

District of Columbia Sentencing and Criminal Code Revision Commission

www.scdc.dc.gov

Telephone: 202-727-8822

Description	FY 2014	FY 2015	FY 2016	% Change
	Actual	Approved	Proposed	from FY 2015
Operating Budget	\$1,267,380	\$1,401,315	\$1,609,771	14.9
FTEs	9.7	10.0	11.0	10.0

The mission of the District of Columbia Sentencing 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 involved will understand the sentence, and that 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 (ACS) Amendment Act of 2006 requires the Commission to undertake a multi-year study of the DC 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 2016 proposed budget is presented in the following tables:

FY 2016 Proposed Gross Funds Operating Budget, by Revenue Type

Table FZ0-1 contains the proposed FY 2016 agency budget compared to the FY 2015 approved budget. It also provides FY 2013 and FY 2014 actual expenditures.

Table FZ0-1
(dollars in thousands)

Appropriated Fund	Actual FY 2013	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Percent Change*
General Fund						
Local Funds	1,128	1,267	1,401	1,610	208	14.9
Total for General Fund	1,128	1,267	1,401	1,610	208	14.9
Gross Funds	1,128	1,267	1,401	1,610	208	14.9

*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 2016 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2016 Proposed Full-Time Equivalent, by Revenue Type

Table FZ0-2 contains the proposed FY 2016 FTE level compared to the FY 2015 approved FTE level by revenue type. It also provides FY 2013 and FY 2014 actual data.

Table FZ0-2

Appropriated Fund	Actual FY 2013	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Percent Change
General Fund						
Local Funds	8.6	9.7	10.0	11.0	1.0	10.0
Total for General Fund	8.6	9.7	10.0	11.0	1.0	10.0
Total Proposed FTEs	8.6	9.7	10.0	11.0	1.0	10.0

FY 2016 Proposed Operating Budget, by Comptroller Source Group

Table FZ0-3 contains the proposed FY 2016 budget at the Comptroller Source Group (object class) level compared to the FY 2015 approved budget. It also provides FY 2013 and FY 2014 actual expenditures.

Table FZ0-3
(dollars in thousands)

	Actual FY 2013	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Percent Change*
Comptroller Source Group						
11 - Regular Pay - Continuing Full Time	625	791	837	963	126	15.1
12 - Regular Pay - Other	66	-4	0	0	0	N/A
13 - Additional Gross Pay	6	2	16	10	-6	-40.0
14 - Fringe Benefits - Current Personnel	144	156	175	210	35	20.0
Subtotal Personal Services (PS)	841	946	1,028	1,183	155	15.0
20 - Supplies and Materials	13	11	26	23	-2	-8.8
31 - Telephone, Telegraph, Telegram, Etc.	0	0	0	0	0	N/A
40 - Other Services and Charges	65	34	101	96	-6	-5.5
41 - Contractual Services - Other	199	273	233	291	58	24.7
70 - Equipment and Equipment Rental	10	4	12	16	4	32.0
Subtotal Nonpersonal Services (NPS)	287	322	373	427	54	14.4
Gross Funds	1,128	1,267	1,401	1,610	208	14.9

*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, assists with the application of the guidelines, and makes available 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 DC Superior Court into the agency’s database GRID, 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 in the District;
- **Sentencing Guidelines Monitoring** – monitors compliance with the recommended sentencing guidelines through 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 2016 proposed budget.

FY 2016 Proposed Operating Budget and FTEs, by Program and Activity

Table FZ0-4 contains the proposed FY 2016 budget by program and activity compared to the FY 2015 approved budget. It also provides the FY 2014 actual data.

Table FZ0-4

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015
(1000) Agency Management								
(1010) Personnel	66	69	67	-2	1.0	1.0	1.0	0.0
(1015) Training	6	12	12	0	0.0	0.0	0.0	0.0
(1017) Labor Management Partnerships	4	0	0	0	0.0	0.0	0.0	0.0
(1030) Property Management	0	15	14	-2	0.0	0.0	0.0	0.0
(1040) Information Technology	17	42	39	-3	0.0	0.0	0.0	0.0
(1060) Legal Services	501	592	604	13	4.8	5.0	5.0	0.0
Subtotal (1000) Agency Management	594	730	736	6	5.8	6.0	6.0	0.0
(2000) Data Collection (AIP)								
(2010) ACS Offense and Offender Database	56	93	217	124	1.0	1.0	2.0	1.0
(2020) Sentencing Guidelines Monitoring	202	188	282	94	0.0	0.0	0.0	0.0
(2040) Policy Reports and Proposals	168	212	182	-30	1.0	1.0	1.0	0.0
(2050) Sentencing Guidelines Training	174	111	123	12	1.0	1.0	1.0	0.0
(2060) Prep Sentencing Guidelines Materials	74	67	69	2	1.0	1.0	1.0	0.0
Subtotal (2000) Data Collection (AIP)	673	671	874	202	3.9	4.0	5.0	1.0
Total Proposed Operating Budget	1,267	1,401	1,610	208	9.7	10.0	11.0	1.0

(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 2016 Operating Appendices** located on the Office of the Chief Financial Officer's website.

FY 2016 Proposed Budget Changes

The District of Columbia Sentencing and Criminal Code Revision Commission's (SCCRC) proposed FY 2016 gross budget is \$1,609,771, which represents 14.9 percent increase over its FY 2015 approved gross budget of \$1,401,315. 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 2015 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 2016 CSFL adjustments to the FY 2015 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 2016 CSFL budget is \$1,438,615, which represents a \$37,300 or 2.7 percent increase over the FY 2015 approved Local funds budget of \$1,401,315.

CSFL Assumptions

The FY 2016 CSFL calculated for SCCRC included adjustment entries that are not described in detail on table 5. These adjustments were made for a net increase of \$32,166 in personal services to account for Fringe Benefit costs based on trend and comparative analyses, the impact of cost-of-living adjustments and approved compensation agreements implemented in FY 2015, and an increase of \$5,134 in nonpersonal services based on the Consumer Price Index factor of 2.2 percent.

Agency Budget Submission

Increase: The proposed budget includes an increase of \$39,087 in personal services to support projected salary step increases and Fringe Benefits costs.

Decrease: The budget proposal reflects a reduction of \$39,087 to nonpersonal services to offset the funding for the anticipated salary step increases and Fringe Benefits costs.

Technical Adjustment: SCCRC's Local budget reflects an increase of \$87,723 to support maintenance costs for the Guideline Score System (GSS) in the Data Collection Program.

Mayor's Proposed Budget

No Change: SCCRC's budget proposal reflects no change from the agency budget submission to the Mayor's proposed budget.

District's Proposed Budget

Enhance: The proposed budget reflects an increase of \$83,433 and 1.0 FTE to support a Research Analyst position in the Data Collection division.

FY 2015 Approved Budget to FY 2016 Proposed Budget, by Revenue Type

Table FZ0-5 itemizes the changes by revenue type between the FY 2015 approved budget and the FY 2016 proposed budget.

Table FZ0-5

(dollars in thousands)

DESCRIPTION	PROGRAM	BUDGET	FTE
LOCAL FUNDS: FY 2015 Approved Budget and FTE		1,401	10.0
Other CSFL Adjustments	Multiple Programs	37	0.0
LOCAL FUNDS: FY 2016 Current Services Funding Level (CSFL) Budget		1,439	10.0
Increase: To adjust continuing full time personal services and Fringe Benefits with projected costs	Multiple Programs	39	0.0
Decrease: To offset projected increases in personal services	Multiple Programs	-39	0.0
Technical Adjustment: To support maintenance cost for the Guideline Score System (GSS)	Data Collection (AIP)	88	0.0
LOCAL FUNDS: FY 2016 Agency Budget Submission		1,526	10.0
No Change		0	0.0
LOCAL FUNDS: FY 2016 Mayor's Proposed Budget		1,526	10.0
Enhance: To support additional FTE	Data Collection (AIP)	83	1.0
LOCAL FUNDS: FY 2016 District's Proposed Budget		1,610	11.0
Gross for FZ0 - District of Columbia Sentencing and Criminal Code Revision Commission		1,610	11.0

(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 2016:

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% of all felony cases.

Objective 3: Evaluate the effectiveness of the sentencing guidelines in achieving certainty, consistency, and adequacy of punishment.

Objective 4: 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 2013 Actual	FY 2014 Target	FY 2014 Actual	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Percent of Judicial Compliance with the Sentencing Guidelines ¹	96.7%	97%	97.9%	97%	98%	98%
Number of agency web page hits	7,776	4,750	10,681	7,750	8,000	8,500
Number of agency web page updates	15	13	57	26	29	31
Percent compliant guideline sentences ²	98.2%	98%	98.2%	98%	98.5%	98.5%
Percent of departures classified as "Compliant Departure"	93.9%	95%	96.2%	95%	96%	97%
Percent of guidelines questions answered within 24 hours	99%	98.5%	99.3%	99%	99%	99%
Number of code revision committee meetings ³	19	12	25	15	12	Not Available
Number of code revision research memos drafted ⁴	15	14	37	5	15	Not Available
Number of hours of code revision research ⁵	3,210	3,200	3,998	3,200	2,900	Not Available
Number of criminal statutes repealed, codified, or revised ⁶	Not Available	2	15	15	6	Not Available
Number of data requests	6	7	33	40	42	45
Number of hours spent on data requests	94	175	510	525	530	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 85 percent compliance as standard, indicating the imposition of judicial discretion in 15 percent of cases.

²This percent reflects compliant in-the-box, 11(e)(1)(C), and out-of-the-box sentences.

³By statute, the Criminal Code Revision Project ends on September 30, 2016.

⁴Ibid.

⁵Ibid.

⁶Ibid.