

# District of Columbia Sentencing and Criminal Code Revision Commission

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

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Description	FY 2011 Actual	FY 2012 Approved	FY 2013 Proposed	% Change from FY 2012
Operating Budget	\$630,247	\$887,659	\$1,388,813	56.5
FTEs	6.8	8.0	10.0	25.0

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 2013 proposed budget is presented in the following tables:

## FY 2013 Proposed Gross Funds Operating Budget, by Revenue Type

Table FZ0-1 contains the proposed FY 2013 agency budget compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

**Table FZ0-1**  
(dollars in thousands)

Appropriated Fund	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change*
<b>General Fund</b>						
Local Funds	794	630	888	1,389	501	56.5
<b>Total for General Fund</b>	<b>794</b>	<b>630</b>	<b>888</b>	<b>1,389</b>	<b>501</b>	<b>56.5</b>
<b>Gross Funds</b>	<b>794</b>	<b>630</b>	<b>888</b>	<b>1,389</b>	<b>501</b>	<b>56.5</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 2013 Operating Appendices located on the Office of the Chief Financial Officer's website.

## FY 2013 Proposed Full-Time Equivalents, by Revenue Type

Table FZ0-2 contains the proposed FY 2013 FTE level compared to the FY 2012 approved FTE level by revenue type. It also provides FY 2010 and FY 2011 actual data.

**Table FZ0-2**

Appropriated Fund	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change
<b>General Fund</b>						
Local Funds	6.4	6.8	8.0	10.0	2.0	25.0
<b>Total for General Fund</b>	<b>6.4</b>	<b>6.8</b>	<b>8.0</b>	<b>10.0</b>	<b>2.0</b>	<b>25.0</b>
<b>Total Proposed FTEs</b>	<b>6.4</b>	<b>6.8</b>	<b>8.0</b>	<b>10.0</b>	<b>2.0</b>	<b>25.0</b>

## FY 2013 Proposed Operating Budget, by Comptroller Source Group

Table FZ0-3 contains the proposed FY 2013 budget at the Comptroller Source Group (object class) level compared to the FY 2012 approved budget. It also provides FY 2010 and FY 2011 actual expenditures.

**Table FZ0-3**  
(dollars in thousands)

	Actual FY 2010	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Percent Change*
<b>Comptroller Source Group</b>						
11 - Regular Pay - Continuing Full Time	392	349	495	807	312	62.9
12 - Regular Pay - Other	71	74	0	0	0	-100.0
13 - Additional Gross Pay	1	5	16	16	0	0.0
14 - Fringe Benefits - Current Personnel	70	80	127	231	104	81.9
15 - Overtime Pay	1	1	0	0	0	N/A
<b>Subtotal Personal Services (PS)</b>	<b>536</b>	<b>509</b>	<b>638</b>	<b>1,054</b>	<b>416</b>	<b>65.1</b>
20 - Supplies and Materials	16	6	9	13	4	41.7
30 - Energy, Comm. and Building Rentals	12	0	0	0	0	N/A
31 - Telephone, Telegraph, Telegram, Etc.	2	1	0	0	0	N/A
34 - Security Services	3	0	0	0	0	N/A
35 - Occupancy Fixed Costs	3	0	0	0	0	N/A
40 - Other Services and Charges	57	37	97	110	13	13.0
41 - Contractual Services - Other	156	77	133	201	69	51.9
70 - Equipment and Equipment Rental	9	1	10	10	0	2.0
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>258</b>	<b>121</b>	<b>249</b>	<b>335</b>	<b>86</b>	<b>34.3</b>
<b>Gross Funds</b>	<b>794</b>	<b>630</b>	<b>888</b>	<b>1,389</b>	<b>501</b>	<b>56.5</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** – 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 2013 proposed budget.

## FY 2013 Proposed Operating Budget and FTEs, by Program and Activity

Table FZ0-4 contains the proposed FY 2013 budget by program and activity compared to the FY 2012 approved budget. It also provides the FY 2011 actual data.

**Table FZ0-4**

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012	Actual FY 2011	Approved FY 2012	Proposed FY 2013	Change from FY 2012
<b>(1000) Management</b>								
(1010) Personnel	64	68	74	5	0.8	1.0	1.0	0.0
(1015) Training	0	10	11	0	0.0	0.0	0.0	0.0
(1017) Labor Management Partnerships	0	10	10	0	0.0	0.0	0.0	0.0
(1030) Property Management	1	3	3	0	0.0	0.0	0.0	0.0
(1040) Information Technology	13	68	66	-2	0.0	0.0	0.0	0.0
(1060) Legal Services	186	286	692	406	3.4	4.0	6.0	2.0
No Activity Assigned	28	0	0	0	0.0	0.0	0.0	0.0
<b>Subtotal (1000) Management</b>	<b>292</b>	<b>445</b>	<b>855</b>	<b>409</b>	<b>4.2</b>	<b>5.0</b>	<b>7.0</b>	<b>2.0</b>
<b>(2000) Data Collection (AIP)</b>								
(2010) ACS Offense and Offender Database	59	75	79	4	0.8	1.0	1.0	0.0
(2020) Sentencing Guidelines Monitoring	77	133	201	69	0.0	0.0	0.0	0.0
(2040) Policy Reports and Proposals	146	163	181	19	0.8	1.0	1.0	0.0
(2050) Sentencing Guidelines Training	0	9	9	0	0.0	0.0	0.0	0.0
(2060) Prep Sentencing Guidelines Materials	57	63	64	1	0.8	1.0	1.0	0.0
<b>Subtotal (2000) Data Collection (AIP)</b>	<b>338</b>	<b>442</b>	<b>534</b>	<b>92</b>	<b>2.6</b>	<b>3.0</b>	<b>3.0</b>	<b>0.0</b>
<b>Total Proposed Operating Budget</b>	<b>630</b>	<b>888</b>	<b>1,389</b>	<b>501</b>	<b>6.8</b>	<b>8.0</b>	<b>10.0</b>	<b>2.0</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 2013 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## **FY 2013 Proposed Budget Changes**

The District of Columbia Sentencing and Criminal Code Revision Commission's (SCCRC) proposed FY 2013 gross budget is \$1,388,813, which represents a 56.5 percent increase over its FY 2012 approved gross budget of \$887,659. 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 2012 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 2013 CSFL budget and not necessarily changes made to the FY 2012 Local funds budget. The FY 2013 CSFL adjustments to the FY 2012 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 2013 CSFL budget is \$904,015, which represents a \$16,356, or 1.8 percent, increase over the FY 2012 approved Local funds budget of \$887,659.

### **Initial Adjusted Budget**

**Cost Increase:** \$82,087 in Contractual Services to support the Data Collection program.

**Cost Decrease:** \$82,087 in personal services and 2.0 FTEs were reduced to offset the increase in Contractual Services.

### **Additional Adjusted Budget**

**Technical Adjustment:** Adjustment of Fringe Benefits to restore the District Government contribution for employee health insurance from 72 percent, implemented in the FY 2011 budget, to 75 percent in FY 2013, resulting in an increase of \$2,615.

### **Policy Initiative**

**Cost Increase:** \$482,183 and 4.0 FTEs to provide additional operational support.

## FY 2012 Approved Budget to FY 2013 Proposed Budget, by Revenue Type

Table FZ0-5 itemizes the changes by revenue type between the FY 2012 approved budget and the FY 2013 proposed budget.

**Table FZ0-5**

(dollars in thousands)

	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2012 Approved Budget and FTE</b>		<b>888</b>	<b>8.0</b>
Fringe Benefit Rate Adjustment	Multiple Programs	9	0.0
Consumer Price Index	Multiple Programs	5	0.0
Personal Services Growth Factor	Multiple Programs	2	0.0
<b>FY 2013 Current Services Funding Level Budget (CSFL)</b>		<b>904</b>	<b>8.0</b>
Cost Increase: In Contractual Services	Data Collection (AIP)	82	0.0
Cost Decrease: In personal services	Management	-82	-2.0
<b>FY 2013 Initial Adjusted Budget</b>		<b>904</b>	<b>6.0</b>
Technical Adjustment: Health insurance contribution	Multiple Programs	3	0.0
<b>FY 2013 Additionally Adjusted Budget</b>		<b>907</b>	<b>6.0</b>
<b>FY 2013 Policy Initiative</b>			
Cost Increase: In personal services	Management	482	4.0
<b>LOCAL FUNDS: FY 2013 Proposed Budget and FTE</b>		<b>1,389</b>	<b>10.0</b>
<b>Gross for FZ0 - District of Columbia Sentencing and Criminal Code Revision Commission</b>		<b>1,389</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 2013:

**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 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.

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## Agency Performance Measures

Measure	FY 2010 Actual	FY 2011 Target	FY 2011 Actual	FY 2012 Projection	FY 2013 Projection	FY 2014 Projection
Percentage of Judicial Compliance with the D.C. Sentencing Guidelines <sup>1</sup>	88%	86%	90%	90%	92%	Not Available
Response Rate for Departure Reasons	20%	40%	52%	55%	60%	Not Available
Percentage of guidelines questions answered within 24 hours	87%	80%	98%	95%	95%	Not Available
Number of issue papers released	2	4	3	2	2	Not Available

### 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.

