



# State's Attorney

## RECOMMENDED FY24 BUDGET

\$22,124,646

## FULL TIME EQUIVALENTS

156.25

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 FY24 Operating Budget for the State's Attorney's Office is \$22,124,646, an increase of \$1,062,364 or 5.04 percent from the FY23 Approved Budget of \$21,062,282. Personnel Costs comprise 94.72 percent of the budget for 151 full-time position(s) and eight part-time position(s), and a total of 156.25 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 5.28 percent of the FY24 budget.

## 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

- Interns and volunteers donated a total of 19,332 hours to the State's Attorney's Office in calendar year 2022, which equates to 9.29 full time equivalents. The volunteers and interns provide invaluable service and support to the State's Attorney's Office.
- In partnership with Montgomery County Public Schools (MCPS), the State's Attorney's Office presented "Keeping Schools Safe and Gun Free" educational assemblies to over 50,000 MCPS students during the fall of 2022. Students received information about the consequences of violating gun laws, nonviolent conflict resolution, and warning signs that someone may want to harm themselves or others.

## PROGRAM CONTACTS

Contact Lisa Russo of the State's Attorney's Office at 240.777.7407 or Eva Acevedo 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 FY23 estimates reflect funding based on the FY23 Approved Budget. The FY24 and FY25 figures are performance targets based on the FY24 Recommended Budget and funding for comparable service levels in FY25.

## 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.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>2,834,047</b>	<b>13.06</b>
Increase Cost: Case Management System Maintenance	357,850	0.00
Increase Cost: Mandated Salary Adjustment, Section 2-123A(b)	6,716	0.00
Technical Adj: Shift FTEs from Grant Fund to General Fund- Victims of Crime Act Grant	0	(0.06)
Technical Adj: Shift FTEs from Grant Fund to General Fund- Gun Violence Reduction Grant	0	(0.03)
Technical Adj: Shift FTEs to General Fund from Grant Fund- Victims Of Crime Act & Gun Violence Reduction Grants	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.	(1,015,140)	(0.09)
<b>FY24 Recommended</b>	<b>2,183,473</b>	<b>12.97</b>

### 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 the District Court cases are litigated in the Circuit Court.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>9,123,096</b>	<b>64.75</b>
Increase Cost: Salary Plan	95,613	0.00
Technical Adj: Shift FTEs to General Fund from Grant Fund- Drug Court Grant	0	0.03
Re-align: Shift FTEs from Grant Fund to General Fund- Drug Court Grant	(4,000)	(0.03)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	632,899	0.00
<b>FY24 Recommended</b>	<b>9,847,608</b>	<b>64.75</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.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>3,043,486</b>	<b>27.13</b>
Technical Adj: Shift FTEs from General Fund to Grant Fund- Violence Against Women Act Grant	0	(0.20)
Technical Adj: Shift FTEs to Grant Fund from General Fund- Violence Against Women Act Grant	0	0.20
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	264,527	0.03
<b>FY24 Recommended</b>	<b>3,308,013</b>	<b>27.16</b>

## 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.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>1,532,285</b>	<b>13.50</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	215,783	0.00
<b>FY24 Recommended</b>	<b>1,748,068</b>	<b>13.50</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 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.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>2,238,107</b>	<b>17.50</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	246,375	0.00
<b>FY24 Recommended</b>	<b>2,484,482</b>	<b>17.50</b>

## 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.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>571,588</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.	(25,710)	0.00
<b>FY24 Recommended</b>	<b>545,878</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.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>1,134,909</b>	<b>10.00</b>
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	270,790	0.00
<b>FY24 Recommended</b>	<b>1,405,699</b>	<b>10.00</b>

### 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.

FY24 Recommended Changes	Expenditures	FTEs
<b>FY23 Approved</b>	<b>584,764</b>	<b>5.31</b>
Technical Adj: Shift FTEs to Grant Fund from General Fund- Victims of Crime Act Grant	0	0.07
Technical Adj: Shift FTEs from General Fund to Grant Fund- Victims of Crime Act Grant	0	(0.07)
Multi-program adjustments, including negotiated compensation changes, employee benefit changes, changes due to staff turnover, reorganizations, and other budget changes affecting multiple programs.	16,661	0.06
<b>FY24 Recommended</b>	<b>601,425</b>	<b>5.37</b>

## BUDGET SUMMARY

	Actual FY22	Budget FY23	Estimate FY23	Recommended FY24	%Chg Bud/Rec
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### COUNTY GENERAL FUND

## BUDGET SUMMARY

	Actual FY22	Budget FY23	Estimate FY23	Recommended FY24	%Chg Bud/Rec
<b>EXPENDITURES</b>					
Salaries and Wages	14,445,165	14,693,376	15,172,689	16,078,297	9.4 %
Employee Benefits	4,081,304	4,223,237	3,948,928	4,620,111	9.4 %
<b>County General Fund Personnel Costs</b>	<b>18,526,469</b>	<b>18,916,613</b>	<b>19,121,617</b>	<b>20,698,408</b>	<b>9.4 %</b>
Operating Expenses	746,476	1,884,663	1,497,568	1,169,232	-38.0 %
Capital Outlay	7,155	0	0	0	—
<b>County General Fund Expenditures</b>	<b>19,280,100</b>	<b>20,801,276</b>	<b>20,619,185</b>	<b>21,867,640</b>	<b>5.1 %</b>
<b>PERSONNEL</b>					
Full-Time	144	147	147	147	—
Part-Time	8	7	7	7	—
FTEs	151.15	153.85	153.85	153.70	-0.1 %
<b>REVENUES</b>					
Other Charges/Fees	0	2,500	0	0	-100.0 %
Miscellaneous Revenues	356	0	0	0	—
<b>County General Fund Revenues</b>	<b>356</b>	<b>2,500</b>	<b>0</b>	<b>0</b>	<b>-100.0 %</b>
<b>GRANT FUND - MCG</b>					
<b>EXPENDITURES</b>					
Salaries and Wages	194,779	192,871	192,871	184,736	-4.2 %
Employee Benefits	52,264	68,135	68,135	72,270	6.1 %
<b>Grant Fund - MCG Personnel Costs</b>	<b>247,043</b>	<b>261,006</b>	<b>261,006</b>	<b>257,006</b>	<b>-1.5 %</b>
<b>Grant Fund - MCG Expenditures</b>	<b>247,043</b>	<b>261,006</b>	<b>261,006</b>	<b>257,006</b>	<b>-1.5 %</b>
<b>PERSONNEL</b>					
Full-Time	4	4	4	4	—
Part-Time	1	1	1	1	—
FTEs	2.70	2.40	2.40	2.55	6.3 %
<b>REVENUES</b>					
Federal Grants	(48,862)	0	0	0	—
State Grants	295,923	261,006	261,006	257,006	-1.5 %
<b>Grant Fund - MCG Revenues</b>	<b>247,061</b>	<b>261,006</b>	<b>261,006</b>	<b>257,006</b>	<b>-1.5 %</b>
<b>DEPARTMENT TOTALS</b>					
<b>Total Expenditures</b>	<b>19,527,143</b>	<b>21,062,282</b>	<b>20,880,191</b>	<b>22,124,646</b>	<b>5.0 %</b>
<b>Total Full-Time Positions</b>	<b>148</b>	<b>151</b>	<b>151</b>	<b>151</b>	<b>—</b>
<b>Total Part-Time Positions</b>	<b>9</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>—</b>
<b>Total FTEs</b>	<b>153.85</b>	<b>156.25</b>	<b>156.25</b>	<b>156.25</b>	<b>—</b>
<b>Total Revenues</b>	<b>247,417</b>	<b>263,506</b>	<b>261,006</b>	<b>257,006</b>	<b>-2.5 %</b>

### FY24 RECOMMENDED CHANGES

**COUNTY GENERAL FUND**

**FY23 ORIGINAL APPROPRIATION 20,801,276 153.85**

**Other Adjustments (with no service impacts)**

Increase Cost: FY24 Compensation Adjustment	941,470	0.00
Increase Cost: Annualization of FY23 Compensation Increases	884,719	0.00
Increase Cost: Case Management System Maintenance [Administration]	357,850	0.00
Increase Cost: Salary Plan [Circuit Court Prosecution]	95,613	0.00
Increase Cost: Motor Pool Adjustment	21,883	0.00
Increase Cost: Retirement Adjustment	14,319	0.00
Increase Cost: Mandated Salary Adjustment, Section 2-123A(b) [Administration]	6,716	0.00
Increase Cost: Printing and Mail	4,836	0.00
Technical Adj: Shift FTEs to General Fund from Grant Fund- Victims Of Crime Act & Gun Violence Reduction Grants [Administration]	0	0.09
Technical Adj: Shift FTEs to General Fund from Grant Fund- Drug Court Grant [Circuit Court Prosecution]	0	0.03
Technical Adj: Shift FTEs from General Fund to Grant Fund- Victims of Crime Act Grant [Victim/Witness Court Assistance]	0	(0.07)
Technical Adj: Shift FTEs from General Fund to Grant Fund- Violence Against Women Act Grant [District Court Prosecution]	0	(0.20)
Decrease Cost: Annualization of FY23 Personnel Costs	(161,042)	0.00
Decrease Cost: Elimination of One-Time Items Approved in FY23	(1,100,000)	0.00

**FY24 RECOMMENDED 21,867,640 153.70**

**GRANT FUND - MCG**

**FY23 ORIGINAL APPROPRIATION 261,006 2.40**

**Other Adjustments (with no service impacts)**

Technical Adj: Shift FTEs from Grant Fund to General Fund- Victims of Crime Act Grant [Administration]	0	(0.06)
Technical Adj: Shift FTEs from Grant Fund to General Fund- Gun Violence Reduction Grant [Administration]	0	(0.03)
Technical Adj: Shift FTEs to Grant Fund from General Fund- Victims of Crime Act Grant [Victim/Witness Court Assistance]	0	0.07
Technical Adj: Shift FTEs to Grant Fund from General Fund- Violence Against Women Act Grant [District Court Prosecution]	0	0.20
Re-align: Shift FTEs from Grant Fund to General Fund- Drug Court Grant [Circuit Court Prosecution]	(4,000)	(0.03)

**FY24 RECOMMENDED 257,006 2.55**

**PROGRAM SUMMARY**

Program Name	FY23 APPR Expenditures	FY23 APPR FTEs	FY24 REC Expenditures	FY24 REC FTEs
Administration	2,834,047	13.06	2,183,473	12.97
Circuit Court Prosecution	9,123,096	64.75	9,847,608	64.75

## PROGRAM SUMMARY

Program Name	FY23 APPR Expenditures	FY23 APPR FTEs	FY24 REC Expenditures	FY24 REC FTEs
District Court Prosecution	3,043,486	27.13	3,308,013	27.16
District Court Screening and Mediation	1,532,285	13.50	1,748,068	13.50
Juvenile Court Prosecution	2,238,107	17.50	2,484,482	17.50
Major Fraud and Special Investigations	571,588	5.00	545,878	5.00
Prosecution Management	1,134,909	10.00	1,405,699	10.00
Victim/Witness Court Assistance	584,764	5.31	601,425	5.37
<b>Total</b>	<b>21,062,282</b>	<b>156.25</b>	<b>22,124,646</b>	<b>156.25</b>

## CHARGES TO OTHER DEPARTMENTS

Charged Department	Charged Fund	FY23 Total\$	FY23 FTEs	FY24 Total\$	FY24 FTEs
<b>COUNTY GENERAL FUND</b>					
Police	General Fund	168,990	1.00	188,428	1.00

## FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

Title	FY24	FY25	FY26	FY27	FY28	FY29
<b>COUNTY GENERAL FUND</b>						
<b>EXPENDITURES</b>						
<b>FY24 Recommended</b>	<b>21,868</b>	<b>21,868</b>	<b>21,868</b>	<b>21,868</b>	<b>21,868</b>	<b>21,868</b>
No inflation or compensation change is included in outyear projections.						
<b>Labor Contracts</b>	<b>0</b>	<b>514</b>	<b>514</b>	<b>514</b>	<b>514</b>	<b>514</b>
These figures represent the estimated annualized cost of general wage adjustments, service increments, and other negotiated items.						
<b>Subtotal Expenditures</b>	<b>21,868</b>	<b>22,382</b>	<b>22,382</b>	<b>22,382</b>	<b>22,382</b>	<b>22,382</b>

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