



State's Attorney

APPROVED FY21 BUDGET

\$18,792,759

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 approved FY21 Operating Budget for the State's Attorney's Office is \$18,792,759, a decrease of \$48,909 or 0.26 percent from the FY20 Approved Budget of \$18,841,668. Personnel Costs comprise 95.86 percent of the budget for 148 full-time position(s) and nine 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 4.14 percent of the FY21 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.

COUNTY PRIORITY OUTCOMES

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

Safe Neighborhoods

INNOVATIONS AND PRODUCTIVITY IMPROVEMENTS

The Information Technology Division implemented a District Court Division SharePoint team site application to assist in organizing the District Court Appeals calendar and balance attorneys' caseloads for Track One criminal appeals cases. This ensures accurate and complete information sharing and supports future enhancements to other case dockets. The application decreases inefficiencies in attorney case scheduling, thus reducing conflicts and overbooking issues with other previously

scheduled District Court cases.

- ★ The State's Attorney's Office continues to have a robust internship program. In 2019, the internship program added over 19,000 hours of service to the office which equates to over 9.0 FTE. The internship program has students from high school, undergraduate school, law school, and recent law school graduates as participants.
- ★ The Information Technology Division implemented a new cloud-based Truancy Prevention Program SharePoint Application to improve interaction and communications between the State's Attorney's Office Truancy Prevention Program Unit and Montgomery County Public Schools. The Truancy Prevention Program SharePoint Application provides a "one-stop-shop" for storing, accessing, updating, and monitoring student attendance and grades.

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 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 FY20 estimates reflect funding based on the FY20 Approved Budget. The FY21 and FY22 figures are performance targets based on the FY21 Approved Budget and funding for comparable service levels in FY22.

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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	1,824,289	12.85
Increase Cost: Online Research Tool	6,008	0.00
Increase Cost: Salary Plan for Assistant State's Attorneys	2,539	0.00
Technical Adj: Realign Grant Budget	1,338	0.01
Technical Adj: Realign Grant Budget	0	(0.09)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(198,572)	(0.01)
FY21 Approved	1,635,602	12.76

★ 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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	8,641,713	65.00
Increase Cost: Salary Plan for Assistant State's Attorneys	58,282	0.00
Technical Adj: Realign Grant Budget	8,506	0.02
Technical Adj: Realign Grant Budget	0	(0.02)
Technical Adj: Mid-Year Conversion of Part-Time and Full-Time Positions	0	(0.25)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(127,360)	0.00
FY21 Approved	8,581,141	64.75

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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	2,592,888	25.62
Technical Adj: Realign Grant Budget	10,352	0.05
Technical Adj: Realign Grant Budget	0	(0.05)
Technical Adj: Mid-Year Conversion of Part-Time and Full-Time Positions	0	(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.	30,442	0.01
FY21 Approved	2,633,682	25.13

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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	1,391,622	13.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	109,266	0.00
FY21 Approved	1,500,888	13.50

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 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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	2,108,565	17.50
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	36,694	0.00
FY21 Approved	2,145,259	17.50

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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	527,560	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.	7,852	0.00
FY21 Approved	535,412	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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	1,238,482	9.25
Technical Adj: Mid-Year Conversion of Part-Time and Full-Time Positions	0	0.75
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	(23,431)	0.00
FY21 Approved	1,215,051	10.00

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.

FY21 Approved Changes	Expenditures	FTEs
FY20 Approved	516,549	5.13
Technical Adj: Realign Grant Budget	9,950	0.12
Technical Adj: Realign Grant Budget	0	(0.04)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	19,225	0.00
FY21 Approved	545,724	5.21

BUDGET SUMMARY

	Actual FY19	Budget FY20	Estimate FY20	Approved FY21	%Chg Bud/App
COUNTY GENERAL FUND					
EXPENDITURES					
Salaries and Wages	12,955,004	13,370,509	13,759,434	13,463,972	0.7 %
Employee Benefits	3,983,014	4,426,108	4,367,004	4,278,923	-3.3 %
County General Fund Personnel Costs	16,938,018	17,796,617	18,126,438	17,742,895	-0.3 %
Operating Expenses	927,942	773,325	910,476	778,138	0.6 %
Capital Outlay	14,989	0	0	0	—
County General Fund Expenditures	17,880,949	18,569,942	19,036,914	18,521,033	-0.3 %
PERSONNEL					
Full-Time	142	143	143	144	0.7 %
Part-Time	10	10	10	8	-20.0 %
FTEs	150.25	150.98	150.98	151.18	0.1 %
REVENUES					
Miscellaneous Revenues	9,417	0	0	0	—
Other Charges/Fees	5,285	3,800	3,800	3,500	-7.9 %
County General Fund Revenues	14,702	3,800	3,800	3,500	-7.9 %
GRANT FUND - MCG					
EXPENDITURES					
Salaries and Wages	213,986	198,509	198,509	201,293	1.4 %
Employee Benefits	53,723	73,217	73,217	70,433	-3.8 %
Grant Fund - MCG Personnel Costs	267,709	271,726	271,726	271,726	—
Operating Expenses	88,919	0	0	0	—
Grant Fund - MCG Expenditures	356,628	271,726	271,726	271,726	—
PERSONNEL					
Full-Time	4	4	4	4	—
Part-Time	1	1	1	1	—
FTEs	3.10	2.87	2.87	2.67	-7.0 %
REVENUES					
Federal Grants	280,822	0	0	0	—
State Grants	75,806	271,726	271,726	271,726	—

BUDGET SUMMARY

	Actual FY19	Budget FY20	Estimate FY20	Approved FY21	%Chg Bud/App
Grant Fund - MCG Revenues	356,628	271,726	271,726	271,726	—
DEPARTMENT TOTALS					
Total Expenditures	18,237,577	18,841,668	19,308,640	18,792,759	-0.3 %
Total Full-Time Positions	146	147	147	148	0.7 %
Total Part-Time Positions	11	11	11	9	-18.2 %
Total FTEs	153.35	153.85	153.85	153.85	—
Total Revenues	371,330	275,526	275,526	275,226	-0.1 %

FY21 APPROVED CHANGES

	Expenditures	FTEs
COUNTY GENERAL FUND		
	FY20 ORIGINAL APPROPRIATION	18,569,942 150.98
<u>Other Adjustments (with no service impacts)</u>		
Increase Cost: FY21 Compensation Adjustment	412,902	0.00
Increase Cost: Annualization of FY20 Compensation Increases	316,653	0.00
Increase Cost: Salary Plan for Assistant State's Attorneys [Circuit Court Prosecution]	58,282	0.00
Technical Adj: Realign Grant Budget [District Court Prosecution]	10,352	0.05
Technical Adj: Realign Grant Budget [Victim/Witness Court Assistance]	9,950	0.12
Technical Adj: Realign Grant Budget [Circuit Court Prosecution]	8,506	0.02
Increase Cost: Online Research Tool [Administration]	6,008	0.00
Increase Cost: Print and Mail Adjustment	5,780	0.00
Increase Cost: Salary Plan for Assistant State's Attorneys [Administration]	2,539	0.00
Technical Adj: Realign Grant Budget [Administration]	1,338	0.01
Technical Adj: Mid-Year Conversion of Part-Time and Full-Time Positions [Prosecution Management]	0	0.75
Technical Adj: Mid-Year Conversion of Part-Time and Full-Time Positions [Circuit Court Prosecution]	0	(0.25)
Technical Adj: Mid-Year Conversion of Part-Time and Full-Time Positions [District Court Prosecution]	0	(0.50)
Decrease Cost: Motor Pool Adjustment	(6,975)	0.00
Decrease Cost: Retirement Adjustment	(136,078)	0.00
Decrease Cost: Annualization of FY20 Personnel Costs	(295,181)	0.00
Decrease Cost: Council Compensation Adjustment	(442,985)	0.00
	FY21 APPROVED	18,521,033 151.18
GRANT FUND - MCG		
	FY20 ORIGINAL APPROPRIATION	271,726 2.87
<u>Other Adjustments (with no service impacts)</u>		
Technical Adj: Realign Grant Budget [Administration]	0	(0.09)

FY21 APPROVED CHANGES

	Expenditures	FTEs
Technical Adj: Realign Grant Budget [Circuit Court Prosecution]	0	(0.02)
Technical Adj: Realign Grant Budget [Victim/Witness Court Assistance]	0	(0.04)
Technical Adj: Realign Grant Budget [District Court Prosecution]	0	(0.05)
FY21 APPROVED	271,726	2.67

PROGRAM SUMMARY

Program Name	FY20 APPR Expenditures	FY20 APPR FTEs	FY21 APPR Expenditures	FY21 APPR FTEs
Administration	1,824,289	12.85	1,635,602	12.76
Circuit Court Prosecution	8,641,713	65.00	8,581,141	64.75
District Court Prosecution	2,592,888	25.62	2,633,682	25.13
District Court Screening and Mediation	1,391,622	13.50	1,500,888	13.50
Juvenile Court Prosecution	2,108,565	17.50	2,145,259	17.50
Major Fraud and Special Investigations	527,560	5.00	535,412	5.00
Prosecution Management	1,238,482	9.25	1,215,051	10.00
Victim/Witness Court Assistance	516,549	5.13	545,724	5.21
Total	18,841,668	153.85	18,792,759	153.85

CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY20 Total\$	FY20 FTEs	FY21 Total\$	FY21 FTEs
COUNTY GENERAL FUND					
Police	General Fund	141,516	1.00	156,166	1.00

FUNDING PARAMETER ITEMS

CC APPROVED (\$000S)

Title	FY21	FY22	FY23	FY24	FY25	FY26
COUNTY GENERAL FUND						
EXPENDITURES						
FY21 Approved	18,521	18,521	18,521	18,521	18,521	18,521
No inflation or compensation change is included in outyear projections.						
Subtotal Expenditures	18,521	18,521	18,521	18,521	18,521	18,521

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