



Committee: Public Safety
Staff: Susan J. Farag, Legislative Analyst
Purpose: To make preliminary decisions – straw vote expected
Keywords: #OperatingBudget; StatesAttorney

AGENDA ITEM #10
 May 8, 2023
Worksession

SUBJECT

FY24 Operating Budget: State’s Attorney’s Office

EXPECTED ATTENDEES

John McCarthy, State’s Attorney
 Lisa Russo, State’s Attorney’s Office (SAO)
 Eva Acevedo, Office of Management and Budget (OMB)

FY24 COUNTY EXECUTIVE RECOMMENDATION

FY24 Budget Summary				
	<i>FY22 Actual</i>	<i>FY23 Approved</i>	<i>FY24 Recommended</i>	<i>% Change FY23-FY24</i>
<i>Expenditures by fund</i>				
General Fund	\$19,280,100	\$20,801,276	\$21,867,640	5.13%
Grant Fund	\$247,043	\$261,006	\$257,006	-1.53%
Total Expenditures	\$19,527,143	\$21,062,282	\$22,124,646	5.04%
<i>Positions</i>				
Full-Time	148	151	151	0.00%
Part-Time	9	8	8	0.00%
FTEs	153.9	156.3	156.3	0.00%

COMMITTEE RECOMMENDATIONS

The Committee voted 3-0 to recommend approval of the Recommended FY24 Operating Budget as submitted by the Executive. The Committee’s Recommended Reconciliation List is provided below:

COMMITTEE CHANGES		CHANGES to March 15 Recommendations +/-				
Priority/ High Priority	Description	Personnel Costs	Operating	Capital Outlay	Ongoing/ One Time	FTE
	Reductions					
	Reconciliation List - CE Increases					
High Priority	Case Management System Maintenance		357,850		Ongoing	
	Reconciliation List - Committee					
	Total Committee Changes	0	357,850	0		0.0
	Total Committee Changes	357,850				0.0

SUMMARY OF KEY ISSUES

The FY24 Recommended Operating Budget:

- Adds funding for the maintenance of a new case management system;
- Addresses salary increase for attorneys; and
- Makes several shifts in grant funding to maintain positions.

DISCUSSION POINTS

The \$357,850 covers the first year of maintenance and support for the new system, Prosecutor by Karpel (PbK). This includes warranty, hosting, storage fees, and support for the system. The new system is currently being installed and will be expected to go live near the end of June 2023.

The Committee also received updates on the Truancy Prevention Program as well as the racial equity study on all aspects of the prosecution process. Initial dashboards and the final report are due to be published in the next several months.

This Staff Report Contains:

State's Attorney FY24 Operating Budget Staff Report
 State's Attorney FY24 Recommended Operating Budget

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MEMORANDUM

April 24, 2023

TO: Public Safety Committee

FROM: Susan J. Farag, Legislative Analyst

SUBJECT: FY24 Operating Budget
 State’s Attorney’s Office

PURPOSE: To review and vote on recommendations for Council consideration

Expected Participants:

State’s Attorney John McCarthy
 Lisa Russo, State’s Attorney’s Office (SAO)
 Eva Acevedo, Office of Management and Budget (OMB)

Overview

For FY24, the County Executive recommends total expenditures of \$22,124,646, an increase of \$1,062,364 or 5% from the Approved FY23 Operating Budget.

FY24 Budget Summary				
	<i>FY22 Actual</i>	<i>FY23 Approved</i>	<i>FY24 Recommended</i>	<i>% Change FY23-FY24</i>
<i>Expenditures by fund</i>				
General Fund	\$19,280,100	\$20,801,276	\$21,867,640	5.13%
Grant Fund	\$247,043	\$261,006	\$257,006	-1.53%
Total Expenditures	\$19,527,143	\$21,062,282	\$22,124,646	5.04%
<i>Positions</i>				
Full-Time	148	151	151	0.00%
Part-Time	9	8	8	0.00%
FTEs	153.9	156.3	156.3	0.00%

The increase comes from the following changes with service impacts and same service adjustments:

Identified Same Service Adjustments	
Increase Cost: FY24 Compensation Adjustment	\$941,470
Increase Cost: Annualization of FY23 Compensation Increases	\$884,719
Increase Cost: Case Mgt. System Maintenance	\$357,850
Increase Cost: Salary Plan	\$95,613
Increase Cost: Motor Pool Adjustment	\$21,883
Increase Cost: Retirement Adjustment	\$14,319
Increase Cost: Mandated Salary Adjustment §2-123A(b)	\$6,716
Increase Cost: Printing and Mail	\$4,836
Total Increases:	\$2,327,406
Decrease Cost: Annualization of FY23 Personnel Costs	(\$161,042)
Decrease Cost: Elimination of One-Time Items Approved in FY23	(\$1,100,000)
Re-align: Shift FTEs from Grant Fund to General Fund	(\$4,000)
Total Decreases:	(\$1,265,042)
Net Same Services Adjustment Total:	\$1,062,364

FY24 Expenditure Issues

Case Management Maintenance (\$357,850)

Elimination of One-Time Items Approved in FY23 (-\$1.1 million)

Last year, the Council approved funding to replace the SAOs outdated, unsupported case management system, Justware. The vendor of the old system had stopped supported the project, and a system failure could significantly impact the daily operations of the office, and even negatively impact case prosecution. The new system was estimated to cost \$1.1 million, and ongoing costs would provide application and user hosting, software maintenance and support, cloud storage, and disaster recovery options.

The \$357,850 covers the first year of maintenance and support for the new system, Prosecutor by Karpel (PbK). This includes warranty, hosting, storage fees, and support for the system. The new system is currently being installed and will be expected to go live near the end of June 2023.

The elimination of one-time items approved in FY23 reflects the one-time cost of the new case management system.

Salary Plan (\$95,613)

This increase reflects the cost of promoting eligible attorneys according to a salary plan approved by Council in FY14. The amount varies year to year based on the number of attorneys eligible for promotion. The office is currently performing a compensation study to determine if SAO salaries are in line with surrounding jurisdictions. The study should be completed in early summer. In 2022, the Office lost 16 attorneys, or 20% of all attorney staff.

Mandated Salary Adjustment (\$6,716)

This increase reflects the statutorily mandated increase for the State's Attorney.

Shifts of Partial FTEs from Grant to General Fund

The recommended budget shifts a variety of partial FTEs between grant and general funds.

Victims of Violent Crime Act (VOCA) Grant: This grant provides partial funding for two full time victim witness coordinators. While the award has not changed since the office first received funding, the grantor will not accept requests for increased funding. Due to general compensation increases, the associated FTEs must be shifted from grant to general funds.

Violence Against Women Act (VAWA) Grant: This grant funds a domestic violence prosecutor. The Office must also shift a portion of the FTE from this grant to the general fund to cover compensation increases.

Gun Violence Reduction Grant: The GVRG grant funds most of the personnel costs associated with a Legal Assistant position to prepare district Court firearms cases for court. Again, due to compensation increases, a portion of the funding for this FTE is shifting to the general fund.

Drug Court Grant: Funding has been reduced from \$22,000 to \$18,000 to partially fund a prosecutor in the Drug Court, and a portion of this FTE has been shifted to the general fund. This shift reflects a reduction of \$4,000 grand funding.

Truancy Prevention Program Update

The SAO started this program in 2010, with the goal of reducing absenteeism in middle school by addressing each individual student's unique academic, school, personal, and family-related factors. The program¹ is voluntary and is designed to keep kids in school and families out of court.

Initially, the program included two middle schools. It has expanded over the years to provide programming at 18 middle schools, one high school, and ultimately would like to expand to all middle and high schools in the County.

The State's Attorney advises that the current program is at full capacity in relation to staffing but would like to expand to provide the program at the rest of the middle schools, and high schools. About 39,000 MCPS students, almost one quarter of all students, have been chronically absent during the current school year. This spring, there are 160 students participating in the program.

¹ [Truancy Prevention Program](#)

2022-2023 Percentage of Chronically Absent Students	%
High School	29%
Middle School	20%
Elementary School	21%
Pre K	46%

Council Staff Recommendation

This year, the Committees are placing all tax-supported increases in the CE’s FY24 Recommended Operating Budget on the Reconciliation List, and Committees are recommending that all items should be categorized as either “High Priority” or “Priority.” If Committees choose to not fund specific items, those reductions are also placed on the Reconciliation List.

Council staff advises that all CE recommended increases are compensation-related or ongoing contracts. Council staff recommends approval of the budget as submitted by the Executive.

This Staff Report Contains

FY24 Recommended State’s Attorney Operating Budget	1-8
State’s Attorney’s Responses to Questions	9-12



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
FY23 Approved	2,834,047	13.06
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)
FY24 Recommended	2,183,473	12.97

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
FY23 Approved	9,123,096	64.75
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
FY24 Recommended	9,847,608	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.

FY24 Recommended Changes	Expenditures	FTEs
FY23 Approved	3,043,486	27.13
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
FY24 Recommended	3,308,013	27.16

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
FY23 Approved	1,532,285	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.	215,783	0.00
FY24 Recommended	1,748,068	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.

FY24 Recommended Changes	Expenditures	FTEs
FY23 Approved	2,238,107	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.	246,375	0.00
FY24 Recommended	2,484,482	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.

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

FY24 Recommended Changes	Expenditures	FTEs
FY23 Approved	1,134,909	10.00
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
FY24 Recommended	1,405,699	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.

FY24 Recommended Changes	Expenditures	FTEs
FY23 Approved	584,764	5.31
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
FY24 Recommended	601,425	5.37

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
EXPENDITURES					
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 %
County General Fund Personnel Costs	18,526,469	18,916,613	19,121,617	20,698,408	9.4 %
Operating Expenses	746,476	1,884,663	1,497,568	1,169,232	-38.0 %
Capital Outlay	7,155	0	0	0	—
County General Fund Expenditures	19,280,100	20,801,276	20,619,185	21,867,640	5.1 %
PERSONNEL					
Full-Time	144	147	147	147	—
Part-Time	8	7	7	7	—
FTEs	151.15	153.85	153.85	153.70	-0.1 %
REVENUES					
Other Charges/Fees	0	2,500	0	0	-100.0 %
Miscellaneous Revenues	356	0	0	0	—
County General Fund Revenues	356	2,500	0	0	-100.0 %
GRANT FUND - MCG					
EXPENDITURES					
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 %
Grant Fund - MCG Personnel Costs	247,043	261,006	261,006	257,006	-1.5 %
Grant Fund - MCG Expenditures	247,043	261,006	261,006	257,006	-1.5 %
PERSONNEL					
Full-Time	4	4	4	4	—
Part-Time	1	1	1	1	—
FTEs	2.70	2.40	2.40	2.55	6.3 %
REVENUES					
Federal Grants	(48,862)	0	0	0	—
State Grants	295,923	261,006	261,006	257,006	-1.5 %
Grant Fund - MCG Revenues	247,061	261,006	261,006	257,006	-1.5 %
DEPARTMENT TOTALS					
Total Expenditures	19,527,143	21,062,282	20,880,191	22,124,646	5.0 %
Total Full-Time Positions	148	151	151	151	—
Total Part-Time Positions	9	8	8	8	—
Total FTEs	153.85	156.25	156.25	156.25	—
Total Revenues	247,417	263,506	261,006	257,006	-2.5 %

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
Total	21,062,282	156.25	22,124,646	156.25

CHARGES TO OTHER DEPARTMENTS

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

FUNDING PARAMETER ITEMS

CE RECOMMENDED (\$000S)

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

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- 1. Please provide a bit of background on the case management system maintenance for \$357,850. I know you replaced your old case management system and had indicated that ongoing costs would be about \$450,000. Is that annually? And if so, this year's request is lower. What exactly does it cover?**

The \$357,850 covers the first year of maintenance and support for the new system, Prosecutor by Karpel (PbK). This includes warranty, hosting, storage fees and support for the system. The amount will adjust annually according to the contract. It also covers software upgrades, support for users during normal business hours, technical support and program enhancements. The new system is currently being installed for a go live date near the end of June, 2023.

- 2. Please provide background on the \$95,613 increase for your salary plan. Is this for Assistant State's Attorney's? Do you have a copy of the salary plan?**

This amount represents the cost to promote eligible attorneys according to the plan which Council approved in FY14. The summary of the program is outlined below. The amount varies from year to year based on the number of attorneys eligible for promotion. The promotion is based upon successful performance, not just time in grade. We promote to the minimum salary of the appropriate grade. We are currently performing a compensation study to determine if SAO salaries are in line with surrounding jurisdictions. This study should be completed in early summer. This study was undertaken because we have experienced large turnover in the office, especially with attorney staff. In 2022 we lost sixteen attorneys, which is 20% of our attorney staff. Below is a description of the plan.

An attorney is hired as an ASA I and remains an ASA I until the beginning of year three of employment (successful completion of two full years of service) at which time they are promoted to ASA II. The attorney remains an ASA II until the beginning of year five (successful completion of four years of service) when promotion to ASA III occurs. Promotion to ASA IV or ASA V remains at the discretion of the State's Attorney.

- 3. You are shifting some partial FTEs from grant funding to general funding. Please provide a description of these grants (i.e. total award reductions, potential future funding impacts, etc.).**

The VOCA grant provides partial funding for two FT victim witness coordinators. The award has remained unchanged since we were awarded funding, but the grantor has not entertained requests for increased funding. Employee compensation increases necessitate moving the FTEs from the grant fund to the general fund. We do not anticipate this grant funding ceasing, but we will need to shift small amounts of FTEs over to the general fund for the foreseeable future.

Our VAWA/STOP grant funds a domestic violence prosecutor. We have had this grant for well over a decade and funding has remained stable. The situation is similar to VOCA, where we must shift a portion of the FTEs from the grant to the general fund to cover compensation increases.

The office for a number of years has had a grant for a Legal Assistant to prepare District Court firearms cases for court. This grant, Gun Violence Reduction Grant (GVRG) funds most of the personnel costs associated with the position, but we do have to reallocate a small portion to the general fund to cover compensation increases. The funding has remained stable and due to the increased focus on firearms, the office does not believe funding will end without the grantor finding another program to fund the position.

For many years, the office has partially funded a prosecutor to assist in Drug Court. This year the funding was reduced from \$22,000 in FY23 to \$18,000. This program has been reducing the award amount annually for the past few years. Should funding cease altogether, we would ask Council to fund this important position in our office. Drug Court is a highly successful program. The FTE shift for this year was a combination of a reduced funding award and increased personnel costs.

4. Please provide an update on the status of the external racial equity study you are performing. When will that be ready for publication?

We have a preliminary report and are actively working with Prosecutor Performance Indicators (PPI) on the dashboard. We applied for and received grant funding for a research analyst to assist with the dashboard. The analyst begins on April 10th. We are within a couple months of getting some information out but do not know if it will be in the form of a report or dashboard. We do not know when the final report will be published, as that is under exclusive control of PPI.

5. Please provide an update on the Truancy Prevention Program, including current staffing (and vacancies), schools covered, and number of students who have participated over the past two years (I assume it was not functioning during COVID). There is growing concern about increased truancy in general and I wondered if/how it is impacting your program and needs.

Currently Truancy Prevention Program is at full capacity in its staff to school ratio but would like to expand to provide the program in more schools, including high schools. This semester we are piloting a program in a high school for the first time at Northwood High per their request to help them with their truancy issues.

MONTGOMERY COUNTY ABSENTEEISM STATS BELOW:

Almost **1 in 4** MCPS Students (24.18%) have been chronically absent during the 2022-2023 school year.

<u>Level</u>	<u>2022-2023 Percentage of Chronically Absent</u>
<u>High School</u>	<u>29.33%</u>

<u>Middle School</u>	<u>19.64%</u>
<u>Elementary School (Excluding Pre-k)</u>	<u>21.05%</u>
<u>(Pre-K)</u>	<u>45.56%</u>

2022-2023 School Year (Through 12/22/22) – 39,082 students chronically absent (24.18%)

TPP Staff:

- 1 full-time Director
- 3 full-time Site Coordinators
- 4 Facilitators who work part-time on TPP and part-time on Community Outreach initiatives
- 1 full-time Volunteer Coordinator - AmeriCorp Volunteer
- 20 volunteer mentors
- No current vacancies

Current Schools: 18 total

Current Middle Schools:

- Briggs Chaney
- Clemente
- Gaithersburg
- Martin Luther King, Jr.
- Sligo
- Eastern
- Francis Scott Key
- Parkland
- Wood
- Silver Spring International
- Rosa Parks
- Argyle
- Forest Oak
- Loiederman
- Montgomery Village
- Banneker
- Neelsville

Current High School:

- Northwood

Number of Student Participants:

	No. of Schools	No. of Student Participants
Spring 2023	18	160
FALL 2022	17	133
SPRING 2022	17	145
FALL 2021	17	112
SPRING 2021	No TTP Due to COVID	
FALL 2020	No TTP Due to COVID	
SPRING 2020	18	140
FALL 2019	18	141
SPRING 2019	18	144
FALL 2018	18	158