

# District of Columbia Sentencing and Criminal Code Revision Commission

[www.scdc.dc.gov](http://www.scdc.dc.gov)

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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 and sentencing policy. The Sentencing and Criminal Code Revision Commission Amendment Act of 2007 established permanent, voluntary sentencing guidelines for all felony cases sentenced in D.C. Superior Court. The Act required the SCCRC to promulgate, implement, and revise those guidelines “to achieve the goals of certainty, consistency, and adequacy of punishment.” On an ongoing basis, the Act requires the SCCRC to “publish a manual containing the instructions for applying the voluntary guidelines, update the manual periodically, and provide ongoing technical assistance to the court and practitioners on sentencing and sentencing guideline issues” and to make adjustments to them as needed their goals. The sentencing guidelines, and any adjustments thereto, take into account the “(1) seriousness of the offense; (2) dangerousness of the offender; (3) need to protect the safety of the community, (4) offender's potential for rehabilitation; and (5) use of alternatives to prison, where appropriate.” 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 undertake a multi-year effort to “analyze the District of Columbia's current criminal code and administration of existing criminal laws, and to propose reforms in the criminal code to create a uniform and coherent body of criminal law in the District of Columbia.”

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*
<b>General Fund</b>						
Local Funds	630	888	1,389	1,407	18	1.3
<b>Total for General Fund</b>	<b>630</b>	<b>888</b>	<b>1,389</b>	<b>1,407</b>	<b>18</b>	<b>1.3</b>
<b>Gross Funds</b>	<b>630</b>	<b>888</b>	<b>1,389</b>	<b>1,407</b>	<b>18</b>	<b>1.3</b>

\*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
<b>General Fund</b>						
Local Funds	6.8	6.5	10.0	10.0	0.0	0.0
<b>Total for General Fund</b>	<b>6.8</b>	<b>6.5</b>	<b>10.0</b>	<b>10.0</b>	<b>0.0</b>	<b>0.0</b>
<b>Total Proposed FTEs</b>	<b>6.8</b>	<b>6.5</b>	<b>10.0</b>	<b>10.0</b>	<b>0.0</b>	<b>0.0</b>

## 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
<b>Subtotal Personal Services (PS)</b>	<b>509</b>	<b>498</b>	<b>1,054</b>	<b>1,070</b>	<b>16</b>	<b>1.5</b>
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
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>121</b>	<b>390</b>	<b>335</b>	<b>337</b>	<b>2</b>	<b>0.5</b>
<b>Gross Funds</b>	<b>630</b>	<b>888</b>	<b>1,389</b>	<b>1,407</b>	<b>18</b>	<b>1.3</b>

\*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 professional 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 recommen-

dations 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 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
<b>(1000) Management</b>								
(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
<b>Subtotal (1000) Management</b>	<b>471</b>	<b>855</b>	<b>738</b>	<b>-117</b>	<b>4.0</b>	<b>7.0</b>	<b>6.0</b>	<b>-1.0</b>
<b>(2000) Data Collection (AIP)</b>								
(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
<b>Subtotal (2000) Data Collection (AIP)</b>	<b>416</b>	<b>534</b>	<b>669</b>	<b>135</b>	<b>2.4</b>	<b>3.0</b>	<b>4.0</b>	<b>1.0</b>
<b>Total Proposed Operating Budget</b>	<b>888</b>	<b>1,389</b>	<b>1,407</b>	<b>18</b>	<b>6.5</b>	<b>10.0</b>	<b>10.0</b>	<b>0.0</b>

(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**

**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.

### **District's Proposed Budget**

The District of Columbia Sentencing and Criminal Code Revision Commission has no changes from the FY 2014 Mayor's proposed budget to the FY 2014 District's proposed budget.

## 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
<b>LOCAL FUNDS: FY 2013 Approved Budget and FTE</b>		<b>1,389</b>	<b>10.0</b>
Other CSFL Adjustments	Multiple Programs	18	0.0
<b>LOCAL FUNDS: FY 2014 Current Services Funding Level Budget (CSFL)</b>		<b>1,407</b>	<b>10.0</b>
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
<b>LOCAL FUNDS: FY 2014 Agency Budget Submission</b>		<b>1,407</b>	<b>10.0</b>
No Changes		0	0.0
<b>LOCAL FUNDS: FY 2014 Mayor's Proposed Budget</b>		<b>1,407</b>	<b>10.0</b>
No Changes		0	0.0
<b>LOCAL FUNDS: FY 2014 District's Proposed Budget</b>		<b>1,407</b>	<b>10.0</b>
<b>Gross for FZ0 - District of Columbia Sentencing and Criminal Code Revision Commission</b>		<b>1,407</b>	<b>10.0</b>

(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 <sup>1</sup>	90%	90%	98%	96%	97%	98%
Number of agency web page hits	Not Available	1,100	4,494	4,575	4,750	5,000
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:

<sup>1</sup>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.

