

ARKANSAS BUDGET SYSTEM
AGENCY PROGRAM COMMENTARY
1995 - 1997

The Commission's statutory mandate requires extensive data processing and empirical analysis of that data for all segments of the criminal justice system. No single agency has been charged with this task in the past. The potential benefits of coordinating data from the Administrative Office of the Courts, the Department of Correction, the Department of Community Punishment and the Arkansas Crime Information Center should make this small investment pay rich dividends. There is no duplication of data gathering or data entry. Raw data from the different agencies is transferred and entered into software programs which make possible responsible fiscal planning to achieve the "balanced correctional" system mandated by the legislature.

The first biennium served as a developmental stage for this Commission. In order to achieve the mandated goals for the Commission, additional expertise in data processing is necessary. The small staff of the Commission cannot perform in this most important aspect of the Commission's work without one additional position. It should be noted that the total appropriation requested exceeds the original appropriation for this agency only slightly as the data processing requirements of the agency do not come into full force until the second biennium. Simply explained, sentencing standards were established to be effective January 1, 1994 for crimes committed on that date or thereafter; the first full fiscal year for these crimes to be processed through the courts is July 1994- June 1995; thus, complete data analysis begins with the new biennium and necessitates the additional position.

The Commission's primary priority request is for one additional position to achieve its mandate and for expenses in support of that position.

Upon completion of its data analysis duties, printing and educational activities are necessary to disseminate the information to the courts, the General Assembly and the executive branch. Priority requests 2 and 3 are simple attempts to keep up with anticipated maintenance and up-dating requirements.

| <u>AGENCY</u> | <u>DIRECTOR</u> | <u>AGENCY PROGRAM COMMENTARY</u> | <u>PAGE</u> |
|--------------------------------|-----------------|----------------------------------|-------------|
| ARKANSAS SENTENCING COMMISSION | LESLIE POWELL | BR21 | 478 |

CORRECTIONS RESOURCES COMMISSION *
SUMMARY OF AUDIT FINDINGS AND RECOMMENDATIONS
FOR THE YEAR ENDED JUNE 30, 1993

| | <u>Fund Type</u> Governmental | <u>Account Groups</u> | | <u>Total</u> |
|--------------------------------|----------------------------------|---------------------------------------|---|--------------|
| | | <u>General</u> <u>Fixed Assets</u> | <u>General</u> <u>Long-Term Debt</u> | |
| Assets | | \$ 8,012.67 | \$ 2,593.81 | \$ 10,606.48 |
| Liabilities | | | 2,593.81 | 2,593.81 |
| Fund Equity | | 8,012.67 | | 8,012.67 |
| Revenues | \$ 248,258.00 | | | 248,258.00 |
| Expenditures | 137,009.81 | | | 137,009.81 |
| Other Financing Sources (Uses) | (111,248.19) | | | (111,248.19) |

Findings

UNAUTHORIZED POSITION - (The Agency negotiated a professional services contract with the University of Arkansas at Little Rock to provide the services of Dr. Mary Parker as director of the Agency. On October 1, 1991, Ms. Leslie Powell was hired as Assistant Director and Staff Attorney and placed in the director's authorized position, since there was no authorized position for an assistant director and staff attorney. This situation continued until June 30, 1993, when the Agency discontinued operations. This arrangement may be in conflict with Arkansas Constitution, Article 16, Section 4 which provides that the General Assembly shall fix the salaries and fees of all officers in the state, and no greater salary or fee than that fixed by law shall be paid to any officer, employee, or other person, or at any rate other than par value and the number and salaries of the clerks and employees of the different departments of the state shall be fixed by law.)

Recommendations

The Department of Finance and Administration strengthen personnel controls to prevent recurrences of this kind of arrangement.

Audited by Division of Legislative Audit
SA0930493

*Section 3 of Act 709 of 1993 transferred all records of the Corrections Resources Commission to the Arkansas Sentencing Commission.

() Noted in previous year's audit report.

ARKANSAS BUDGET SYSTEM
 EMPLOYMENT SUMMARY
 AS REQUIRED BY ACT 358 OF 1993

AGENCY TITLE 328 - ARKANSAS SENTENCING COMMISSION

| | MALE | FEMALE | TOTAL | PERCENTAGE OF TOTAL |
|--|----------|----------|------------------|------------------------|
| WHITE EMPLOYEES | <u>0</u> | <u>4</u> | <u>4</u> | <u>100%</u> |
| BLACK EMPLOYEES | <u>0</u> | <u>0</u> | <u>0</u> | <u>0%</u> |
| EMPLOYEES OF OTHER RACIAL MINORITIES | <u>0</u> | <u>0</u> | <u>0</u> | <u>0%</u> |
| TOTAL EMPLOYED AS OF 08/27/94 | | | <u>0</u> | <u>0%</u> |
| DATE | | | TOTAL MINORITIES | |
| | | | <u>4</u> | <u>100%</u> |
| | | | TOTAL EMPLOYEES | |

Leslie M. Powell
 AGENCY DIRECTOR

SUMMARY
STATUS OF NEW PROGRAMS/EXPANSIONS AUTHORIZED BY THE 79TH GENERAL ASSEMBLY
AGENCY: ARKANSAS SENTENCING COMMISSION (328)

| PROGRAM AUTHORIZED | # POS. AUTH. | ADDITIONAL AUTHORIZED APPROPRIATION | | STATUS |
|---|-----------------|--|-----------|---|
| | | FY 93-94 | FY 94-95 | |
| <u>APPROPRIATION: 806 - State Operations</u> | | | | |
| A. Regular Salaries | 4 | \$115,000 | \$119,025 | This agency was created by Act 532 of 1993. All of the positions authorized were utilized in FY94 and all are budgeted in FY95. Of the authorized amounts for Regular Salaries and Personal Services Matching, \$114,283 was expended in FY94 and \$141,691 is budgeted for FY95. In Operating Expenses, \$53,051 was expended in FY94 and \$73,000 is budgeted for FY95. For Conference Fees & Travel, \$2,926 was expended in FY94 and \$10,000 is budgeted in FY95. In Professional Fees & Services, \$9,465 was expended in FY94 and \$17,000 is budgeted in FY95. Capital Outlay expenditures in FY94 totaled \$19,482 and \$10,000 is budgeted in FY95. |
| B. Personal Services Matching | | \$34,500 | \$35,708 | |
| C. Operating Expenses | | \$76,500 | \$76,500 | |
| D. Conference fees & Travel | | \$12,000 | \$12,000 | |
| E. Professional Fees & Services | | \$20,000 | \$20,000 | |
| F. Capital Outlay | | \$20,000 | \$20,000 | |
| <u>APPROPRIATION: 531 - Information System Research</u> | | | | |
| A. Extra Help | | \$0 | \$18,470 | This program was authorized by Act 9 of the 2nd Extraordinary Session of 1994 and was established to perform research and analysis on increased parole and mandatory sentences. This program is not currently budgeted for FY95. |
| B. Personal Services Matching | | \$0 | \$1,530 | |
| C. Study Expenses | | \$0 | \$30,000 | |

ARKANSAS BUDGET SYSTEM DEPARTMENT APPROPRIATION SUMMARY

| AGENCY TITLE | | 1993-95 | | | | 1995-97 | | | | 1995-97 | | | |
|--------------------------------------|------------------|--------------|---------------|---------------|---------------|------------------|---------------|-----------|--|--------------------------|---------------|-----------|---------------|
| Arkansas Sentencing Commission | | Expenditures | | | | Biennium Request | | | | Executive Recommendation | | | |
| Appropriations | | Actual | No. of | Budgeted | No. of | Year 1 | No. of | Year 2 | No. of | Year 1 | No. of | Year 2 | No. of |
| Code | Name | 1993-94 | Pos. | 1994-95 | Pos. | 1995-96 | Pos. | 1996-97 | Pos. | 1995-96 | Pos. | 1996-97 | Pos. |
| 806 | State Operations | \$199,207 | 4 | \$251,691 | 4 | \$303,332 | 5 | \$307,058 | 5 | \$247,691 | 4 | \$247,691 | 4 |
| TOTALS | | \$199,207 | 4 | \$251,691 | 4 | \$303,332 | 5 | \$307,058 | 5 | \$247,691 | 4 | \$247,691 | 4 |
| Funding Sources | | | % of Total | | % of Total | | % of Total | | % of Total | | % of Total | | % of Total |
| Fund Balances | | | | | | | | | | | | | |
| General Revenues | | 199,207 | 100.0% | 247,505 | 98.3% | 303,332 | 100.0% | 307,058 | 100.0% | 247,691 | 100.0% | 247,691 | 100.0% |
| Special Revenues | | | | | | | | | | | | | |
| Federal Funds | | | | | | | | | | | | | |
| Const. & Fiscal Agency Fund | | | | | | | | | | | | | |
| State Central Services Fund | | | | | | | | | | | | | |
| Non-Revenue Receipts | | | | | | | | | | | | | |
| Cash Funds | | | | | | | | | | | | | |
| Other-Merit Adjustment | | | | 4,186 | 1.7% | | | | | | | | |
| Total Funding | | 199,207 | 100.0% | 251,691 | 100.0% | 303,332 | 100.0% | 307,058 | 100.0% | 247,691 | 100.0% | 247,691 | 100.0% |
| Excess Appr./ (Funding) | | | | | | | | | | | | | |
| TOTAL | | \$199,207 | | \$251,691 | | \$303,332 | | \$307,058 | | \$247,691 | | \$247,691 | |
| DEPARTMENT | | | | DIRECTOR | | | | | DEPARTMENT APPROPRIATION SUMMARY | | | | |
| ARKANSAS SENTENCING COMMISSION (328) | | | | Leslie Powell | | | | | BR 40 482 | | | | |

ARKANSAS BUDGET SYSTEM
ANALYSIS OF BUDGET REQUEST
1995 - 1997

Act 709 of 1993 established the Arkansas Sentencing Commission for the purpose of instituting rational and consistent sentencing standards to ensure that sanctions imposed following conviction are proportional to the seriousness of the offense of conviction and the extent of the offender's criminal history. In its first year, the Arkansas Sentencing Commission has adopted the initial sentencing grid, the seriousness reference table and established transfer eligibility for all offenses. Monitoring of sentences has just begun and will be ongoing.

Base Level reflects \$241,691 each fiscal year covering four positions, with priorities totaling \$61,641 in FY96 and \$65,367 in FY97, which includes costs to implement a 2.5% salary increase and anticipated matching requirements. One priority request would add a Management Project Analyst II position and support costs to monitor compliance with sentencing standards, gather data relative to sentencing, and to develop a research and analysis system to assess the impact of both sentencing practices and proposed legislation on correction resources. Other operational costs as requested through priorities total \$18,020 in FY96 and \$21,225 in FY97 representing costs associated with increased printing due to monitoring system, computer maintenance contracts, professional services contracts, and purchase of additional data processing equipment.

The Executive Recommendation reflects the requested Base Level appropriation and position authorization. In addition, the Sentencing Commission received Operating Expenses appropriation at the current authorized level of \$76,500 annually, and received Capital Outlay appropriation totaling \$2,500 annually. General Revenue funding is recommended to fully support the appropriated level of \$247,691 each fiscal year. While the costs included in the Agency Request under "SALARY/MATCHING COST FOR BASE POSITIONS (P13)" reflect the appropriation needed for personal services above the Base Level and a 2.5% payplan increase on July 1 of each year of the biennium along with the accompanying employee matching requirements, the Executive Recommendation for the State Payplan will be presented for Legislative Recommendation as scheduled on December 7, 1994.

| <u>AGENCY</u> | <u>APPROPRIATION</u> | <u>TREASURY FUND</u> | <u>ANALYSIS OF BUDGET REQUEST</u> | <u>PAGE</u> |
|---|-------------------------------------|---|-----------------------------------|-------------|
| Name: Arkansas Sentencing Commission Code: 328 | Name: State Operations Code: 806 | Name: State General Services Code: HUA | BR20 | 483 |

ARKANSAS BUDGET SYSTEM

01 02 03 04 05 06 07 08 09 10 11 12 13 14

| CHARACTER TITLE | -----EXPENDITURES----- | | | 94-95 | | | -----95-96 FISCAL YEAR----- | | | -----96-97 FISCAL YEAR----- | | | -----R E C O M M E N D A T I O N S----- | | | |
|-----------------------------|------------------------|----------------|------------------|----------------|-------------------|----------------|-----------------------------|-------------------|----------------|-----------------------------|----------------|-------------|---|--|--|--|
| | 93-94 | 94-95 | 94-95 | BASE | PRIORITY PROGRAMS | TOTAL REQUEST | BASE | PRIORITY PROGRAMS | TOTAL REQUEST | EXECUTIVE | | LEGISLATIVE | | | | |
| | ACTUAL | BUDGETED | AUTHORIZED APPRO | | | | | | | 95-96 | 96-97 | 95-96 | 96-97 | | | |
| REGULAR SALARIES | 90,482 | 111,009 | 119,025 | 111,009 | 25,396 | 136,405 | 111,009 | 28,806 | 139,815 | 111,009 | 111,009 | | | | | |
| NUMBER OF POSITIONS | 4 | 4 | 4 | 4 | 1 | 5 | 4 | 1 | 5 | 4 | 4 | | | | | |
| PERSONAL SERV MATCHING | 23,801 | 30,682 | 35,708 | 30,682 | 9,975 | 40,657 | 30,682 | 10,582 | 41,264 | 30,682 | 30,682 | | | | | |
| OPERATING EXPENSES | 53,051 | 73,000 | 76,500 | 73,000 | 7,420 | 80,420 | 73,000 | 8,979 | 81,979 | 76,500 | 76,500 | | | | | |
| CONF FEES & TRAVEL | 2,926 | 10,000 | 12,000 | 10,000 | 3,950 | 13,950 | 10,000 | 4,000 | 14,000 | 10,000 | 10,000 | | | | | |
| PROF FEES & SERVICES | 9,465 | 17,000 | 20,000 | 17,000 | 3,500 | 20,500 | 17,000 | 3,500 | 20,500 | 17,000 | 17,000 | | | | | |
| CAPITAL OUTLAY | 19,482 | 10,000 | 20,000 | 0 | 11,400 | 11,400 | 0 | 9,500 | 9,500 | 2,500 | 2,500 | | | | | |
| TOTAL | 199,207 | 251,691 | 283,233 | 241,691 | 61,641 | 303,332 | 241,691 | 65,367 | 307,058 | 247,691 | 247,691 | | | | | |
| PROPOSED FUNDING SOURCES | | | ***** | | | | | | | | | | | | | |
| FUND BALANCES | | | ***** | | | | | | | | | | | | | |
| GENERAL REVENUES | 199,207 | 247,505 | ***** | 241,691 | 61,641 | 303,332 | 241,691 | 65,367 | 307,058 | 247,691 | 247,691 | | | | | |
| SPECIAL REVENUES | | | ***** | | | | | | | | | | | | | |
| FEDERAL FUNDS | | | ***** | | | | | | | | | | | | | |
| STATE CENTRAL SERVICES FUND | | | ***** | | | | | | | | | | | | | |
| NON-REVENUE RECEIPTS | | | ***** | | | | | | | | | | | | | |
| CASH FUNDS | | | ***** | | | | | | | | | | | | | |
| OTHER Merit Adjustment | | 4,186 | ***** | | | | | | | | | | | | | |
| TOTAL FUNDING | 199,207 | 251,691 | ***** | 241,691 | 61,641 | 303,332 | 241,691 | 65,367 | 307,058 | 247,691 | 247,691 | | | | | |
| EXCESS APPRO/ (FUNDING) | | | ***** | | | | | | | | | | | | | |
| TOTAL | 199,207 | 251,691 | ***** | 241,691 | 61,641 | 303,332 | 241,691 | 65,367 | 307,058 | 247,691 | 247,691 | | | | | |

DEPT 009 OTHER BOARDS AND COMMISSIONS
 AGY 328 ARKANSAS SENTENCING COMMISSION
 APPRO 806 STATE OPERATIONS

APPROPRIATION SUMMARY

FUND HUA STATE GENERAL SERVICES(000)

BR 215

ARKANSAS BUDGET SYSTEM

PROGRAM/SERVICE INFORMATION LIST

RANK BY APPROPRIATION

| 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
|---|---------------------|------|---|-------|------------------------|--------------|---------------------------------------|---------|------------------------|---------|---------|--------------|---|--------------|-----------------------|----|----|----|
| RANK | PROGRAM DESCRIPTION | FUND | ACCOUNTING INFORMATION | D E S | -----EXPENDITURES----- | | -----1995 - 97 BIENNIUM REQUESTS----- | | | | | | -----R E C O M M E N D A T I O N S----- | | | | | |
| | | | | | 93-94 | 94-95 | -----FY 1995 - 96----- | | -----FY 1996 - 97----- | | | | -----EXECUTIVE----- | | -----LEGISLATIVE----- | | | |
| | | | | | | | REQUEST | REQUEST | 1995-96 | 1996-97 | 1995-96 | 1996-97 | | | | | | |
| 000 | | HUA | 328 806 | B | 199,207 4 | 251,691 4 | 241,691 4 | | | | | 241,691 4 | | 241,691 4 | | | | |
| 000 | | HUA | 328 806 SALARY/MATCHING COST FOR BASE POSITIONS | P13 | | | 5,971 0 | | | | | 9,335 0 | | | | | | |
| <p>Additional appropriation required above the Base Level for payment of salaries and anticipated personal services matching requirements for all current positions.</p> | | | | | | | | | | | | | | | | | | |
| 001 | | HUA | 328 806 | P01 | | 0 0 | 37,650 1 | | | | | 34,807 1 | | | | | | |
| <p>An additional staff position has been requested. This agency is mandated to develop a monitoring and analysis system to monitor compliance with sentencing standards, gather data relative to sentencing, and to develop a research and analysis system to assess the impact of both sentencing practices and proposed legislation on correctional resources. This involves collecting data on all current offenders in all phases of the criminal justice system. This position would involve travel throughout the state in order to insure the accuracy of data received from all 75 counties. Data processing equipment, office furnishings and agency matching funds would need to be budgeted for this position.</p> | | | | | | | | | | | | | | | | | | |

DEPT 009 OTHER BOARDS AND COMMISSIONS
 AGY 328 ARKANSAS SENTENCING COMMISSION
 APPRO 806 STATE OPERATIONS
 FUND HUA STATE GENERAL SERVICES(000)

RANK BY APPROPRIATION

BR 264

ARKANSAS BUDGET SYSTEM
PROGRAM/SERVICE INFORMATION LIST
RANK BY APPROPRIATION

| 01 | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 |
|--|---------------------|------|------------------------|-------------|---------------------------------------|-------------------|------------------------|---------|------------------------|-------------|---|---------|-----------------------|---------|-------|----|----|----|
| RANK | PROGRAM DESCRIPTION | FUND | ACCOUNTING INFORMATION | D E S | -----1995 - 97 BIENNIUM REQUESTS----- | | | | | | -----R E C O M M E N D A T I O N S----- | | | | | | | |
| | | | | | -----EXPENDITURES----- | | -----FY 1995 - 96----- | | -----FY 1996 - 97----- | | -----EXECUTIVE----- | | -----LEGISLATIVE----- | | | | | |
| | | | | | ACTUAL 93-94 | BUDGETED 94-95 | REQUEST | REQUEST | REQUEST | REQUEST | 1995-96 | 1996-97 | 1995-96 | 1996-97 | | | | |
| 002 | | HUA | 328 806 | P02 | | 0 0 | 12,720 0 | | | 13,725 0 | | | | 3,500 | 3,500 | | | |
| <p>This priority covers inflationary increases of maintenance and operation costs. As the statutorily required monitoring system is developed, costs of printing necessary forms and reports will increase. As equipment ages, repair costs will increase. Arkansas is one of seven sentencing guidelines states. It is of the utmost importance to the State of Arkansas to participate with other states in the development of these guidelines and with training involved in the monitoring and use of these guidelines. Professional services contracts will be utilized in the development of these monitoring systems.</p> | | | | | | | | | | | | | | | | | | |
| 003 | | HUA | 328 806 | P03 | | 0 0 | 5,300 0 | | | 7,500 0 | | | | 2,500 | 2,500 | | | |
| <p>Accuracy of reports and assessments depends on access to up-to-date data processing equipment and programs. As a larger state network is developed, this agency will need to purchase additional data processing equipment.</p> | | | | | | | | | | | | | | | | | | |

DEPT 009 OTHER BOARDS AND COMMISSIONS
 AGY 328 ARKANSAS SENTENCING COMMISSION
 APPRO 806 STATE OPERATIONS
 FUND HUA STATE GENERAL SERVICES(000)

RANK BY APPROPRIATION
BR 264