
State's Attorney

MISSION STATEMENT

The State's Attorney is a constitutionally created independent agency. The mission of the Office of the State's Attorney is to serve the public interest through the fair and honest administration of justice by exercising its responsibilities to: prosecute criminal violations in Montgomery County; educate the public with regard to criminal justice issues; provide training to lawyers for future service; address inequality and promote fairness in the criminal justice system; ensure access to the criminal justice system; promote professional relations with judges and attorneys; and further the efficient use of criminal justice resources.

BUDGET OVERVIEW

The total recommended FY14 Operating Budget for the Office of the State's Attorney is \$13,720,834, an increase of \$795,593 or 6.2 percent from the FY13 Approved Budget of \$12,925,241. Personnel Costs comprise 95.3 percent of the budget for 115 full-time positions and 12 part-time positions. A total of 131.10 FTEs includes these positions as well as any seasonal, temporary, and positions charged to or from other departments or funds. Operating Expenses account for the remaining 4.7 percent of the FY14 budget.

LINKAGE TO COUNTY RESULT AREAS

While this program area supports all eight of the County Result Areas, the following are emphasized:

- ❖ ***Safe Streets and Secure Neighborhoods***

DEPARTMENT PERFORMANCE MEASURES

Performance measures for this department are included below, with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY13 estimates reflect funding based on the FY13 approved budget. The FY14 and FY15 figures are performance targets based on the FY14 recommended budget and funding for comparable service levels in FY15.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***The State's Attorney's Office will receive funding to continue work on expiring grants. These expiring grants include the Gang Unit grant, the Collaborative Supervision and Focused Enforcement (CSAFE) project grant, mediation and conflict resolution grant, Drug Court grant, and Stop Violence Against Women grant.***
- ❖ ***The State's Attorney's Office will receive additional funding to fund a salary plan for attorneys.***
- ❖ ***The Gang Prosecution Unit handled a total of 370 cases during FY12 under the all crimes approach to gang prosecution.***
- ❖ ***The State's Attorney's Office and Police Department were joint recipients of the Anti-Defamation League's Shield Award for their investigation, prosecution and conviction of a hate crime that targeted Latinos.***
- ❖ ***Productivity Improvements***
 - ***The State's Attorney's Office continues to recruit undergraduate and law school students to volunteer as interns who screen District Court criminal cases, assist in preparing cases for trial, contact witnesses, and gather evidence. During the Spring 2012 semester the office had 32 interns who worked a total of 9,216 hours or the equivalent of 4.45 FTEs. In the Summer of 2012 the office had 41 interns who worked 17,160 hours or 8.28 FTEs.***

PROGRAM CONTACTS

Contact Lisa Russo of the Office of the State's Attorney at 240.777.7407 or Corey Orlosky of the Office of Management and Budget at 240.777.2762 for more information regarding this department's operating budget.

PROGRAM DESCRIPTIONS

Circuit Court Prosecution

The Circuit Court Prosecution program reviews cases for possible filing in the Circuit Court by presenting these cases to the Grand Jury for indictment or filing a Circuit Court information (charging document). After charges are filed, the State's Attorney's Office litigates these cases to disposition. Senior Assistant State's Attorneys provide support and guidance to ongoing police investigations and conduct Grand Jury investigations of major felony, drug distribution, gang crimes, internet crimes, and environmental cases. The Family Violence Unit prosecutes crimes of domestic violence, child abuse, and elder abuse. Prosecutors in this unit have specialized training to attack these difficult and often devastating crimes. In addition, appeals and demands for jury trials in District Court cases are litigated in the Circuit Court.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	6,009,067	50.14
Increase Cost: Annualization of FY13 Lapsed Positions	40,000	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	78,386	0.36
FY14 CE Recommended	6,127,453	50.50

District Court Screening

The District Court Screening program resolves cases before the trial date by contacting victims and witnesses to determine what outcome they would like to obtain from the criminal justice system. This program relies on volunteers and is supervised by permanent staff. It provides victim/witness assistance by delivering information about the criminal justice system to victims and witnesses whose cases are expected to go to trial. The Pre-Trial Mediation program is designed to resolve non-violent disputes between individuals. Trained volunteers and a mediation specialist work to resolve issues and reduce to writing an agreement by which all sides will abide. The Bad Check Mediation Program gives merchants and receivers of checks a means for recovering their losses for bad checks passed for goods or services. In appropriate circumstances, criminal charges are filed when funds are not recovered through the mediation. The Rental Return and Restitution Program is an effort to assist the business community by providing merchants with a quick and effective way to recover their rental property and fees.

Program Performance Measures	Actual FY11	Actual FY12	Estimated FY13	Target FY14	Target FY15
Bad Check Mediation Program Revenue ¹	5,235	3,615	2,000	0	0
Rental Return Restitution Program Revenue ²	7,955	1,610	500	0	0

¹ The goal of this program is to provide the business community with a quick and effective way to recover their losses from bad checks through pretrial mediation without involving the court system. This program is being discontinued at the conclusion of FY13 due to low usage. Merchants have been contacted about how to pursue bad check cases in the future.

² The goals of this program are to recover rental property and/or secure restitution to those merchants that provide rental services to the public without having to involve the criminal court system. This program is being discontinued at the conclusion of FY13 due to low usage. Merchants have been advised how to pursue these charges.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	491,674	6.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-6,392	-0.50
FY14 CE Recommended	485,282	5.50

Juvenile Court Prosecution

The Juvenile Court Prosecution program prosecutes criminal violations committed by juvenile offenders in Montgomery County and performs a preliminary review of all cases in which a juvenile is charged with a violent crime. This includes cases which have been reviewed by the Juvenile Services Administration and then referred to the Office of the State's Attorney. In such cases, formal charges are filed where appropriate, and litigated to disposition in the Juvenile Court, attempting to obtain restitution for victims when possible. This program also provides administrative support to Teen Court, a countywide peer adjudication initiative for non-violent juvenile offenses.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	1,141,021	14.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	152,112	0.10
FY14 CE Recommended	1,293,133	14.10

Victim/Witness Court Assistance

This program assists victims in criminal cases that have been designated as “victim-intensive” by virtue of the vulnerability of the victim or the type of crime. Victims receive direct court assistance from a Victim/Witness Coordinator. The Coordinator guides the victim through the judicial process, provides assistance where necessary, and makes referrals to other County agencies as needed. In all other cases, Assistant State's Attorneys provide information and assistance to victims and witnesses. This program is staffed with permanent and volunteer personnel.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	351,307	4.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-13,482	0.00
FY14 CE Recommended	337,825	4.00

Special Prosecutions Division

The Special Prosecutions Division program investigates allegations of complex financial crimes such as real estate and other business investment fraud schemes for which the Department of Police is unable to provide investigative resources. The program also investigates allegations of thefts involving attorneys stealing from clients, financial exploitation of elderly victims, and misconduct by public officials. When these investigations support criminal charges, the cases are charged, generally in the Circuit Court, and litigated to disposition by Senior Assistant State's Attorneys. A significant part of this program is attempting to obtain restitution for victims and businesses that have lost money in these complex cases. Program staff also provide guidance to police officers and investigators from other agencies in situations where financial crimes may be suspected.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	456,347	5.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	15,687	0.00
FY14 CE Recommended	472,034	5.00

Prosecution Management

Prosecution Management staff coordinate case loads; schedule docket assignments; receive visitors; direct phone calls; and enter and audit data in the Criminal Justice Information System (CJIS) for the Circuit, District, and Juvenile Courts.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	1,046,570	8.50
Increase Cost: Additional Licenses for SAO Case Management System	26,950	0.00
Increase Cost: Motor Pool Adjustment	19,247	0.00
Increase Cost: Printing and Mail Adjustment	1,845	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	41,995	0.00
FY14 CE Recommended	1,136,607	8.50

Administration

Staff provide central services in areas of budget, personnel, automated systems management, general office management, and public information. In addition, staff coordinate efforts and initiatives with other criminal justice agencies.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	885,087	7.00
Increase Cost: Section 2-132A Mandated Salary Increase for the State's Attorney	2,990	0.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	300,316	2.50
FY14 CE Recommended	1,188,393	9.50

District Court Prosecution

The District Court Prosecution program prosecutes criminal cases including misdemeanor arrests, citizen complaints, and serious or incarcerable traffic offenses. The State's Attorney's Office has also implemented a Domestic Violence docket in District Court to ensure that assault cases of a domestic nature and violations of protective orders are given special attention.

FY14 Recommended Changes	Expenditures	FTEs
FY13 Approved	2,544,168	33.86
Add: Gun Violence Reduction Grant Personnel Support	35,998	0.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	99,941	-0.36
FY14 CE Recommended	2,680,107	34.00

BUDGET SUMMARY

	Actual FY12	Budget FY13	Estimated FY13	Recommended FY14	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	9,117,378	9,083,898	9,628,858	9,788,090	7.8%
Employee Benefits	2,655,804	3,042,682	2,901,432	3,164,734	4.0%
County General Fund Personnel Costs	11,773,182	12,126,580	12,530,290	12,952,824	6.8%
Operating Expenses	717,181	602,970	704,335	651,012	8.0%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	12,490,363	12,729,550	13,234,625	13,603,836	6.9%
PERSONNEL					
Full-Time	112	111	111	113	1.8%
Part-Time	8	8	8	11	37.5%
FTEs	119.70	126.06	126.06	129.60	2.8%
REVENUES					
Discovery Materials	52,250	66,000	55,000	55,000	-16.7%
Miscellaneous Revenues	-50	0	0	0	—
Other Charges/Fees	43,275	16,300	12,000	13,000	-20.2%
County General Fund Revenues	95,475	82,300	67,000	68,000	-17.4%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	356,059	159,289	159,289	98,538	-38.1%
Employee Benefits	59,879	36,402	36,402	18,460	-49.3%
Grant Fund MCG Personnel Costs	415,938	195,691	195,691	116,998	-40.2%
Operating Expenses	36,021	0	0	0	—
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	451,959	195,691	195,691	116,998	-40.2%
PERSONNEL					
Full-Time	3	3	3	2	-33.3%
Part-Time	1	1	1	1	—
FTEs	2.70	2.44	2.44	1.50	-38.5%
REVENUES					
Federal Grants	338,107	75,000	75,000	60,000	-20.0%
State Grants	113,852	120,691	120,691	56,998	-52.8%
Grant Fund MCG Revenues	451,959	195,691	195,691	116,998	-40.2%
DEPARTMENT TOTALS					
Total Expenditures	12,942,322	12,925,241	13,430,316	13,720,834	6.2%
Total Full-Time Positions	115	114	114	115	0.9%
Total Part-Time Positions	9	9	9	12	33.3%
Total FTEs	122.40	128.50	128.50	131.10	2.0%
Total Revenues	547,434	277,991	262,691	184,998	-33.5%

FY14 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY13 ORIGINAL APPROPRIATION	12,729,550	126.06
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY14 Compensation Adjustment	442,923	0.00
Increase Cost: Annualization of FY13-14 Salary Restructuring Plan	361,036	0.00
Increase Cost: Increase funding for lost Grants	278,133	3.40
Increase Cost: Group Insurance Adjustment	218,763	0.00
Increase Cost: Annualization of FY13 Lapsed Positions [Circuit Court Prosecution]	40,000	0.00
Increase Cost: Retirement Adjustment	28,196	0.00
Increase Cost: Additional Licenses for SAO Case Management System [Prosecution Management]	26,950	0.00
Increase Cost: Motor Pool Adjustment [Prosecution Management]	19,247	0.00
Increase Cost: Other Labor Contract Costs	12,656	0.00
Increase Cost: Section 2-132A Mandated Salary Increase for the State's Attorney [Administration]	2,990	0.00
Increase Cost: Printing and Mail Adjustment [Prosecution Management]	1,845	0.00
Technical Adj: Correction of FTEs due to Rounding	0	0.14
Decrease Cost: Elimination of FY13 \$2,000 Lump Sum	-240,060	0.00
Increase Cost: Turnover Savings and Annualization of FY13 Personnel Costs	-318,393	0.00
FY14 RECOMMENDED:	13,603,836	129.60
GRANT FUND MCG		
FY13 ORIGINAL APPROPRIATION	195,691	2.44
<u>Changes (with service impacts)</u>		
Add: Gun Violence Reduction Grant Personnel Support [District Court Prosecution]	35,998	0.50
<u>Other Adjustments (with no service impacts)</u>		
Technical Adj: Adjust FTEs due to Rounding	0	-0.04
Shift: Reduction in Grant Awards	-114,691	-1.40
FY14 RECOMMENDED:	116,998	1.50

PROGRAM SUMMARY

Program Name	FY13 Approved		FY14 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Circuit Court Prosecution	6,009,067	50.14	6,127,453	50.50
District Court Screening	491,674	6.00	485,282	5.50
Juvenile Court Prosecution	1,141,021	14.00	1,293,133	14.10
Victim/Witness Court Assistance	351,307	4.00	337,825	4.00
Special Prosecutions Division	456,347	5.00	472,034	5.00
Prosecution Management	1,046,570	8.50	1,136,607	8.50
Administration	885,087	7.00	1,188,393	9.50
District Court Prosecution	2,544,168	33.86	2,680,107	34.00
Total	12,925,241	128.50	13,720,834	131.10

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY13		FY14	
		Total\$	FTEs	Total\$	FTEs
COUNTY GENERAL FUND					
Police	County General Fund	87,140	0.50	101,695	0.50
Sheriff	Grant Fund MCG	0	0.00	134,361	2.00
Total		87,140	0.50	236,056	2.50

FUTURE FISCAL IMPACTS

Title	CE REC. FY14	FY15	FY16	(5000's) FY17	FY18	FY19
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY14 Recommended	13,604	13,604	13,604	13,604	13,604	13,604
No inflation or compensation change is included in outyear projections.						
Annualization of Salary Plan	0	180	180	180	180	180
This represents the annualization of the State's Attorney's FY14 salary plan.						
Labor Contracts	0	641	840	840	840	840
These figures represent the estimated cost of general wage adjustments, new service increments, and associated benefits.						
Labor Contracts - Other	0	1	-10	-10	-10	-10
These figures represent other negotiated items included in the labor agreements.						
Section 2-123A mandated Salary Increase	0	3	4	4	4	4
Montgomery County Code Article VII Section 2-123A mandated salary adjustment for the States Attorney.						
Subtotal Expenditures	13,604	14,430	14,618	14,618	14,618	14,618

ANNUALIZATION OF PERSONNEL COSTS AND FTES

	FY14 Recommended		FY15 Annualized	
	Expenditures	FTEs	Expenditures	FTEs
Increase Cost: Annualization of FY13-14 Salary Restructuring Plan	361,036	0.00	541,263	0.00
Total	361,036	0.00	541,263	0.00