

District of Columbia Sentencing and Criminal Code Revision Commission

www.scdc.dc.gov

Telephone: 202-727-8822

Description	FY 2013	FY 2014	FY 2015	% Change
	Actual	Approved	Proposed	from FY 2014
Operating Budget	\$1,127,838	\$1,406,556	\$1,401,315	-0.4
FTEs	8.6	10.0	10.0	0.0

The mission of the District of Columbia Sentencing and Criminal Code Revision Commission 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

The Commission advises the District of Columbia on policy 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 and make adjustments 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 for felony convictions. In addition, the Advisory Commission on Sentencing Amendment Act of 2006 requires the commission to undertake a multi-year study of the District of Columbia Criminal Code reform, including analysis of current criminal statutes and developing recommendations for revisions to District's Criminal Code that promote clarity, consistency, and cohesiveness within the District's Criminal Code.

The agency's FY 2015 proposed budget is presented in the following tables:

FY 2015 Proposed Gross Funds Operating Budget, by Revenue Type

Table FZ0-1 contains the proposed FY 2015 agency budget compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

Table FZ0-1
(dollars in thousands)

Appropriated Fund	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change*
General Fund						
Local Funds	888	1,128	1,407	1,401	-5	-0.4
Total for General Fund	888	1,128	1,407	1,401	-5	-0.4
Gross Funds	888	1,128	1,407	1,401	-5	-0.4

*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 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2015 Proposed Full-Time Equivalents, by Revenue Type

Table FZ0-2 contains the proposed FY 2015 FTE level compared to the FY 2014 approved FTE level by revenue type. It also provides FY 2012 and FY 2013 actual data.

Table FZ0-2

Appropriated Fund	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change
General Fund						
Local Funds	6.5	8.6	10.0	10.0	0.0	0.0
Total for General Fund	6.5	8.6	10.0	10.0	0.0	0.0
Total Proposed FTEs	6.5	8.6	10.0	10.0	0.0	0.0

FY 2015 Proposed Operating Budget, by Comptroller Source Group

Table FZ0-3 contains the proposed FY 2015 budget at the Comptroller Source Group (object class) level compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

Table FZ0-3
(dollars in thousands)

Comptroller Source Group	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change*
11 - Regular Pay - Continuing Full Time	334	625	811	837	26	3.2
12 - Regular Pay - Other	68	66	0	0	0	N/A
13 - Additional Gross Pay	4	6	16	16	0	0.0
14 - Fringe Benefits - Current Personnel	92	144	243	175	-68	-27.9
Subtotal Personal Services (PS)	498	841	1,070	1,028	-42	-3.9
20 - Supplies and Materials	9	13	20	26	6	29.1
31 - Telephone, Telegraph, Telegram, Etc.	4	0	0	0	0	N/A
40 - Other Services and Charges	240	65	86	101	16	18.3
41 - Contractual Services - Other	127	199	215	233	19	8.6
70 - Equipment and Equipment Rental	10	10	16	12	-4	-22.4
Subtotal Nonpersonal Services (NPS)	390	287	337	373	36	10.8
Gross Funds	888	1,128	1,407	1,401	-5	-0.4

*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 – undertakes sentencing-related research for the Commission and the Council; monitors and evaluates sentencing practices and trends in the District; and provides the sentencing guideline manual, assistance with the application of the guidelines, and training for criminal justice professionals to effectively and efficiently work within a structured sentencing system.

This program contains the following 5 activities:

- **ACS Offense and Offender Sentencing Database** – transfers data electronically from the court into the agency’s database, which includes both historic and real-time sentencing information. Criminal history information provided by Court Services and Offender Supervision Agency (CSOSA) is integrated into the agency database and matched with court sentencing information, enabling offender and offense-based analysis of the application of the sentencing guidelines and sentencing trends;
- **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** – develops reports and recommendations for the Commission to improve and modify criminal justice programs focused on sentencing policy. In addition, revises and proposes recommendations to the D.C. Criminal Code to ensure clarity and consistency in the District’s criminal laws making their application more fair and efficient;

- **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 2015 proposed budget.

FY 2015 Proposed Operating Budget and FTEs, by Program and Activity

Table FZ0-4 contains the proposed FY 2015 budget by program and activity compared to the FY 2014 approved budget. It also provides the FY 2013 actual data.

Table FZ0-4

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014
(1000) Agency Management								
(1010) Personnel	105	71	69	-3	0.9	1.0	1.0	0.0
(1015) Training	8	11	12	1	0.0	0.0	0.0	0.0
(1017) Labor Management Partnerships	10	16	0	-16	0.0	0.0	0.0	0.0
(1030) Property Management	0	7	15	9	0.0	0.0	0.0	0.0
(1040) Information Technology	25	35	42	8	0.0	0.0	0.0	0.0
(1060) Legal Services	379	598	592	-6	5.1	5.0	5.0	0.0
Subtotal (1000) Agency Management	527	738	730	-8	6.0	6.0	6.0	0.0
(2000) Data Collection (AIP)								
(2010) ACS Offense and Offender Database	75	88	93	5	0.9	1.0	1.0	0.0
(2020) Sentencing Guidelines Monitoring	199	208	188	-20	0.0	0.0	0.0	0.0
(2040) Policy Reports and Proposals	163	187	212	25	0.9	1.0	1.0	0.0
(2050) Sentencing Guidelines Training	100	115	111	-4	0.0	1.0	1.0	0.0
(2060) Prep Sentencing Guidelines Materials	64	70	67	-3	0.9	1.0	1.0	0.0
Subtotal (2000) Data Collection (AIP)	601	669	671	2	2.6	4.0	4.0	0.0
Total Proposed Operating Budget	1,128	1,407	1,401	-5	8.6	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 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2015 Proposed Budget Changes

The District of Columbia Sentencing and Criminal Code Revision Commission's (SCCRC) proposed FY 2015 gross budget is \$1,401,315, which represents a 0.4 percent decrease from its FY 2014 approved gross budget of \$1,406,556. The budget is comprised entirely of 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 2014 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 FY 2015 CSFL adjustments to the FY 2014 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 2015 CSFL budget is \$1,401,315, which represents a \$5,241, or 0.4 percent, decrease from the FY 2014 approved Local funds budget of \$1,406,556.

CSFL Assumptions

The FY 2015 CSFL calculated for SCCRC included adjustment entries that are not described in detail on table 5. These adjustments were made for a decrease of \$13,319 in personal services to account for Fringe Benefit costs based on trend and comparative analyses and the impact of cost-of-living adjustments implemented in FY 2013, and an increase of \$8,078 in nonpersonal services based on the Consumer Price Index factor of 2.4 percent.

Agency Budget Submission

Increase: The budget proposal in Local funds includes an increase of \$16,017 in the Data Collection program to support the agency's contractual services. In the Management program, the Local funds support SCCRC's FY 2015 operational goals by including an increase of \$12,300 for the operation and maintenance of the agency's data systems and purchase of general office supplies.

Decrease: In Local funds, the budget proposal reflects a reduction of \$28,316 based on projected funding allocations for personal services. This adjustment is comprised of reductions of \$14,557 in the Management program and \$13,759 in the Data Collection program.

Mayor's Proposed Budget

No Change: The District of Columbia Sentencing and Criminal Code Revision Commission's budget proposal reflects no change from the agency budget submission to the Mayor's proposed budget.

District's Proposed Budget

No Change: The District of Columbia Sentencing and Criminal Code Revision Commission's budget proposal reflects no change from the Mayor's proposed budget to the District's proposed budget.

FY 2014 Approved Budget to FY 2015 Proposed Budget, by Revenue Type

Table FZ0-5 itemizes the changes by revenue type between the FY 2014 approved budget and the FY 2015 proposed budget.

Table FZ0-5

(dollars in thousands)

DESCRIPTION	PROGRAM	BUDGET	FTE
LOCAL FUNDS: FY 2014 Approved Budget and FTE		1,407	10.0
Other CSFL Adjustments	Multiple Programs	-5	0.0
LOCAL FUNDS: FY 2015 Current Services Funding Level Budget (CSFL)		1,401	10.0
Increase: To adjust Contractual Services budget	Data Collection (AIP)	16	0.0
Increase: To align resources with operational goals	Agency Management	12	0.0
Decrease: To adjust personal services	Multiple Programs	-28	0.0
LOCAL FUNDS: FY 2015 Agency Budget Submission		1,401	10.0
No Change		0	0.0
LOCAL FUNDS: FY 2015 Mayor's Proposed Budget		1,401	10.0
No Change		0	0.0
LOCAL FUNDS: FY 2015 District's Proposed Budget		1,401	10.0
Gross for FZ0 - District of Columbia Sentencing and Criminal Code Revision Commission		1,401	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 2015:

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 2012 Actual	FY 2013 Target	FY 2013 Actual	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Percent of Judicial Compliance with the Sentencing Guidelines ¹	98%	96%	96.7%	97%	98%	98%
Number of agency web page hits	4,494	4,575	7,776	4,750	5,000	5,500
Number of agency web page updates	7	10	15	13	16	16
Percent of compliant guideline sentences	97%	98%	98.2%	98%	98.5%	98.5%
Percent of departures classified as "Compliant Departure"	85%	94%	93.9%	95%	96%	97%
Percent of guidelines questions answered within 24 hours	98%	98%	99%	98.5%	99%	99%
Number of code revision committee meetings	3	6	19	12	14	14
Number of code revision research memos drafted	Not Available	2	15	14	16	20
Number of hours of code revision research	Not Available	2,800	3,210	3,200	3,550	3,700
Number of criminal statutes revised	Not Available	2	3	11	12	14

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.