

concurrence of two Commissioners. The final decision following a local revocation hearing shall be issued within 86 days of the retaking of the releasee on a supervised release violation warrant. The final decision following an institutional revocation hearing shall be issued within 21 days of the hearing, excluding weekends and holidays.

**§ 2.219 Maximum terms of imprisonment and supervised release.**

(a) *Imprisonment; first revocation.* When a term of supervised release is revoked, the maximum authorized term of imprisonment that the Commission may require the offender to serve, in accordance with D.C. Code 24–403.01(b)(7), is determined by reference to the maximum authorized term of imprisonment for the offense of conviction. The maximum authorized term of imprisonment at the first revocation shall be:

(1) Five years, if the maximum term of imprisonment authorized for the offense is life, or if the offense is statutorily designated as a Class A felony;

(2) Three years, if the maximum term of imprisonment authorized for the offense is 25 years or more, but less than life, and the offense is not statutorily designated as a Class A felony;

(3) Two years, if the maximum term of imprisonment authorized for the offense is 5 years or more, but less than 25 years; or

(4) One year, if the maximum term of imprisonment authorized for the offense is less than 5 years.

(b) *Further term of supervised release; first revocation.* (1) When a term of supervised release is revoked, and the Commission imposes less than the maximum term of imprisonment permitted by paragraph (a) of this section, the Commission may also impose a further term of supervised release after imprisonment. A term of imprisonment is “less than the maximum authorized term of imprisonment” if the term is one day or more shorter than the maximum authorized term of imprisonment.

(2) The maximum authorized length of such further term of supervised release shall be the original maximum term of supervised release that the sentencing court was authorized to impose for the offense of conviction, less the term of imprisonment imposed by the Commission upon revocation of supervised release. The original maximum authorized term of supervised release is as follows:

(i) Five years if the maximum term of imprisonment authorized for the offense is 25 years or more;

(ii) Three years if the maximum term of imprisonment authorized for the offense is more than one year but less than 25 years; and

(iii) Life if the person is required to register for life, and 10 years in any other case, if the offender has been sentenced for an offense for which registration is required by the Sex Offender Registration Act of 1999.

(3) For example, if the maximum authorized term of imprisonment at the first revocation is three years and the original maximum authorized term of supervised release is five years, the Commission may impose a three-year term of imprisonment with no supervised release to follow, or any term of imprisonment of less than three years with a further term of supervised release of five years minus the term of imprisonment actually imposed (such as a one-year term of imprisonment followed by a four-year term of supervised release, or a two-year term of imprisonment followed by a three-year term of supervised release).

(c) *Reference table.* The following table may be used in most cases as a reference to determine both the maximum authorized term of imprisonment at the first revocation and the original maximum authorized term of supervised release:

D.C. Code reference for conviction offense (former code reference in brackets)	Offense description	Original maximum authorized term of supervised release	Maximum authorized term of imprisonment at the first revocation
<i>Title 22</i>			
22–301 [22–401] .....	Arson .....	3 years .....	2 years.
22–302 [22–402] .....	Arson: own property .....	3 years .....	2 years.
22–303 [22–403] .....	Destruction of property over \$200 .....	3 years .....	2 years.
22–401 [22–501] .....	Assault: with intent to kill/rob/poison, to commit sex abuse (1st or 2nd degree) or child sex abuse. ....	3 years (10 years if SOR).	2 years.
22–401, 4502 [22–501, 3202].	Assault: with intent to kill etc. while armed * .....	5 years (10 years if SOR).	5 years.
22–402 [22–502] .....	Assault: with a dangerous weapon .....	3 years .....	2 years.
22–403 [22–503] .....	Assault: with intent to commit an offense other than those in § 22–401.	3 years .....	2 years.
22–404(d) [22–504] .....	Stalking—2nd+ offense .....	3 years .....	1 year.
22–404.01, 4502 [22–504.1, 3202].	Assault; aggravated while armed * .....	5 years .....	5 years.
22–404.01(b) [22–504.1] ....	Assault: aggravated .....	3 years .....	2 years.
22–404.01(c) [22–504.1] ....	Assault: attempted aggravated .....	3 years .....	2 years.
22–405(a) [22–505] .....	Assault: on a police officer .....	3 years .....	2 years.
22–405(b) [22–505] .....	Assault: on a police officer while armed .....	3 years .....	2 years.
22–406 [22–506] .....	Mayhem/malicious disfigurement .....	3 years .....	2 years.
22–406, 4502 [22–506, 3202].	Mayhem/malicious disfigurement armed * .....	5 years .....	5 years.
22–501 [22–601] .....	Bigamy .....	3 years .....	2 years.
22–601 [22–3427] .....	Breaking and entering machines .....	3 years .....	1 year.
22–704(a) .....	Corrupt influence .....	3 years .....	2 years.
22–712(c) .....	Bribery: public servant .....	3 years .....	2 years.
22–713(c) .....	Bribery: witness .....	3 years .....	2 years.
22–722(b) .....	Obstructing justice * .....	5 years .....	5 years.
22–723(b) .....	Evidence tampering .....	3 years .....	1 year.
22–801(a) [22–1801] .....	Burglary 1st degree .....	5 years .....	3 years.
22–801(b) [22–1801] .....	Burglary 2nd degree .....	3 years .....	2 years.
22–801, 4502 [22–1801, 3202].	Burglary: armed * .....	5 years .....	5 years.
22–902(b)(2) [22–752] .....	Counterfeiting (see statute for offense circumstances) .....	3 years .....	1 year.