



# State's Attorney

**Approved FY18 Budget**  
**\$17,323,322**

**Full Time Equivalents**  
**147.35**

## Mission Statement

The Office of 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 approved FY18 Operating Budget for the Office of the State's Attorney is \$17,323,322, an increase of \$904,134 or 5.51 percent from the FY17 Approved Budget of \$16,419,188. Personnel Costs comprise 95.03 percent of the budget for 140 full-time position(s) and 11 part-time position(s), and a total of 147.35 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 4.97 percent of the FY18 budget.

Consistent with the County Charter, the County Executive makes recommendations on the operating budget for all County departments, offices, and agencies. However, recognizing the Charter-defined roles, the Executive defers significantly to Legislative and Judicial Branch agencies. Questions regarding the approved budgets for Judicial Branch departments should be directed to Lisa Russo, 240-777-7407.

## Linkage to County Result Areas

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

### **Safe Streets and Secure Neighborhoods**

## Department Performance Measures

Performance measures for this department are included below (where applicable), with multi-program measures displayed at the front of this section and program-specific measures shown with the relevant program. The FY17 estimates reflect funding based on the FY17 approved budget. The FY18 and FY19 figures are performance targets based on the FY18 approved budget and funding for comparable service levels in FY19.

## Accomplishments

- Recruitment of undergraduate and law school students as volunteer interns has resulted in the equivalent of almost 16 additional full time employees in the past year. The interns screen cases, assist in case preparation, contact witnesses and

gather evidence. Volunteers donated 12,240 hours during the spring 2015 semester. In the summer and fall semesters, 20,250 hours were donated to the office by our volunteers.

- Reached 14,228 students in FY16 through presentations on cyberbullying, "Speak up, Save a Life" and healthy teen dating.

## Program Contacts

Contact Lisa Russo of the Office of the State's Attorney at 240.777.7407 or Trevor Lobaugh of the Office of Management and Budget at 240.777.2763 for more information regarding this department's operating budget.

## Program Descriptions

### 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.

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>980,822</b>	<b>7.00</b>
Increase Cost: JustWare Licenses	1,530	0.00
Increase Cost: Section 2-123A Mandated Salary Increase	788	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.	884,284	7.60
<b>FY18 Approved</b>	<b>1,867,424</b>	<b>14.60</b>

*Notes: FTE increase is primarily due to IT cost center establishment that now budgets IT staff under Administration program. Expenditure increase is primarily the result of funding allocated to the State's Attorney's Office body camera response and other initiatives.*

### 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. Appeals and demands for jury trials in District Court cases are litigated in the Circuit Court.

Program Performance Measures	Actual FY15	Actual FY16	Estimated FY17	Target FY18	Target FY19
Number of community outreach presentations on teen dating	77	68	45	45	45
Number of community outreach presentations on internet safety / cyberbullying	77	91	108	127	150
Number of students reached through community outreach presentations in schools	16,385	14,228	16,352	16,352	16,352
Number of community outreach presentations for Seniors	15	31	64	64	64

  

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>7,472,493</b>	<b>57.02</b>

FY18 Approved Changes	Expenditures	FTEs
Increase Cost: Increase in Drug Court Award	12,641	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.	(11,181)	0.91
<b>FY18 Approved</b>	<b>7,473,953</b>	<b>57.93</b>

## 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.

Program Performance Measures	Actual FY15	Actual FY16	Estimated FY17	Target FY18	Target FY19
Number of students participating in the Truancy Prevention Program <sup>1</sup>	192	239	297	297	297
Percent of Truancy Prevention Program participants showing at least 60% improvement in unexcused absences	54.2	57.0	59.9	63.0	66.3
Percent of Truancy Prevention Program participants showing improvement in unexcused absences	66.1	78.0	78.0	78.0	78.0
Percent of Truancy Prevention Program participants showing improved literacy and math grades at the end of the semester	N/A	40%	40%	40%	40%
Number of teens referred to the Teen Court program	542	383	271	191	135
Percent of teens who declined to participate in the Teen Court program	19	18	18	18	18
Percent of Teen Court participants who successfully complete the program requirements	75.7	84.4	79.5	79.5	79.5
Number of juvenile cases screened for mediation	44	39	35	31	27
Percent of juvenile cases screened resulting in mediations	25	15	20	20	20
Percent of juvenile mediations in which an agreement reached	24	15	20	20	20
Juvenile mediation: Total actual restitution vs. Total restitution requested	\$845 of \$845	0 of 0	TBD	TBD	TBD

<sup>1</sup> FY17 and FY18 projections reflect the CE's recommended expansion to 20 middle schools. The program was expanded from 10 to 15 middle schools in FY16.

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>1,531,756</b>	<b>14.10</b>
Increase Cost: Convert Assistant Truancy Prevention Program Coordinator from Contractual to Permanent	16,618	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.	253,492	1.40
<b>FY18 Approved</b>	<b>1,801,866</b>	<b>16.50</b>

## 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.

Program Performance Measures	Actual FY15	Actual FY16	Estimated FY17	Target FY18	Target FY19
Number of adult cases screened for mediation	210	225	241	258	277
Percent of adult cases screened resulting in mediations	57	46	52	52	52
Percent of adult mediations in which an agreement reached	54.5	89.0	71.8	71.8	71.8
Adult mediations: Total actual restitution vs. Total restitution requested	\$81,616 of \$145,419	\$84,570 of \$100,804	TBD	TBD	TBD

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>3,476,251</b>	<b>37.74</b>
Increase Cost: Increase in Gun Violence Reduction Grant	3,000	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.	(740,614)	(12.17)
<b>FY18 Approved</b>	<b>2,738,637</b>	<b>25.57</b>

Notes: FTE decrease is primarily due to IT cost center establishment that now budgets IT staff under the Administration program

## ☀ District Court Screening and Mediation

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.

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>619,427</b>	<b>6.50</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	770,695	8.00
<b>FY18 Approved</b>	<b>1,390,122</b>	<b>14.50</b>

Notes: FTE increase is result of administrative reassignment of positions with no overall increase of FTEs.

## ☀ 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.

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>395,336</b>	<b>4.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	27,888	0.00

FY18 Approved Changes	Expenditures	FTEs
<b>FY18 Approved</b>	<b>423,224</b>	<b>4.00</b>

## Major Fraud and Special Investigations

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.

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>430,393</b>	<b>5.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	34,944	0.00
<b>FY18 Approved</b>	<b>465,337</b>	<b>5.00</b>

## 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.

FY18 Approved Changes	Expenditures	FTEs
<b>FY17 Approved</b>	<b>1,512,710</b>	<b>12.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(349,951)	(2.75)
<b>FY18 Approved</b>	<b>1,162,759</b>	<b>9.25</b>

## BUDGET SUMMARY

	Actual FY16	Budget FY17	Estimate FY17	Approved FY18	%Chg Bud/App
<b>COUNTY GENERAL FUND</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	11,400,748	11,742,076	11,892,131	12,375,773	5.4 %
Employee Benefits	3,545,049	3,746,825	3,624,704	3,952,026	5.5 %
<b>County General Fund Personnel Costs</b>	<b>14,945,797</b>	<b>15,488,901</b>	<b>15,516,835</b>	<b>16,327,799</b>	<b>5.4 %</b>
Operating Expenses	884,573	811,061	952,178	860,656	6.1 %
Capital Outlay	8,359	0	0	0	—
<b>County General Fund Expenditures</b>	<b>15,838,729</b>	<b>16,299,962</b>	<b>16,469,013</b>	<b>17,188,455</b>	<b>5.5 %</b>
<b>PERSONNEL</b>					

## BUDGET SUMMARY

	Actual FY16	Budget FY17	Estimate FY17	Approved FY18	%Chg Bud/App
Full-Time	130	134	134	138	3.0 %
Part-Time	11	10	10	10	—
FTEs	138.68	142.31	142.31	146.37	2.9 %
<b>REVENUES</b>					
Discovery Materials	6,932	26,000	26,000	7,000	-73.1 %
Other Charges/Fees	4,100	4,200	4,200	4,200	—
<b>County General Fund Revenues</b>	<b>11,032</b>	<b>30,200</b>	<b>30,200</b>	<b>11,200</b>	<b>-62.9 %</b>

### GRANT FUND - MCG

#### EXPENDITURES

Salaries and Wages	98,109	90,416	90,416	105,572	16.8 %
Employee Benefits	21,117	28,810	28,810	29,295	1.7 %
<b>Grant Fund - MCG Personnel Costs</b>	<b>119,226</b>	<b>119,226</b>	<b>119,226</b>	<b>134,867</b>	<b>13.1 %</b>
<b>Grant Fund - MCG Expenditures</b>	<b>119,226</b>	<b>119,226</b>	<b>119,226</b>	<b>134,867</b>	<b>13.1 %</b>

#### PERSONNEL

Full-Time	2	2	2	2	—
Part-Time	1	1	1	1	—
FTEs	1.18	1.05	1.05	0.98	-6.7 %

#### REVENUES

Federal Grants	60,000	0	0	0	—
State Grants	59,226	119,226	119,226	134,867	13.1 %
<b>Grant Fund - MCG Revenues</b>	<b>119,226</b>	<b>119,226</b>	<b>119,226</b>	<b>134,867</b>	<b>13.1 %</b>

### DEPARTMENT TOTALS

<b>Total Expenditures</b>	<b>15,957,955</b>	<b>16,419,188</b>	<b>16,588,239</b>	<b>17,323,322</b>	<b>5.5 %</b>
<b>Total Full-Time Positions</b>	<b>132</b>	<b>136</b>	<b>136</b>	<b>140</b>	<b>2.9 %</b>
<b>Total Part-Time Positions</b>	<b>12</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>—</b>
<b>Total FTEs</b>	<b>139.86</b>	<b>143.36</b>	<b>143.36</b>	<b>147.35</b>	<b>2.8 %</b>
<b>Total Revenues</b>	<b>130,258</b>	<b>149,426</b>	<b>149,426</b>	<b>146,067</b>	<b>-2.2 %</b>

## FY18 APPROVED CHANGES

	Expenditures	FTEs
<b>COUNTY GENERAL FUND</b>		
	<b>FY17 ORIGINAL APPROPRIATION</b>	<b>16,299,962 142.31</b>
<b><u>Changes (with service impacts)</u></b>		
Enhance: Hire New Attorney to Review Unfounded Sexual Assault Cases	61,355	0.00
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: FY18 Compensation Adjustment	444,489	0.00

## FY18 APPROVED CHANGES

	Expenditures	FTEs
Increase Cost: Personnel and storage Costs for Body Cameras	338,645	3.00
Increase Cost: Annualization of FY17 Personnel Costs	293,885	0.00
Increase Cost: Retirement Adjustment	38,234	0.00
Increase Cost: Convert Assistant Truancy Prevention Program Coordinator from Contractual to Permanent [Juvenile Court Prosecution]	16,618	1.00
Increase Cost: JustWare Licenses [Administration]	1,530	0.00
Increase Cost: Section 2-123A Mandated Salary Increase [Administration]	788	0.00
Technical Adj: FTE Adjustment to Match Department Submission	0	0.06
Decrease Cost: Printing and Mail	(6,569)	0.00
Decrease Cost: Motor Pool Adjustment	(10,366)	0.00
Decrease Cost: Turnover Savings	(290,116)	0.00
<b>FY18 APPROVED</b>	<b>17,188,455</b>	<b>146.37</b>

### GRANT FUND - MCG

<b>FY17 ORIGINAL APPROPRIATION</b>	<b>119,226</b>	<b>1.05</b>
<b><u>Other Adjustments (with no service impacts)</u></b>		
Increase Cost: Increase in Drug Court Award [Circuit Court Prosecution]	12,641	0.00
Increase Cost: Increase in Gun Violence Reduction Grant [District Court Prosecution]	3,000	0.00
Technical Adj: Reallocation of FTEs to match Grant Awards	0	(0.07)
<b>FY18 APPROVED</b>	<b>134,867</b>	<b>0.98</b>

## PROGRAM SUMMARY

Program Name	FY17 APPR Expenditures	FY17 APPR FTEs	FY18 APPR Expenditures	FY18 APPR FTEs
Administration	980,822	7.00	1,867,424	14.60
Circuit Court Prosecution	7,472,493	57.02	7,473,953	57.93
Juvenile Court Prosecution	1,531,756	14.10	1,801,866	16.50
District Court Prosecution	3,476,251	37.74	2,738,637	25.57
District Court Screening and Mediation	619,427	6.50	1,390,122	14.50
Victim/Witness Court Assistance	395,336	4.00	423,224	4.00
Major Fraud and Special Investigations	430,393	5.00	465,337	5.00
Prosecution Management	1,512,710	12.00	1,162,759	9.25
<b>Total</b>	<b>16,419,188</b>	<b>143.36</b>	<b>17,323,322</b>	<b>147.35</b>

## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY17 Total\$	FY17 FTEs	FY18 Total\$	FY18 FTEs
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## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY17 Total\$	FY17 FTES	FY18 Total\$	FY18 FTES
<b>COUNTY GENERAL FUND</b>					
Police	General Fund	112,168	0.50	116,210	0.50

## FUTURE FISCAL IMPACTS

CC APPROVED (\$000S)

Title	FY18	FY19	FY20	FY21	FY22	FY23
<b>COUNTY GENERAL FUND</b>						
<b>EXPENDITURES</b>						
<b>FY18 Approved</b>	<b>17,188</b>	<b>17,188</b>	<b>17,188</b>	<b>17,188</b>	<b>17,188</b>	<b>17,188</b>
No inflation or compensation change is included in outyear projections.						
<b>Annualization of Positions Approved in FY18</b>	<b>0</b>	<b>138</b>	<b>138</b>	<b>138</b>	<b>138</b>	<b>138</b>
New positions in the FY18 budget are generally assumed to be filled at least two months after the fiscal year begins. Therefore, the above amounts reflect annualization of these positions in the outyears.						
<b>Elimination of One-Time Items Approved in FY18</b>	<b>0</b>	<b>(110)</b>	<b>(110)</b>	<b>(110)</b>	<b>(110)</b>	<b>(110)</b>
Items recommended for one-time funding in FY18, including body camera storage costs (\$110,000), will be eliminated from the base in the outyears.						
<b>Labor Contracts</b>	<b>0</b>	<b>212</b>	<b>212</b>	<b>212</b>	<b>212</b>	<b>212</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
<b>Subtotal Expenditures</b>	<b>17,188</b>	<b>17,428</b>	<b>17,428</b>	<b>17,428</b>	<b>17,428</b>	<b>17,428</b>

## ANNUALIZATION OF PERSONNEL COSTS AND FTES

	FY18 Approved		FY19 Annualized	
	Expenditures	FTEs	Expenditures	FTEs
Personnel and Storage Costs for Body Cameras	290,000	3.00	428,437	3.00
<b>Total</b>	<b>290,000</b>	<b>3.00</b>	<b>428,437</b>	<b>3.00</b>