



State's Attorney

RECOMMENDED FY20 BUDGET

\$18,948,674

FULL TIME EQUIVALENTS

153.85

 JOHN MCCARTHY, STATE'S ATTORNEY

MISSION STATEMENT

The State's Attorney's Office is a constitutionally created independent agency. The mission of the State's Attorney's Office 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 FY20 Operating Budget for the State's Attorney's Office is \$18,948,674, an increase of \$828,620 or 4.57 percent from the FY19 Approved Budget of \$18,120,054. Personnel Costs comprise 95.92 percent of the budget for 147 full-time position(s) and 11 part-time position(s), and a total of 153.85 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 4.08 percent of the FY20 budget.

COUNTY PRIORITY OUTCOMES

While this program area supports all seven of the County Executive's Priority Outcomes, the following is emphasized:

Safe 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 FY19 estimates reflect funding based on the FY19 Approved Budget. The FY20 and FY21 figures are performance targets based on the FY20 Recommended Budget and funding for comparable service levels in FY21.

ACCOMPLISHMENTS

- ✓ During the 2018 school year, the State's Attorney's Office had 50 law school interns and three fellows who donated over 15,700 hours of their time to the office. These students help screen cases, conduct legal research, contact victims and witnesses, and prepare cases for trial. Their service equates to over 7.5 full time positions.
- ✓ The Mental Health Courts in Montgomery County's Circuit and District Courts opened in December 2016 and January 2017 respectively. The Mental Health Courts have graduated 23 people, and only one participant has recidivated.

PROGRAM CONTACTS

Contact Lisa Russo of the State's Attorney's Office 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.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	1,849,606	14.00
Increase Cost: Purchase 100 Adobe Acrobat Annual Subscriptions	15,000	0.00
Decrease Cost: Turnover Savings	(32,616)	0.00
Decrease Cost: Lapse Secretary to State's Attorney Position	(64,544)	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.	65,187	(1.15)
FY20 Recommended	1,832,633	12.85

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 FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Number of community outreach presentations on teen dating	36	27	30	30	30
Number of community outreach presentations on Internet safety / cyberbullying	124	111	120	120	120
Number of students reached through community outreach presentations in schools	12,685	6,500	6,500	6,500	6,500
Number of community outreach presentations for Seniors	39	40	40	40	40

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	7,975,327	62.72

FY20 Recommended Changes	Expenditures	FTEs
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	718,302	2.28
FY20 Recommended	8,693,629	65.00

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 State's Attorney's Office. 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 FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Number of students participating in the Truancy Prevention Program	312	318	320	320	320
Percent of Truancy Prevention Program participants showing at least 60% improvement in unexcused absences	56	48	50	50	50
Number of teens referred to the Teen Court program	323	310	300	300	300
Percent of teens who declined to participate in the Teen Court program	18	17	17	17	17
Percent of Teen Court participants who successfully complete the program requirements	80	76	76	76	76
Number of juvenile cases screened for mediation	27	33	35	35	35
Percent of juvenile cases screened resulting in mediations	12	6	10	10	10
Percent of juvenile mediations in which an agreement is reached	12	100	90	90	90

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	1,899,752	16.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	220,639	1.00
FY20 Recommended	2,120,391	17.50

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.

Program Performance Measures	Actual FY17	Actual FY18	Estimated FY19	Target FY20	Target FY21
Number of adult cases screened for mediation	178	240	250	250	250
Percent of adult cases screened resulting in mediations	53	30	45	45	45
Percent of adult mediations in which an agreement is reached	83	90	85	85	85
Adult mediations: Total actual restitution vs. Total restitution requested	\$97,595 of \$104,015	\$84,666 of \$84,666	N/A	N/A	N/A

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	2,729,068	25.38

FY20 Recommended Changes	Expenditures	FTEs
Technical Adj: Reallocation of FTEs for GVRG Gun Violence Reduction Grant	0	(0.02)
Technical Adj: Reallocation of FTEs for VAWA STOP Violence Against Women Grant	0	(0.02)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(121,375)	0.28
FY20 Recommended	2,607,693	25.62

☀ 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.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	1,435,076	14.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(35,278)	(1.00)
FY20 Recommended	1,399,798	13.50

☀ 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.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	555,443	6.00
Add: Replace Lost State Grant Funding for One Senior Legal Assistant in the Gang Unit	75,441	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.	(111,206)	(1.87)
FY20 Recommended	519,678	5.13

☀ Major Fraud and Special Investigations

The Major Fraud and Special Investigations Division investigates allegations of complex financial crimes such as real estate and other business investment fraud schemes for which the Police Department is unable to provide investigative resources. The division 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.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	483,977	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.	47,363	0.00
FY20 Recommended	531,340	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.

FY20 Recommended Changes	Expenditures	FTEs
FY19 Approved	1,191,805	9.25
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	51,707	0.00
FY20 Recommended	1,243,512	9.25

BUDGET SUMMARY

	Actual FY18	Budget FY19	Estimate FY19	Recommended FY20	%Chg Bud/Rec
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	12,434,309	12,861,431	13,055,564	13,465,692	4.7 %
Employee Benefits	3,825,687	4,161,705	3,953,512	4,437,931	6.6 %
County General Fund Personnel Costs	16,259,996	17,023,136	17,009,076	17,903,623	5.2 %
Operating Expenses	1,015,816	820,174	981,680	773,325	-5.7 %
Capital Outlay	11,521	0	0	0	—
County General Fund Expenditures	17,287,333	17,843,310	17,990,756	18,676,948	4.7 %
PERSONNEL					
Full-Time	138	142	142	143	0.7 %
Part-Time	10	10	10	10	—
FTEs	146.37	150.25	150.25	150.99	0.5 %
REVENUES					
Discovery Materials	0	7,000	0	0	-100.0 %
Miscellaneous Revenues	691	0	3,527	0	—
Other Charges/Fees	3,800	4,200	3,800	3,800	-9.5 %
County General Fund Revenues	4,491	11,200	7,327	3,800	-66.1 %

GRANT FUND - MCG

EXPENDITURES

BUDGET SUMMARY

	Actual FY18	Budget FY19	Estimate FY19	Recommended FY20	%Chg Bud/Rec
Salaries and Wages	226,108	202,955	202,955	198,528	-2.2 %
Employee Benefits	62,843	73,789	73,789	73,198	-0.8 %
Grant Fund - MCG Personnel Costs	288,951	276,744	276,744	271,726	-1.8 %
Operating Expenses	30,079	0	0	0	—
Grant Fund - MCG Expenditures	319,030	276,744	276,744	271,726	-1.8 %
PERSONNEL					
Full-Time	2	4	4	4	—
Part-Time	1	1	1	1	—
FTEs	0.98	3.10	3.10	2.86	-7.7 %
REVENUES					
Federal Grants	166,246	0	0	0	—
State Grants	151,968	276,744	276,744	271,726	-1.8 %
Grant Fund - MCG Revenues	318,214	276,744	276,744	271,726	-1.8 %

DEPARTMENT TOTALS

Total Expenditures	17,606,363	18,120,054	18,267,500	18,948,674	4.6 %
Total Full-Time Positions	140	146	146	147	0.7 %
Total Part-Time Positions	11	11	11	11	—
Total FTEs	147.35	153.35	153.35	153.85	0.3 %
Total Revenues	322,705	287,944	284,071	275,526	-4.3 %

FY20 RECOMMENDED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
	FY19 ORIGINAL APPROPRIATION	17,843,310 150.25
<u>Changes (with service impacts)</u>		
Add: Replace Lost State Grant Funding for One Senior Legal Assistant in the Gang Unit [Victim/Witness Court Assistance]	75,441	1.00
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY20 Compensation Adjustment	657,803	0.00
Increase Cost: Annualization of FY19 Personnel Costs	347,394	0.00
Increase Cost: State's Attorney's Office Salary Plan	90,195	0.00
Increase Cost: Purchase 100 Adobe Acrobat Annual Subscriptions [Administration]	15,000	0.00
Increase Cost: Retirement Adjustment	9,595	0.00
Increase Cost: Motor Pool Adjustment	3,833	0.00
Increase Cost: Mandated Salary Adjustment, Section 2-123A (b)	2,539	0.00
Technical Adj: Reallocation of Grant Fund FTEs	0	0.24
Technical Adj: Changes in Net-Gross Charges to Police	(26,580)	(0.50)

FY20 RECOMMENDED CHANGES

	Expenditures	FTEs
Decrease Cost: Turnover Savings [Administration]	(32,616)	0.00
Decrease Cost: Lapse Secretary to State's Attorney Position [Administration]	(64,544)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY19	(65,682)	0.00
Decrease Cost: Turnover Savings	(178,740)	0.00
FY20 RECOMMENDED	18,676,948	150.99

GRANT FUND - MCG

	FY19 ORIGINAL APPROPRIATION	276,744	3.10
Other Adjustments (with no service impacts)			
Technical Adj: Reallocation of FTEs for GVRG Gun Violence Reduction Grant [District Court Prosecution]	0		(0.02)
Technical Adj: Reallocation of FTEs for VAWA STOP Violence Against Women Grant [District Court Prosecution]	0		(0.02)
Technical Adj: Reallocation of FTEs for VOCA Victim Services Grant	0		(0.22)
Technical Adj: Reallocation of FTEs for Drug Court Grant	0		0.02
Technical Adj: Reduction of VOCA Victim Services Award	(5,018)		0.00
FY20 RECOMMENDED	271,726		2.86

PROGRAM SUMMARY

Program Name	FY19 APPR Expenditures	FY19 APPR FTEs	FY20 REC Expenditures	FY20 REC FTEs
Administration	1,849,606	14.00	1,832,633	12.85
Circuit Court Prosecution	7,975,327	62.72	8,693,629	65.00
Juvenile Court Prosecution	1,899,752	16.50	2,120,391	17.50
District Court Prosecution	2,729,068	25.38	2,607,693	25.62
District Court Screening and Mediation	1,435,076	14.50	1,399,798	13.50
Victim/Witness Court Assistance	555,443	6.00	519,678	5.13
Major Fraud and Special Investigations	483,977	5.00	531,340	5.00
Prosecution Management	1,191,805	9.25	1,243,512	9.25
Total	18,120,054	153.35	18,948,674	153.85

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY19 Total\$	FY19 FTEs	FY20 Total\$	FY20 FTEs
COUNTY GENERAL FUND					
Police	General Fund	114,663	0.50	142,402	1.00

FUTURE FISCAL IMPACTS

CE RECOMMENDED (\$000S)

Title	FY20	FY21	FY22	FY23	FY24	FY25
COUNTY GENERAL FUND						
EXPENDITURES						
FY20 Recommended	18,677	18,677	18,677	18,677	18,677	18,677
No inflation or compensation change is included in outyear projections.						
Restore One-Time Lapse Increase	0	65	65	65	65	65
Restoration of one-time lapse adjustment in the budget development year						
Labor Contracts	0	176	176	176	176	176
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
Subtotal Expenditures	18,677	18,918	18,918	18,918	18,918	18,918