

District of Columbia Sentencing and Criminal Code Revision Commission

www.scdc.dc.gov

Telephone: 202-727-8822

Description	FY 2012 Actual	FY 2013 Approved	FY 2014 Proposed	% Change from FY 2013
Operating Budget	\$887,569	\$1,388,813	\$1,406,556	1.3
FTEs	6.5	10.0	10.0	0.0

The mission of the District of Columbia Sentencing and Criminal Code Revision Commission (SCCRC) is to implement, monitor, and support the District's voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research.

Summary of Services

SCCRC advises the District of Columbia on matters related to criminal law, sentencing, and corrections policy. The Sentencing and Criminal Code Revision Commission Amendment Act of 2007 established permanent, voluntary felony sentencing guidelines, and requires the commission to monitor those guidelines and make adjustments to them as needed to promote sentencing policies that limit unwarranted disparity while allowing adequate judicial discretion and proportionality. The sentencing guidelines provide recommended sentences that enhance fairness so that offenders, victims, the community, and all parties will understand the sentence, and sentences will be both more predictable and consistent. The Commission provides analysis of sentencing trends and guideline compliance to the public and its representatives to assist in identifying sentencing patterns of felony convictions. In addition, the Advisory Commission on Sentencing Amendment Act of 2006 requires the commission to conduct a multi-year study of the District's Criminal Code reform, including analysis of current criminal statutes and the development of recommendations that reorganize and reformulate for the District's Criminal Code.

The agency's FY 2014 proposed budget is presented in the following tables:

FY 2014 Proposed Gross Funds Operating Budget, by Revenue Type

Table FZ0-1 contains the proposed FY 2014 agency budget compared to the FY 2013 approved budget. It also provides FY 2011 and FY 2012 actual expenditures.

Table FZ0-1
(dollars in thousands)

Appropriated Fund	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change*
General Fund						
Local Funds	630	888	1,389	1,407	18	1.3
Total for General Fund	630	888	1,389	1,407	18	1.3
Gross Funds	630	888	1,389	1,407	18	1.3

*Percent change is based on whole dollars.

Note: If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to Schedule 80 Agency Summary by Revenue Source in the FY 2014 Operating Appendices located on the Office of the Chief Financial Officer's website.

FY 2014 Proposed Full-Time Equivalents, by Revenue Type

Table FZ0-2 contains the proposed FY 2014 FTE level compared to the FY 2013 approved FTE level by revenue type. It also provides FY 2011 and FY 2012 actual data.

Table FZ0-2

Appropriated Fund	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change
General Fund						
Local Funds	6.8	6.5	10.0	10.0	0.0	0.0
Total for General Fund	6.8	6.5	10.0	10.0	0.0	0.0
Total Proposed FTEs	6.8	6.5	10.0	10.0	0.0	0.0

FY 2014 Proposed Operating Budget, by Comptroller Source Group

Table FZ0-3 contains the proposed FY 2014 budget at the Comptroller Source Group (object class) level compared to the FY 2013 approved budget. It also provides FY 2011 and FY 2012 actual expenditures.

Table FZ0-3
(dollars in thousands)

Comptroller Source Group	Actual FY 2011	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Percent Change*
11 - Regular Pay - Continuing Full Time	349	334	807	811	5	0.6
12 - Regular Pay - Other	74	68	0	0	0	N/A
13 - Additional Gross Pay	5	4	16	16	0	0.0
14 - Fringe Benefits - Current Personnel	80	92	231	243	11	4.9
15 - Overtime Pay	1	0	0	0	0	N/A
Subtotal Personal Services (PS)	509	498	1,054	1,070	16	1.5
20 - Supplies and Materials	6	9	13	20	7	50.4
31 - Telephone, Telegraph, Telegram, Etc.	1	4	0	0	0	N/A
40 - Other Services and Charges	37	240	110	86	-24	-22.0
41 - Contractual Services - Other	77	127	201	215	13	6.7
70 - Equipment and Equipment Rental	1	10	10	16	6	57.9
Subtotal Nonpersonal Services (NPS)	121	390	335	337	2	0.5
Gross Funds	630	888	1,389	1,407	18	1.3

*Percent change is based on whole dollars.

Program Description

The District of Columbia Sentencing and Criminal Code Revision Commission operates through the following 2 programs:

Data Collection, Analysis, and Implementation – produces sentencing research for the Commission and the Council; monitors and evaluates sentencing practices in the District; and provides guideline manuals, a guideline hotline, and training for criminal justice personnel to effectively and efficiently work within a structured sentencing system.

This program contains the following 5 activities:

- **ACS Offense and Offender Database** - transfers data electronically from the court to incorporate the data into the agency's database, which includes both historic and real-time sentencing information. The criminal history information is provided by Court Services and Offender Supervision Agency (CSOSA) and is integrated into the agency's database, also enabling sentencing trends, offender and offense-based analysis of the application of the sentencing guidelines;
- **Sentencing Guidelines Monitoring** - monitors compliance with the recommended sentencing guidelines by using the agency's database. Departures from the sentencing guidelines are examined to determine if the guidelines may require modification or revision by the Commission to ensure their effectiveness;

- **Policy Reports and Proposals** - prepares reports and recommendations to the Commission to improve and expand criminal justice programs related to sentencing policy when requested or necessary;
- **Sentencing Guidelines Training** - provides training to criminal justice professionals focusing on the calculation of criminal history, proper application of the guidelines, determination of the recommended guideline sentence, and recent revisions or modification to the sentencing guidelines. The Commission also monitors both Appellate and Supreme Court sentencing-related decisions and provides training on the impact of these rulings on the D.C. Sentencing Guidelines; and
- **Prep Sentencing Guidelines Materials** - develops and updates yearly the D.C. Sentencing Guideline manual, which contains offense rankings, sentencing protocol, special sentencing provisions, and other guideline-related information. The Guideline manual is used by practitioners on a daily basis when applying the guidelines to felony convictions.

Agency Management – provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

Program Structure Change

The District of Columbia Sentencing and Criminal Code Revision Commission has no program structure changes in the FY 2014 proposed budget.

FY 2014 Proposed Operating Budget and FTEs, by Program and Activity

Table FZ0-4 contains the proposed FY 2014 budget by program and activity compared to the FY 2013 approved budget. It also provides the FY 2012 actual data.

Table FZ0-4

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013	Actual FY 2012	Approved FY 2013	Proposed FY 2014	Change from FY 2013
(1000) Management								
(1010) Personnel	75	74	71	-2	0.8	1.0	1.0	0.0
(1015) Training	8	11	11	0	0.0	0.0	0.0	0.0
(1017) Labor Management Partnerships	10	10	16	6	0.0	0.0	0.0	0.0
(1030) Property Management	0	3	7	4	0.0	0.0	0.0	0.0
(1040) Information Technology	204	66	35	-31	0.0	0.0	0.0	0.0
(1060) Legal Services	147	692	598	-94	3.2	6.0	5.0	-1.0
No Activity Assigned	26	0	0	0	0.0	0.0	0.0	0.0
Subtotal (1000) Management	471	855	738	-117	4.0	7.0	6.0	-1.0
(2000) Data Collection (AIP)								
(2010) ACS Offense and Offender Database	68	79	88	9	0.8	1.0	1.0	0.0
(2020) Sentencing Guidelines Monitoring	127	201	208	7	0.0	0.0	0.0	0.0
(2040) Policy Reports and Proposals	159	181	187	6	0.8	1.0	1.0	0.0
(2050) Sentencing Guidelines Training	1	9	115	106	0.0	0.0	1.0	1.0
(2060) Prep Sentencing Guidelines Materials	62	64	70	6	0.8	1.0	1.0	0.0
Subtotal (2000) Data Collection (AIP)	416	534	669	135	2.4	3.0	4.0	1.0
Total Proposed Operating Budget	888	1,389	1,407	18	6.5	10.0	10.0	0.0

(Change is calculated by whole numbers and numbers may not add up due to rounding)

Note: For more detailed information regarding the proposed funding for the activities within this agency's programs, please see **Schedule 30-PBB Program Summary by Activity** in the **FY 2014 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2014 Proposed Budget Changes

The District of Columbia Sentencing and Criminal Code Revision Commission's (SCCRC) proposed FY 2014 gross budget is \$1,406,556, which represents a 1.3 percent increase over its FY 2013 approved gross budget of \$1,388,813. The budget is comprised of entirely Local funds.

Current Services Funding Level

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2013 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs and operations into the following fiscal year. The initial adjustments in the budget proposal represent changes that should be compared to the FY 2014 CSFL budget and not necessarily changes made to the FY 2013 Local funds budget. The FY 2014 CSFL adjustments to the FY 2013 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

SCCRC's FY 2014 CSFL budget is \$1,406,556, which represents a \$17,743, or 1.3 percent, increase over the FY 2013 approved Local funds budget of \$1,388,813.

Major CSFL Cost Drivers

The FY 2014 CSFL calculated for SCCRC included an adjustment entry that is not described in detail on table 5. This adjustment was made for an increase of \$9,709 in personal services, to account for the Fringe Benefit growth rate adjustment of 4.2 percent year-over-year growth, and \$8,034 in nonpersonal services, based on the Consumer Price Index factor of 2.4 percent. During the development of the CSFL, some adjustments such as these were categorized as "other adjustments".

Agency Budget Submission

Increase: SCCRC increased its salary, steps, and Fringe Benefits by \$6,195 to align the budget with historical spending patterns.

Decrease: The nonpersonal services budget was reduced by \$6,195 to absorb the increases in personal services.

Mayor's Proposed Budget Submission

Cost of Living Adjustment: This agency received a proposed cost of living adjustment (COLA) in Local funds, which will be applied centrally from the Workforce Investments account. For more information about the COLA, please see the Workforce Investments chapter contained in Volume 3 (Agency Budget Chapters – Part II) of the FY 2014 Proposed Budget and Financial Plan.

FY 2013 Approved Budget to FY 2014 Proposed Budget, by Revenue Type

Table FZ0-5 itemizes the changes by revenue type between the FY 2013 approved budget and the FY 2014 proposed budget.

Table FZ0-5

(dollars in thousands)

	PROGRAM	BUDGET	FTE
LOCAL FUNDS: FY 2013 Approved Budget and FTE		1,389	10.0
Other CSFL Adjustments	Multiple Programs	18	0.0
LOCAL FUNDS: FY 2014 Current Services Funding Level Budget (CSFL)		1,407	10.0
Increase: Salary, steps, and Fringe Benefits based on historical spending	Multiple Programs	6	0.0
Decrease: Nonpersonal services to offset increase in personal services	Data Collection (AIP)	-6	0.0
LOCAL FUNDS: FY 2014 Agency Budget Submission		1,407	10.0
Gross for FZ0 - District of Columbia Sentencing and Criminal Code Revision Commission		1,407	10.0

(Change is calculated by whole numbers and numbers may not add up due to rounding)

Agency Performance Plan

The agency's performance plan has the following objectives for FY 2014:

Objective 1: Promulgate the accurate, timely, and effective use of the sentencing guidelines in every felony case.

Objective 2: Promulgate compliance with the guidelines in at least 93 percent of all felony cases.

Objective 3: Analyze the District of Columbia's current criminal code and propose reforms in the criminal code to create a uniform and coherent body of criminal law in the District of Columbia.

KEY PERFORMANCE INDICATORS

Measure	FY 2011 Actual	FY 2012 Target	FY 2012 Actual	FY 2013 Projection	FY 2014 Projection	FY 2015 Projection
Percentage of Judicial Compliance with the Sentencing Guidelines ¹	90%	90%	98%	96%	97%	98%
Number of agency web page hits	Not Available	1100	4494	4575	4750	5000
Number of agency web page updates	Not Available	4	7	10	13	16
Percentage of departures classified as "Compliant Departure"	Not Available	Not Available	Not Available	65%	75%	80%
Percentage of guidelines questions answered within 24 hours	98%	95%	98%	98%	98%	99%
Issue papers released	3	2	2	2	2	2
Number of Code Revision Memos drafted	Not Available	Not Available	Not Available	2	4	6
Number of hours of code revision research	Not Available	Not Available	Not Available	2,800	3,200	3,550

Performance Plan Endnotes:

¹Judicial Compliance is considered an Industry Standard measure among Sentencing Commissions and a measure of the extent to which judges follow the sentencing guidelines when imposing a felony sentence. Compliance is defined as a judge imposing a sentence that is within the range recommended by the sentencing guidelines given the defendant's current offense and prior criminal history. The National Association of Sentencing Commissions identifies 80 percent compliance as standard, indicating the imposition of judicial discretion in 20 percent of cases.

