

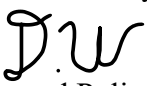


April 29, 2024

MEMORANDUM

TO: Wanika B. Fisher, Chair
Health, Human Services and Public Safety (HHSPS) Committee

THRU: Joseph R. Hamlin 
Director of Budget and Policy Analysis

FROM: David Williams 
Legislative Budget and Policy Analyst

RE: Office of the State's Attorney
Fiscal Year 2025 Budget Review

Budget Overview

- The FY 2025 Proposed Budget for the Office of the State's Attorney is \$28,576,500. This is an increase of \$818,600 or 2.9% above the FY 2024 approved budget.
- The FY 2025 General Fund budget is \$26,034,100, an increase of \$727,600 or 2.9% over the FY 2024 approved budget.
- The primary causes for the increase are mandated salary adjustments and funded vacancies, increases in fringe benefits, and OIT charges.
- The primary fund sources for the grant-based portion are the Prince George's Strategic Investigation and Charging Unit and the Victim Advocacy Grant. Grant fund increases came from the Vehicle Theft Prevention Program, the Special United States Attorney's Office, and the Gun Violence Reduction Initiative.

Approved FY 2024 Budget to Proposed 2025 Budget

Fund	FY 2023 Actual	FY 2024 Approved	FY 2024 Estimate	% Change - Est vs App	FY 2025 Proposed	Change Amount	% Change
General Fund	\$22,199,254	\$25,306,500	\$ 25,492,200	0.7%	\$ 26,034,100	\$ 727,600	2.9%
Grant Funds	1,997,248	2,451,400	2,135,600	-12.9%	2,542,400	91,000	3.7%
Total	\$ 24,196,502	\$ 27,757,900	\$ 27,627,800	-0.5%	\$ 28,576,500	\$ 818,600	2.9%

Authorized Staffing - All Classifications				
	FY 2024 Approved	FY 2025 Proposed	Amount Change	% Change
General Fund	198	198	0	0.0%
Grant Funds	32	29	-3	-9.4%
Total	230	227	(3)	-1.3%

Budget Comparison-General Fund

Category	FY 2023 Actual	FY 2024 Approved	FY 2024 Estimate	FY 2025 Proposed	Change Amount	Percentage Change
Compensation	\$ 15,541,354	\$ 17,039,500	\$ 17,208,000	\$ 17,286,800	\$ 247,300	1.5%
Fringe Benefits	4,075,812	5,878,800	5,850,700	6,050,400	171,600	2.9%
Operating Expenses	2,636,341	2,604,000	2,649,300	2,754,700	150,700	5.8%
Sub-Total	\$ 22,253,507	\$ 25,522,300	\$ 25,708,000	\$ 26,091,900	\$ 569,600	2.2%
Recoveries	54,253	215,800	215,800	57,800	(158,000)	-73.2%
Total	\$ 22,307,760	\$ 25,738,100	\$ 25,923,800	\$ 26,149,700	\$ 411,600	1.6%

Authorized Staffing - General Fund				
	FY 2024 Approved	FY 2025 Proposed	Amount Change	% Change
Full-Time	193	193	0	0.0%
Part-Time	5	5	0	0%
Total	198	198	0	0.0%

Staffing Changes and Compensation-General Fund

- FY 2025 compensation is proposed at \$17,286,800, an increase of \$247,300 or 1.5% above the FY 2024 approved level. The increase is due to the annualization of FY 2024 salary adjustments and funded vacancies offset by budgeted attrition.
- The Proposed FY 2025 General Fund Budget authorized staffing level is 193 full-time and five (5) part-time positions, representing zero change since FY 2024.
- There are no new support staff positions proposed, and the Office does not plan to make any organizational changes or modifications in FY 2024.
- As of April 1, 2024, there were 11 full-time vacancies and 0 limited-term vacancies.

- There are two vacant positions that the County Executive is recommending be left vacant and unfunded in FY 2025 as part of the County's cost savings plan.

Fringe Benefits – General Fund

- The FY 2025 fringe benefits are proposed at \$6,050,400, an increase of \$171,600 or 2.9% above the FY 2024 budget due to an increase in compensation adjustments.
- A five-year trend analysis of fringe benefit expenditures is included below:

	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimate	FY 2025 Proposed
Fringe Benefit Expenditures	\$ 4,274,064	\$ 4,139,640	\$ 4,075,812	\$ 5,850,700	\$ 6,050,400
As a % of Compensation	33.1%	31.0%	26.2%	34.0%	35.0%
Compensation	\$ 12,910,471	\$13,348,437	\$ 15,541,354	\$ 17,208,000	\$17,286,800
Annual % Change		-3.1%	-1.5%	43.5%	3.4%

Operating Expenses

In FY 2025, the operating expenses are proposed at \$2,754,700 and consist of the following major items:

❖ Office Automation:	\$1,524,200
❖ Miscellaneous:	\$ 325,000
❖ General and Administrative Contracts:	\$ 154,300
❖ Operating Contracts:	\$ 150,077

- Operating expenses are expected to increase by \$150,700 or 5.8% above the FY 2024 approved budget.
- The accompanying table compares the FY 2025 Proposed Budget operating expenditures with the FY 2024 (Budget operating expenditures. In five (5) of the categories, the FY 2025 proposed budget decreases planned spending from the FY 2024 Approved level. In six (6) of the categories, the FY 2025 Proposed Budget level increases compared to the FY 2024 approved level.

Operating Expenses	FY 2024 Budget	FY 2025 Proposed	FY 2024 - FY 2025	
			\$ Change	% Change
Miscellaneous	\$ 270,000	\$ 325,000	\$ 55,000	20.4%
Office Automation	1,445,500	1,524,200	78,700	5.4%
Printing	23,800	16,300	(7,500)	-31.5%
Vehicle Equipment Repair/Maintenance	90,000	102,700	12,700	14.1%
Gas and Oil	40,000	40,000	-	0.0%
General Office Supplies	100,000	74,000	(26,000)	-26%
Membership Fees	18,000	20,000	2,000	11.1%
Mileage Reimbursement	2,000	1,000	(1,000)	-50.0%
Office and Operating Equipment Non-Capital	56,000	56,000	-	0%
Periodicals	44,900	44,900	-	0%
Telephone	89,500	78,500	(11,000)	-12.3%
Travel: Non-Training	30,000	-	(30,000)	-100%
Advertisements	-	-	-	0.0%
Training	30,500	82,700	52,200	171%
Equipment Lease	5,000	5,000	-	0.0%
Operating Contracts	223,800	150,077	(73,723)	-32.9%
Operating	-	50,000	50,000	100%
General & Administrative Contracts	135,000	154,300	19,300	14%
TOTAL	\$ 2,604,000	\$2,724,677	\$ 120,677	4.6%

- The most significant increase between the FY 2025 Proposed Budget and the FY 2024 Approved Budget is in the Office Automation category, with an increase of \$78,700 or 5.4%. This is the result of a Countywide increase.
- The most significant decrease between the FY 2025 Proposed Budget and the FY 2024 Approved Budget is in the Operating Contracts category, with a decrease of \$73,723 or -32.9%.

Recoveries

In FY 2025, recoveries are proposed at \$57,800 a decrease of -73.2% below the FY 2024 Approved Budget level. The origins of the decrease are the elimination of funding from the Drug Enforcement and Education Fund, the Maryland Criminal Intelligence Network (MCIN) and the Circuit Court's Office of the Problem Solving Court recoveries. The accompanying table compares the FY 2025 Proposed Budget recoveries with the FY 2024 Approved Budget Recoveries.

Recoveries, FY 2023, FY 2024 and FY 2025				
Description	FY 2023 Actual	FY 2024 Budget	FY 2024 Estimate	FY 2025 Proposed
Asset Forfeiture Fund	\$ -	\$ 57,800	\$ 57,700	\$ 57,800
Office of Problem Solving Court (OPSC)	\$54,253	\$57,700	57,800	-
Maryland Crime Intelligence Network (MCIN)	\$0	\$100,300	\$100,300	-
TOTAL	\$ 54,253	\$ 215,800	\$ 215,800	\$ 57,800

Highlights

Workload/Performance Trends

- The key workload indicator for the Office is the number of cases assigned to prosecutors. This number varies depending on staffing, crime trends, and budgetary realities.
- Assistant States Attorneys (ASAs) are assigned criminal and incarcerable traffic dockets based upon scheduling by the District Court. In January 2024, 1,600 defendants were scheduled for incarcerable traffic cases, of which 243 defendants were charged with alcohol-related driving citations. There were 900 defendants scheduled for criminal cases, 120 defendants scheduled in the Circuit Court after an appeal from a District Court guilty finding or a jury demand filed in a District Court case, and more than 650 miscellaneous cases scheduled – violations of probation in both District Court and Circuit Court, citations, and reconsiderations in both Circuit Court and District Court.
- Per Judicial Dialog (the SAO’s Case Management System), the Office had 38,530 traffic cases in 2023 where at least one incarcerable traffic citation was issued. In addition, there were about 18,000 criminal cases in 2023.
- The Major Crimes Unit has 12 ASAs servicing 558 indicted cases. While the standard Case load is 30 per ASA, all of the ASAs have more than 30 cases, and seven (7) have 48 or more. That’s 160% more cases than standard. One (1) ASA has almost double the standard number of cases at 59 (197%). SVU has 6 ASAs servicing 347 indicted cases. While the standard Case load is 30 per ASA, all of the ASAs have more than 30 cases. One (1) ASA is doing the work of almost 2.5 ASAs and another is doing the work of almost three (3). The average number of cases is almost double the standard (58 vs 30).
- The Homicide Unit has eight (8) ASAs servicing 158 indicted cases. While the standard Case load is 12 per ASA, all of the ASAs have more than 12 cases, with two (2) more than double the standard. The average # of Cases is 65% more than the standard (20 vs 12).

The Homicide Unit is staffed with a Chief, Assistant Chief, and 5 ASAs. The ASAs current caseloads range from 20-35. The recommended caseload per ASA is 12 cases. The Office is

still dealing with the effects of COVID 19 with handling the backlog of complex criminal cases with over 110 homicide cases in 2022 and 2023. The Office recommends a staffing element of 10 ASAs with a Chief and Assistant Chief. The Office recommends salaries in the \$150,000 range to retain experienced trial attorneys.

- Youth Justice Unit –The number of ASAs was increased from four (4) to five (5) in May of 2023. The Office anticipates increasing the number of ASAs in FY 2025 to prioritize truancy. The unit anticipates a need for additional administrative staff. In 2023 the unit petitioned 779 cases.

Diversion Programs

- The Office provided the following information regarding participation in diversion programs:

Circuit Court

The Back on Track program is a pre-prosecution diversion program for first-time drug traffickers. The program is a 12-18 program that requires a guilty plea and program participation is a condition of probation.

Back on Track: There are currently 23 participants in Back on Track. For FY23 and FY24, the numbers have remained steady at 20-25 participants. The SAO has requested funding from the Problem-Solving Courts for a full-time case manager. Until such time as a case manager is hired, the numbers in the program will remain just under 30.

Information Technology

- The SAO has identified a digital evidence system that they believe will meet the current need from NICE Justice¹. The Office has negotiated a contract that will use a portion of the \$500,000 Congressional Directed Funds grants. The contract is awaiting OCS approval. Installment of the system is anticipated to take 4-6 months. The Office expects this system to optimize the collection and processing digital evidence.
- The NICE system stores digital evidence with Microsoft Azure. The new proposed contract provides unlimited space for a specific number of cases. The Office will also have the ability to remove digital evidence from the system.

Facilities

- The SAO has not acquired or relocated to any new facilities in FY2024. There are no plans to acquire or relocate in FY25.

¹ <https://www.nicepublicsafety.com/>

- The Hyattsville Office is used by District Court ASAs when they have court business at the Hyattsville Courthouse.
- The Grand Jury Unit, comprised of eight (8) ASAs and two (2) support staff, along with the entire complement of eleven (11) Investigators, are housed in the CAB (Upper Marlboro space).

Budget Comparison-Grants

Approved FY 2024 to Proposed FY 2025 – Grants

Category	FY 2023 Actual	FY 2024 Approved	FY 2024 Estimate	FY 2025 Proposed	Change Amount	Percentage Change
Compensation	\$ 1,303,299	\$ 1,897,200	\$ 1,428,400	\$1,948,800	\$51,600	2.7%
Fringe Benefits	132,048	206,900	129,700	240,500	33,600	16.2%
Operating Expenses	611,071	423,500	653,700	429,300	5,800	1.4%
Total	\$ 2,046,418	\$ 2,527,600	\$ 2,211,800	\$2,618,600	\$91,000	3.6%

Authorized Staffing Count - Grants				
	FY 2024 Approved	FY 2025 Proposed	Change Amount	Percentage Change
Limited Term	32	29	(3)	-9.4%
Total	32	29	(3)	-9.4%

Grant Highlights

- In FY 2025, the proposed Grant Fund is \$2,524,400, an increase of \$91,000 or 3.6% above the FY 2024 Approved Budget. This increase is due to the additional funds from the Prince George's Strategic Investigation and Charging Unit and Victim Advocacy (VOCA) Grant.
- The Office's FY 2025 proposed grant-funded staffing includes 29 limited term positions, which is three fewer than in FY 2024.
- The Office's proposed major grants for FY 2024 are as follows:
 - Prince George's Strategic Investigation and Charging Unit (\$1,145,600)- The Governor's Office of Crime Prevention, Youth, and Victim Services provides funding for the existing Strategic Investigation Unit which aims to prosecute and imprison violent, repeat and chronic offenders.

- Victim Advocacy Grant (\$822,800)- The Governor's Office of Crime Prevention, Youth, and Victim Services, provides funding to assist in developing and implementing strategies specifically intended to aid domestic violence victims in Prince George's County, Maryland. The program focuses on providing Supportive Assistance and Financial Empowerment (SAFE) solutions to battered individuals and victims of crime. Victims are linked with advocates/coordinators that advise them of their rights and provide supportive assistance throughout the legal process.
- Vehicle Theft Prevention Program (\$189,000)- The Maryland Department of State Police Vehicle Theft Prevention Council provides support to the agency's effort to focus on auto theft cases from the initial apprehension of suspects by police, through pre-trial preparation, victim contact and screening cases for the Circuit Court, to trial and sentencing. Funding supports two limited term grant funded positions: (1) Assistant State's Attorney and (1) Legal Assistant.
- Special Assistant United States Attorney (SAUSA)- \$108,000- The Governor's Office of Crime Prevention, Youth and Victim Services provides funding in support of the investigation and prosecution of violent crime in Prince George's County through an assistant state's attorney cross-designated as an Assistant United States Attorney in the United States Attorney's Office (USAO). This position will work to address violent repeat offenders and criminal organizations involved in illegal drugs and firearms trafficking.