presented from those cases as well.

Of the nine cases that were dismissed, five were the result of probable cause lockups in domestic violence cases that also had sexual assaults as part of the alleged offenses. Therefore, because of the immediacy of the arrest, less information may have been available initially in these cases compared to cases that result from a more detailed police investigation before they reached the USAO. This may explain why some were dismissed. Similarly, in two of the cases, the record indicates that the victim did not wish to proceed due to an existing relationship with the defendant.

