

District of Columbia Sentencing and Criminal Code Revision Commission

www.scdc.dc.gov

Telephone: 202-727-8822

Description	FY 2010 Actual	FY 2011 Approved	FY 2012 Proposed	% Change from FY 2011
Operating Budget	\$794,330	\$768,471	\$887,659	15.5
FTEs	6.4	8.0	8.0	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 the District's Criminal Code.

The agency's FY 2012 proposed budget is presented in the following tables:

FY 2012 Proposed Gross Funds Operating Budget, by Revenue Type

Table FZ0-1 contains the proposed FY 2012 agency budget compared to the FY 2011 approved budget. It also provides FY 2009 and FY 2010 actual expenditures.

Table FZ0-1
(dollars in thousands)

Appropriated Fund	Actual FY 2009	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Percent Change*
General Fund						
Local Funds	582	794	768	888	119	15.5
Total for General Fund	582	794	768	888	119	15.5
Gross Funds	582	794	768	888	119	15.5

*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 2012 Operating Appendices located on the Office of the Chief Financial Officer's website.

FY 2012 Proposed Full-Time Equivalents, by Revenue Type

Table FZ0-2 contains the proposed FY 2012 FTE level compared to the FY 2011 approved FTE level by revenue type. It also provides FY 2009 and FY 2010 actual data.

Table FZ0-2

Appropriated Fund	Actual FY 2009	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Percent Change
General Fund						
Local Funds	4.1	6.4	8.0	8.0	0.0	0.0
Total for General Fund	4.1	6.4	8.0	8.0	0.0	0.0
Total Proposed FTEs	4.1	6.4	8.0	8.0	0.0	0.0

FY 2012 Proposed Operating Budget, by Comptroller Source Group

Table FZ0-3 contains the proposed FY 2012 budget at the Comptroller Source Group (object class) level compared to the FY 2011 approved budget. It also provides FY 2009 and FY 2010 actual expenditures.

Table FZ0-3
(dollars in thousands)

	Actual FY 2009	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Percent Change*
Comptroller Source Group						
11 - Regular Pay - Cont Full Time	309	392	422	495	73	17.4
12 - Regular Pay - Other	26	71	78	0	-77	-100.0
13 - Additional Gross Pay	9	1	2	16	14	708.0
14 - Fringe Benefits - Curr Personnel	69	70	97	127	30	31.4
15 - Overtime Pay	0	1	0	0	0	N/A
Subtotal Personal Services (PS)	413	536	598	638	40	6.8
20 - Supplies and Materials	4	16	6	9	3	54.9
30 - Energy, Comm. and Bldg Rentals	8	12	0	0	0	N/A
31 - Telephone, Telegraph, Telegram, Etc.	3	2	0	0	0	N/A
34 - Security Services	4	3	0	0	0	N/A
35 - Occupancy Fixed Costs	4	3	0	0	0	N/A
40 - Other Services and Charges	36	57	48	97	50	103.6
41 - Contractual Services - Other	111	156	115	133	17	14.9
70 - Equipment and Equipment Rental	0	9	1	10	9	702.0
Subtotal Nonpersonal Services (NPS)	169	258	170	249	79	46.2
Gross Funds	582	794	768	888	119	15.5

*Percent change is based on whole dollars.

Program Description

The 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 newly 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 the D.C. Court Services and Offender Supervision agency 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. Deviations 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 applica-

tion 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 Sentencing and Criminal Code Revision Commission has no program structure changes in the FY 2012 Proposed Budget.

FY 2012 Proposed Operating Budget and FTEs, by Program and Activity

Table FZ0-4 contains the proposed FY 2012 budget by program and activity compared to the FY 2011 approved budget. It also provides the FY 2010 actual data.

Table FZ0-4

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011	Actual FY 2010	Approved FY 2011	Proposed FY 2012	Change from FY 2011
(1000) Agency Management								
(1010) Personnel	97	68	68	0	0.9	1.0	1.0	0.0
(1015) Training	3	7	10	4	0.0	0.0	0.0	0.0
(1017) Labor Management Partnerships	0	0	10	10	0.0	0.0	0.0	0.0
(1020) Contracting and Procurement	2	0	0	0	0.0	0.0	0.0	0.0
(1030) Property Management	20	1	3	2	0.0	0.0	0.0	0.0
(1040) Information Technology	10	28	68	40	0.0	0.0	0.0	0.0
(1060) Legal Services	178	244	286	42	0.9	4.0	4.0	0.0
Subtotal (1000) Agency Management	309	349	445	97	1.8	5.0	5.0	0.0
(2000) Data Collection (AIP)								
(2010) ACS Offense and Offender Database	95	95	75	-20	0.9	1.0	1.0	0.0
(2020) Sentencing Guidelines Monitoring	196	106	133	26	1.8	0.0	0.0	0.0
(2040) Policy Reports and Proposals	136	143	163	20	0.9	1.0	1.0	0.0
(2050) Sentencing Guidelines Training	0	6	9	3	0.0	0.0	0.0	0.0
(2060) Prep Sentencing Guidelines Materials	58	69	63	-6	0.9	1.0	1.0	0.0
Subtotal (2000) Data Collection (AIP)	485	420	442	22	4.6	3.0	3.0	0.0
Total Proposed Operating Budget	794	768	888	119	6.4	8.0	8.0	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 2012 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2012 Proposed Budget Changes

Intra-Agency Changes: The personal services budget has been reduced by \$58,797 and 2.0 FTEs in FY 2012 to better align the nonpersonal services cost with the agency's actual needs. The budget for supplies, contractual services, and other services and charges will increase in FY 2012 by \$58,797.

Cost Increase: \$99,188 is provided to fund personal service costs and 2.0 FTEs. Also, \$20,000 is provided to fund increases in other services and charges, equipment and equipment rentals to support the operations of the organization.

FY 2011 Approved Budget to FY 2012 Proposed Budget, by Revenue Type

Table FZ0-5 itemizes the changes by revenue type between the FY 2011 approved budget and the FY 2012 proposed budget.

Table FZ0-5

(dollars in thousands)

	PROGRAM	BUDGET	FTE
LOCAL FUNDS: FY 2011 Approved Budget and FTE		768	8.0
Cost Increase: Increase in contractual services	Multiple Programs	17	1.0
Cost Increase: Increase in other services and charges	Multiple Programs	40	0.0
Cost Increase: Net increase in nonpersonal services items (supplies and equipment)	Agency Management Program	2	0.0
Cost Decrease: Adjust personal services costs and correct FTE count	Multiple Programs	-59	-2.0
FY 2012 Initial Adjusted Budget		768	6.0
Cost Increase: Increase in equipment and equipment rentals	Agency Management Program	10	0.0
Cost Increase: Increase in other services and charges	Agency Management Program	10	0.0
Cost Increase: Increase in personal services and 2.0 FTEs	Agency Management Program	99	2.0
LOCAL FUNDS: FY 2012 Proposed Budget and FTE		888	8.0
Gross for FZ0 - District of Columbia Sentencing and Criminal Code Revision		888	8.0

Agency Performance Plan

The agency's performance plan has the following objectives for FY 2012:

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 85 percent of all felony cases.

Objective 3: Analyze the District'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.

Agency Performance Measures

Table FZ0-6

Measure	FY 2009 Actual	FY 2010 Target	FY 2010 Actual	FY 2011 Projection	FY 2012 Projection	FY 2013 Projection
Percentage of Judicial Compliance with the D.C. Sentencing Guidelines ¹	88%	85%	88.08%	86%	87%	88%
Percentage of response rate for departure reasons	15%	20%	22.05%	40%	45%	46%
Percentage of guidelines questions answered within 24 hours	Not Available	75%	87.39%	80%	85%	88%
Number of issue papers released	Not Available	2	2	4	4	4

Performance Plan Endnotes:

1. Judicial 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.