
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 FY16 Operating Budget for the Office of the State's Attorney is \$15,748,153, an increase of \$739,904 or 4.9 percent from the FY15 Approved Budget of \$15,008,249. Personnel Costs comprise 94.9 percent of the budget for 131 full-time positions and 12 part-time positions, and a total of 138.86 FTEs. Total FTEs may include seasonal or temporary positions and may also reflect workforce charged to or from other departments or funds. Operating Expenses account for the remaining 5.1 percent of the FY16 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**

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***In FY15, the State's Attorney created the Crimes Against Seniors and Vulnerable Adults Unit (CASVA) to aggressively prosecute crimes where these targeted populations are victims. The unit is comprised of experienced Assistant State's Attorneys and investigative staff who handle cases of physical neglect and abuse as well as financial exploitation.***
- ❖ ***In September 2014 the State's Attorney's Office, along with the Montgomery County Police, Montgomery County Sheriff's Office, and Charles County Sheriff's Office, received the Anti-Defamation League Shield Award for its investigation and prosecution of local members of the Moorish Nation, part of the sovereign citizen movement. Charges included Theft over \$100,000, First Degree Burglary and Conspiracy.***
- ❖ ***The State's Attorney's Office continues to recruit undergraduate and law school students as volunteers. The interns screen District Court criminal cases, assist in case preparation, contact witnesses and gather evidence. During the Spring 2013, semester volunteers donated 9,000 hours of service to the office. In the Summer and Fall semesters of 2014, volunteers donated 25,200 hours of service to the State's Attorney's Office. This equates to over 12 FTEs of donated service hours.***
- ❖ ***In FY16, enhance Truancy Court from 10 middle schools to 15 by using an additional Program Coordinator and increasing the number of volunteer mentors.***
- ❖ ***In FY16, hire three full time Assistant State's Attorneys and contract attorneys to handle District Court commissioner initial appearance hearings as a result of the DeWolfe v. Richmond court decision.***

PROGRAM CONTACTS

Contact Lisa Russo of the Office of the State's Attorney at 240.777.7407 or Elyse Greenwald of the Office of Management and Budget at 240.777.2768 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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	6,684,303	51.45
Increase Cost: Staff the Central Processing Unit	309,601	3.00
Increase Cost: Annualization of Salary Plan	112,910	0.00
Decrease Cost: Turnover savings	-57,557	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.	516,957	3.54
FY16 CE Recommended	7,566,214	57.99

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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	388,208	4.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	228,529	2.50
FY16 CE Recommended	616,737	7.00

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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	1,308,422	13.10
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	213,059	1.50
FY16 CE Recommended	1,521,481	14.60

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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	358,330	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.	21,032	0.00
FY16 CE Recommended	379,362	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 provides guidance to police officers and investigators from other agencies in situations where financial crimes may be suspected.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	719,609	7.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-289,100	-2.00
FY16 CE Recommended	430,509	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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	1,175,504	9.00
Enhance: Truancy Court from 10 to 15 middle schools using a contract Program Coordinator	57,000	0.00
Increase Cost: Westlaw contract annual price adjustment	5,340	0.00
Increase Cost: Justware licenses	918	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.	-47,628	0.25
FY16 CE Recommended	1,191,134	9.25

Administration

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

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	983,477	7.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-100,509	-1.00
FY16 CE Recommended	882,968	6.00

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.

FY16 Recommended Changes	Expenditures	FTEs
FY15 Approved	3,390,396	39.55
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-230,647	-4.53
FY16 CE Recommended	3,159,749	35.02

BUDGET SUMMARY

	Actual FY14	Budget FY15	Estimated FY15	Recommended FY16	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	9,962,203	10,834,857	10,553,552	11,203,903	3.4%
Employee Benefits	3,234,391	3,377,834	3,315,750	3,615,108	7.0%
County General Fund Personnel Costs	13,196,594	14,212,691	13,869,302	14,819,011	4.3%
Operating Expenses	880,415	678,088	960,875	807,842	19.1%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	14,077,009	14,890,779	14,830,177	15,626,853	4.9%
PERSONNEL					
Full-Time	114	116	116	129	11.2%
Part-Time	11	12	12	11	-8.3%
FTEs	130.60	134.38	134.38	137.68	2.5%
REVENUES					
Discovery Materials	29,825	30,000	30,000	30,000	—
Other Charges/Fees	6,730	13,000	13,000	7,000	-46.2%
County General Fund Revenues	36,555	43,000	43,000	37,000	-14.0%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	99,627	91,209	91,209	100,574	10.3%
Employee Benefits	21,162	26,261	26,261	20,726	-21.1%
Grant Fund MCG Personnel Costs	120,789	117,470	117,470	121,300	3.3%
Operating Expenses	31,779	0	0	0	—
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	152,568	117,470	117,470	121,300	3.3%
PERSONNEL					
Full-Time	2	2	2	2	—
Part-Time	1	1	1	1	—
FTEs	1.50	1.22	1.22	1.18	-3.3%
REVENUES					
Federal Grants	57,535	60,000	60,000	60,000	—
State Grants	49,535	57,470	57,470	61,300	6.7%
Grant Fund MCG Revenues	107,070	117,470	117,470	121,300	3.3%
DEPARTMENT TOTALS					
Total Expenditures	14,229,577	15,008,249	14,947,647	15,748,153	4.9%
Total Full-Time Positions	116	118	118	131	11.0%
Total Part-Time Positions	12	13	13	12	-7.7%
Total FTEs	132.10	135.60	135.60	138.86	2.4%
Total Revenues	143,625	160,470	160,470	158,300	-1.4%

FY16 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY15 ORIGINAL APPROPRIATION	14,890,779	134.38
<u>Changes (with service impacts)</u>		
Enhance: Truancy Court from 10 to 15 middle schools using a contract Program Coordinator [Prosecution Management]	57,000	0.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY16 Compensation Adjustment	600,883	0.00
Increase Cost: Staff the Central Processing Unit [Circuit Court Prosecution]	309,601	3.00
Increase Cost: Annualization of Salary Plan [Circuit Court Prosecution]	112,910	0.00
Increase Cost: Retirement Adjustment	51,023	0.00
Increase Cost: Group Insurance Adjustment	39,221	0.00
Increase Cost: Westlaw contract annual price adjustment [Prosecution Management]	5,340	0.00
Increase Cost: Justware licenses [Prosecution Management]	918	0.00
Decrease Cost: Motor Pool Rate Adjustment	-7,672	0.00
Decrease Cost: Printing and Mail	-11,512	0.00
Decrease Cost: Turnover savings [Circuit Court Prosecution]	-57,557	0.00
Decrease Cost: Annualization of FY15 Personnel Costs	-364,081	0.30

	Expenditures	FTEs
FY16 RECOMMENDED:	15,626,853	137.68
GRANT FUND MCG		
FY15 ORIGINAL APPROPRIATION	117,470	1.22
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Grant Awards for Drug Court and Gun Violence Reduction Grant	3,830	-0.04
FY16 RECOMMENDED:	121,300	1.18

PROGRAM SUMMARY

Program Name	FY15 Approved		FY16 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Circuit Court Prosecution	6,684,303	51.45	7,566,214	57.99
District Court Screening	388,208	4.50	616,737	7.00
Juvenile Court Prosecution	1,308,422	13.10	1,521,481	14.60
Victim/Witness Court Assistance	358,330	4.00	379,362	4.00
Special Prosecutions Division	719,609	7.00	430,509	5.00
Prosecution Management	1,175,504	9.00	1,191,134	9.25
Administration	983,477	7.00	882,968	6.00
District Court Prosecution	3,390,396	39.55	3,159,749	35.02
Total	15,008,249	135.60	15,748,154	138.86

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY15		FY16	
		Total\$	FTEs	Total\$	FTEs
COUNTY GENERAL FUND					
Police	County General Fund	108,227	0.50	108,816	0.50

FUTURE FISCAL IMPACTS

Title	CE REC.	(\$000's)				
	FY16	FY17	FY18	FY19	FY20	FY21
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY16 Recommended	15,627	15,627	15,627	15,627	15,627	15,627
No inflation or compensation change is included in outyear projections.						
Labor Contracts	0	149	149	149	149	149
These figures represent the estimated annualized cost of general wage adjustments, service increments, and associated benefits.						
Subtotal Expenditures	15,627	15,775	15,775	15,775	15,775	15,775

