

**ARKANSAS BUDGET SYSTEM**  
**AGENCY PROGRAM COMMENTARY**  
**1997 - 1999**

The Sentencing Commission's statutory mandate requires extensive data processing and empirical analysis of that data from 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 the small investment in this agency 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 and informs the budgetary process for much larger state agencies.

In addition, the Sentencing Commission serves as a valuable liaison between the State and local authorities responsible for the administration of criminal justice. Criminal justice is a unique merger of the legislative, executive and judicial branches of government which also involves municipal, county, judicial district and state officials. The Sentencing Commission itself is made up of local authorities (three circuit judges, two prosecuting attorneys, two public defenders and two public members) who are appointed by the Governor (the chief State executive). The Commission staff is funded by the legislature and operates as a state agency working with other state agencies, but serves as an important bridge between local and state authorities. Local authorities deal with criminal justice on a case by case basis with limited understanding of the aggregate impact of their work on the state. State agencies deal with the aggregate impact with limited understanding of the impact of state policy on dealing with individual cases. The education and training efforts of the Commission has helped to increase understanding on both sides with dividends of better data and cooperation between agencies.

The Sentencing Commission's small budget comes from general revenue funds which primarily funds a staff of four; general office operating expenses; data processing equipment and consulting expertise; training for hundreds of local practitioners (judges, prosecutors, defense attorneys, clerks, and sheriffs); support for state correctional agencies in grant writing, population projections, and data improvement; and information on sentencing as it relates to corrections for the all branches of government and the public.

AGENCY	DIRECTOR	AGENCY PROGRAM COMMENTARY	PAGE
328 Arkansas Sentencing Commission	Leslie M. Powell	BR21	263

ARKANSAS SENTENCING COMMISSION  
SUMMARY OF AUDIT FINDINGS AND RECOMMENDATIONS  
FOR THE YEAR ENDED JUNE 30, 1994

	<u>Fund Type</u>	<u>Account Groups</u>		<u>Total</u>
	<u>Governmental</u>	<u>General Fixed Assets</u>	<u>General Long-Term Debt</u>	
Assets	\$ 4,259.46	\$ 25,846.16	\$ 6,977.94	\$ 37,083.56
Liabilities			6,977.94	6,977.94
Fund Equity	4,259.46	25,846.16		30,105.62
Revenues	278,000.00			278,000.00
Expenditures	195,656.13			195,656.13
Other Financing Sources (Uses)	(79,084.41)			(79,084.41)

Findings

None

Recommendations

None

ARKANSAS BUDGET SYSTEM  
 EMPLOYMENT SUMMARY  
 AS REQUIRED BY ACT 358 OF 1993  
 (A.C.A 19-4-307)

AGENCY TITLE      328 - ARKANSAS SENTENCING COMMISSION

	MALE	FEMALE	TOTAL	PERCENTAGE OF TOTAL
WHITE EMPLOYEES	<u>0</u>	<u>3</u>	<u>3</u>	<u>75%</u>
BLACK EMPLOYEES	<u>0</u>	<u>1</u>	<u>1</u>	<u>25%</u>
EMPLOYEES OF OTHER RACIAL MINORITIES	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>
TOTAL EMPLOYED AS OF <u>08/10/96</u> DATE			<u>1</u>	<u>25%</u>
			TOTAL MINORITIES	
			<u>4</u>	<u>100%</u>
			TOTAL EMPLOYEES	

*Leslie M. Powell*  
 AGENCY DIRECTOR

**SUMMARY**  
**STATUS OF NEW PROGRAMS/EXPANSIONS AUTHORIZED BY THE 80TH GENERAL ASSEMBLY**

AGENCY: ARKANSAS SENTENCING COMMISSION (328)

PROGRAM AUTHORIZED	# POS. AUTH.	ADDITIONAL AUTHORIZED APPROPRIATION		STATUS
		FY 95-96	FY 96-97	
<b><u>APPROPRIATION 806 - STATE OPERATIONS</u></b>				
Operating Expenses		\$3,500	\$3,500	In FY96 none of the additional authority was utilized but in FY97 \$1,196 of the additional authority is budgeted.
Capital Outlay		\$2,500	\$2,500	The agency expended \$1,366 of the additional authority in FY96 and has budgeted all of the additional authority in FY97.

**ARKANSAS BUDGET SYSTEM  
ANALYSIS OF BUDGET REQUEST  
1997 - 1999**

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The Arkansas Sentencing Commission was established by Act 709 of 1993 for the purpose of instituting 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. The Commission has developed the sentencing grid, the seriousness reference table and established transfer eligibility for all offenses. The Commission is in the process of preparing their first biennial report to the Governor, General Assembly, and Judicial Council which includes the following: implementation of data solutions for data collection problems that have been identified; implementation of a research and impact assessment program for proposed or existing legislation affecting sentencing length; development of a strategic correctional plan for the State in conjunction with the Board of Correction and Community Punishment; and continue monitoring, coordinating and evaluation activities.

The Base Level request of the Commission, which is funded entirely from general revenue, is \$259,373 in FY98 and \$263,428 in FY99 including 4 positions. Included in the Base Level request are payplan increases of 2.8% each year with associated Personal Service Matching. Priorities requested by the agency include : 1) the reclassification of an Executive Secretary (Grade 14) to and Administrative Assistant II (Grade 17) at a cost of \$1,680 in FY98 and \$1,725 in FY99; 2) Two Extra Help positions are requested primarily for assisting in the research and data collection process at a cost of \$15,071 in FY98 and \$15,493 in FY99; 3) Capital Outlay of \$2,500 each year is requested for equipment replacement and/or upgrading data processing equipment; 4) Conference Fees and Travel of \$2,000 each year is requested for staff training; and 5) Operating Expenses is requested to be reduced by \$4,500 each year in support of a portion of the other increases being requested.

The Executive Recommendation provides for Agency Request for appropriation and extra help positions with no additional funding for recommended priorities. The Executive Recommendation does not address the request for the position reclassification request at this time.

AGENCY	APPROPRIATION	TREASURY FUND	ANALYSIS OF BUDGET REQUEST	PAGE
Name: Arkansas Sentencing Commission  Code: 328	Name: State Operations  Code: 806	Name: State General Services  Code: HUA	BR20	267

ARKANSAS BUDGET SYSTEM

	01	02	03	04	05	06	07	08	09	10	11	12	13	14
CHARACTER TITLE	-----EXPENDITURES-----			96-97	-----97-98 FISCAL YEAR-----			-----98-99 FISCAL YEAR-----			-----R E C O M M E N D A T I O N S-----			
	95-96	96-97	AUTHORIZED		PRIORITY	TOTAL		PRIORITY	TOTAL	EXECUTIVE		LEGISLATIVE		
	ACTUAL	BUDGETED	APPRO	BASE	PROGRAMS	REQUEST	BASE	PROGRAMS	REQUEST	97-98	98-99	97-98	98-99	
REGULAR SALARIES	113,263	120,692	111,009	126,393	1,426	127,819	129,839	1,465	131,304	126,393	129,839			
NUMBER OF POSITIONS	4	4	4	4	0	4	4	0	4	4	4			
STRA HELP	0	0	0	0	14,000	14,000	0	14,392	14,392	14,000	14,392			
NUMBER OF POSITIONS	0	0	0	0	2	2	0	2	2	2	2			
PERSONAL SERV MATCHING	30,284	33,880	30,682	34,434	1,325	35,759	35,043	1,361	36,404	35,505	36,144			
OPERATING EXPENSES	45,276	74,196	76,500	74,196	-4,500	69,696	74,196	-4,500	69,696	69,696	69,696			
INF FEES & TRAVEL	7,138	9,000	10,000	9,000	2,000	11,000	9,000	2,000	11,000	11,000	11,000			
OFF FEES & SERVICES	10,760	15,350	17,000	15,350	0	15,350	15,350	0	15,350	15,350	15,350			
EQUIPMENT OUTLAY	1,366	2,500	2,500	0	2,500	2,500	0	2,500	2,500	2,500	2,500			
TOTAL	208,087	255,618	247,691	259,373	16,751	276,124	263,428	17,218	280,646	274,444	278,921			
PROPOSED FUNDING SOURCES			*****											
UNDEVELOPED BALANCES			*****											
GENERAL REVENUES	208,087	247,691	*****	259,373	16,751	276,124	263,428	17,218	280,646	259,373	263,428			
SPECIAL REVENUES			*****											
STATE FUNDS			*****											
STATE CENTRAL SERVICES FUND			*****											
NON-REVENUE RECEIPTS			*****											
TRUST FUNDS			*****											
PRIORIT ADJUSTMENT FUND		7,927	*****											
TOTAL FUNDING	208,087	255,618	*****	259,373	16,751	276,124	263,428	17,218	280,646	259,373	263,428			
EXCESS APPRO/ (FUNDING)			*****							15,071	15,493			
TOTAL	208,087	255,618	*****	259,373	16,751	276,124	263,428	17,218	280,646	274,444	278,921			

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

The FY97 Budgeted amounts in Regular Salaries and/or Personal Services Matching may exceed the Authorized amounts due to the implementation of the pay plan during the 1995-97 biennium.

APPROPRIATION SUMMARY

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		-----1997 - 99 BIENNIUM REQUESTS-----				-----R E C O M M E N D A T I O N S-----								
					ACTUAL 95-96	BUDGETED 96-97	FY 1997 - 98		FY 1998 - 99		EXECUTIVE		LEGISLATIVE						
							REQUEST	REQUEST			1997-98	1998-99	1997-98	1998-99					
100		HUA	328 806	B	208,087 4	255,618 4	259,373 4				263,428 4			259,373 4	263,428 4				
001		HUA	328 806	P10		0	1,680 0				1,725 0								
<p>In lieu of requesting an additional staff position, an upgrade of the executive secretary position to an administrative assistant II 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 from data bases controlled by other agencies. Thus, extensive computer expertise in importing and defining data elements as well as extensive computer analysis skills are required. Of the states (approximately 20) with sentencing commission staffs, Arkansas is the only state with just one computer researcher on its staff (Virginia has 4 Ph.D. level researchers on its staff). Upgrading this position would allow the Commission to hire a person who could be trained (and retained) to do the simpler computer analysis tasks as well as administrative duties.</p>																			
002		HUA	328 806	P01		0	15,071 0				15,493 0			15,071	15,493				
<p>The request for extra help positions is to allow the Commission staff to supplement and improve its existing data base. Examples of useful data which could be incorporated are: type and amount of drug involved in drug crimes; drug usage by any offender; type of weapons used; type and extent of harm inflicted; value of property affected and other victimization information. Temporary part-time help would allow manual searches for records and sampling surveys for these specific data elements. The Commission has identified drug and sex offenses specifically as needing this additional information prior to recommending any further changes in the criminal justice laws and policies.</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

02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19
PROGRAM DESCRIPTION	FUND	ACCOUNTING INFORMATION	D E S	EXPENDITURES		1997 - 99 BIENNIAL REQUESTS						RECOMMENDATIONS					
				ACTUAL 95-96	BUDGETED 96-97	FY 1997 - 98			FY 1998 - 99			EXECUTIVE		LEGISLATIVE			
						REQUEST	REQUEST	REQUEST	REQUEST	REQUEST	REQUEST	1997-98	1998-99	1997-98	1998-99		
	HUA	328 806	P04		0	2,500				2,500				2,500	2,500		
<p>The agency's primary responsibility is in the area of data processing of large criminal justice data bases. Thus, it is necessary to replace and/or upgrade the agency's data processing equipment. Technological improvements in the area of data transference and interfacing with incompatible hardware of other agencies make up-to-date computer hardware a necessity.</p>																	
	HUA	328 806	P05		0	2,000				2,000				2,000	2,000		
<p>Development in the area of statistical analysis of crime statistics and increasingly sophisticated technological techniques of importing, merging, and manipulating data bases makes a small additional expense in the area of conference fees and travel pay large dividends by learning from the successes and failures of other state and federal agencies involved in this developing area of expertise. The Commission staff also uses this knowledge in training local officials responsible for data gathering, entry and record keeping.</p>																	
	HUA	328 806	P06		0	-4,500				-4,500				-4,500	-4,500		
<p>The agency recognizes that a reduction in operating expenses is appropriate and feasible to support the increases in other areas without jeopardizing the ability of the staff to fulfill its statutory duties.</p>																	

009 OTHER BOARDS AND COMMISSIONS  
 328 ARKANSAS SENTENCING COMMISSION  
 0 806 STATE OPERATIONS  
 HUA STATE GENERAL SERVICES(000)

RANK BY APPROPRIATION

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