
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 FY15 Operating Budget for the Office of the State's Attorney is \$15,008,249, an increase of \$1,100,415 or 7.9 percent from the FY14 Approved Budget of \$13,907,834. Personnel Costs comprise 95.5 percent of the budget for 118 full-time positions and 13 part-time positions, and a total of 135.60 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 4.5 percent of the FY15 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 FY14 estimates reflect funding based on the FY14 approved budget. The FY15 and FY16 figures are performance targets based on the FY15 recommended budget and funding for comparable service levels in FY16.

ACCOMPLISHMENTS AND INITIATIVES

- ❖ ***The Domestic Violence Unit has maintained its current level of service using tax supported funds to include two full time Senior Legal Assistants, one part time Program Specialist and a contractual Special Investigator. These positions were formerly funded through the Department of Justice Arrest grant program and allow the State's Attorney's Office to continue working with our partner agencies at the Family Justice Center.***
- ❖ ***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. Our newly designed fellowship program uses law school graduates to assist with Circuit Court cases. In 2012 students donated 27,360 hours to the office for a total of 13.16 FTEs. In Spring and Summer 2013 students donated 22,200 hours to the office for a total of 10.68 FTEs.***
- ❖ ***In 2012 the Gang Prosecution Unit handled a total of 463 cases. From January through September 2013 the unit handled 208 cases.***
- ❖ ***The Special Prosecutions Division prosecutes cases of financial elder abuse and is supported by the Senior Financial Exploitation Prevention Initiative and the Family Violence Division prosecutes cases of physical abuse and neglect of the elderly. The units collaborate with the Elder and Vulnerable Adult Abuse and Neglect Task Force of Montgomery County to combat elder physical and sexual abuse, neglect, and elder financial exploitation.***

PROGRAM CONTACTS

Contact Lisa Russo of the Office of the State's Attorney at 240.777.7407 or Jahantab Siddiqui of the Office of Management and Budget at 240.777.2795 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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	6,314,453	51.50
Increase Cost: Gun Violence Grant Increase and Drug Court Grant Reduction	472	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.	369,378	-0.05
FY15 CE Recommended	6,684,303	51.45

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.

Program Performance Measures	Actual FY12	Actual FY13	Estimated FY14	Target FY15	Target FY16
Bad Check Mediation Program Revenue ¹	3,615	2,000	0	0	0
Rental Return Restitution Program Revenue ²	1,610	500	0	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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	485,282	5.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-97,074	-1.00
FY15 CE Recommended	388,208	4.50

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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	1,293,133	14.10
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	15,289	-1.00
FY15 CE Recommended	1,308,422	13.10

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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	337,825	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.	20,505	0.00
FY15 CE Recommended	358,330	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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	472,034	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.	247,575	2.00
FY15 CE Recommended	719,609	7.00

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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	1,136,607	8.50
Increase Cost: Justware License Maintenance Fees	2,975	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY14	-26,950	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.	62,872	0.50
FY15 CE Recommended	1,175,504	9.00

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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	1,188,393	9.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	-204,916	-2.50
FY15 CE Recommended	983,477	7.00

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.

FY15 Recommended Changes	Expenditures	FTEs
FY14 Approved	2,680,107	34.00
Replace: ARREST Grant Funds with General Fund	200,892	2.50
Shift: Reallocation of STOP and Drug Court Personnel Costs to General Fund	29,649	0.28
Shift: Reallocation of STOP and Drug Court Personnel Costs to General Fund (\$29,649)	0	-0.28
Decrease Cost: Contract Attorney Costs to Group State's Attorney I Position	-14,621	1.00
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	494,369	2.05
FY15 CE Recommended	3,390,396	39.55

BUDGET SUMMARY

	Actual FY13	Budget FY14	Estimated FY14	Recommended FY15	% Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	9,739,308	9,858,207	9,961,993	10,834,857	9.9%
Employee Benefits	2,982,570	3,179,617	3,188,135	3,377,834	6.2%
County General Fund Personnel Costs	12,721,878	13,037,824	13,150,128	14,212,691	9.0%
Operating Expenses	824,882	753,012	887,776	678,088	-9.9%
Capital Outlay	0	0	0	0	—
County General Fund Expenditures	13,546,760	13,790,836	14,037,904	14,890,779	8.0%
PERSONNEL					
Full-Time	111	114	114	116	1.8%
Part-Time	8	11	11	12	9.1%
FTEs	126.06	130.60	130.60	134.38	2.9%
REVENUES					
Discovery Materials	25,963	55,000	55,000	30,000	-45.5%
Other Charges/Fees	31,865	13,000	13,000	13,000	—
County General Fund Revenues	57,828	68,000	68,000	43,000	-36.8%
GRANT FUND MCG					
EXPENDITURES					
Salaries and Wages	177,166	98,538	98,538	91,209	-7.4%
Employee Benefits	28,281	18,460	18,460	26,261	42.3%
Grant Fund MCG Personnel Costs	205,447	116,998	116,998	117,470	0.4%
Operating Expenses	21,183	0	0	0	—
Capital Outlay	0	0	0	0	—
Grant Fund MCG Expenditures	226,630	116,998	116,998	117,470	0.4%
PERSONNEL					
Full-Time	3	2	2	2	—
Part-Time	1	1	1	1	—
FTEs	2.44	1.50	1.50	1.22	-18.7%
REVENUES					
Federal Grants	154,315	60,000	60,000	60,000	—
State Grants	72,315	56,998	56,998	57,470	0.8%
Grant Fund MCG Revenues	226,630	116,998	116,998	117,470	0.4%
DEPARTMENT TOTALS					
Total Expenditures	13,773,390	13,907,834	14,154,902	15,008,249	7.9%
Total Full-Time Positions	114	116	116	118	1.7%
Total Part-Time Positions	9	12	12	13	8.3%
Total FTEs	128.50	132.10	132.10	135.60	2.6%
Total Revenues	284,458	184,998	184,998	160,470	-13.3%

FY15 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
FY14 ORIGINAL APPROPRIATION	13,790,836	130.60
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY15 Compensation Adjustment	674,154	0.00
Replace: ARREST Grant Funds with General Fund [District Court Prosecution]	200,892	2.50
Increase Cost: Annualization of Salary Plan	180,227	0.00
Shift: Reallocation of STOP and Drug Court Personnel Costs to General Fund [District Court Prosecution]	29,649	0.28
Increase Cost: Group Insurance Adjustment	23,465	0.00
Increase Cost: Retirement Adjustment	18,104	0.00
Increase Cost: Printing and Mail	4,730	0.00
Increase Cost: Annualization of FY14 Personnel Costs	4,665	0.00
Increase Cost: Justware License Maintenance Fees [Prosecution Management]	2,975	0.00
Increase Cost: Motor Pool Rate Adjustment	2,653	0.00
Decrease Cost: Contract Attorney Costs to Group State's Attorney I Position [District Court Prosecution]	-14,621	1.00
Decrease Cost: Elimination of One-Time Items Approved in FY14 [Prosecution Management]	-26,950	0.00
FY15 RECOMMENDED:	14,890,779	134.38
GRANT FUND MCG		
FY14 ORIGINAL APPROPRIATION	116,998	1.50
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: Gun Violence Grant Increase and Drug Court Grant Reduction [Circuit Court Prosecution]	472	0.00
Shift: Reallocation of STOP and Drug Court Personnel Costs to General Fund (\$29,649) [District Court Prosecution]	0	-0.28
FY15 RECOMMENDED:	117,470	1.22

PROGRAM SUMMARY

Program Name	FY14 Approved		FY15 Recommended	
	Expenditures	FTEs	Expenditures	FTEs
Circuit Court Prosecution	6,314,453	51.50	6,684,303	51.45
District Court Screening	485,282	5.50	388,208	4.50
Juvenile Court Prosecution	1,293,133	14.10	1,308,422	13.10
Victim/Witness Court Assistance	337,825	4.00	358,330	4.00
Special Prosecutions Division	472,034	5.00	719,609	7.00
Prosecution Management	1,136,607	8.50	1,175,504	9.00
Administration	1,188,393	9.50	983,477	7.00
District Court Prosecution	2,680,107	34.00	3,390,396	39.55
Total	13,907,834	132.10	15,008,249	135.60

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY14		FY15	
		Total\$	FTEs	Total\$	FTEs
COUNTY GENERAL FUND					
Police	County General Fund	101,695	0.50	108,227	0.50
Sheriff	Grant Fund MCG	134,361	2.00	0	0.00
Total		236,056	2.50	108,227	0.50

FUTURE FISCAL IMPACTS

Title	CE REC. FY15	FY16	FY17	(\$000's) FY18	FY19	FY20
This table is intended to present significant future fiscal impacts of the department's programs.						
COUNTY GENERAL FUND						
Expenditures						
FY15 Recommended No inflation or compensation change is included in outyear projections.	14,891	14,891	14,891	14,891	14,891	14,891
Annualization of Salary Plan This represents the annualization of the State's Attorney's Salary Plan implemented in FY13.	0	57	57	57	57	57
Labor Contracts These figures represent the estimated annualized cost of general wage adjustments, service increments, and associated benefits.	0	199	199	199	199	199
Labor Contracts - Other These figures represent other negotiated items included in the labor agreements.	0	-11	-11	-11	-11	-11
Section 2-123A mandated Salary Increase Montgomery County Code Article VII Section 2-123A mandated salary adjustment for the States Attorney.	0	3	4	4	4	4
Subtotal Expenditures	14,891	15,139	15,139	15,139	15,140	15,140