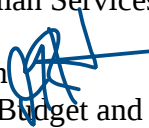




April 17, 2023

MEMORANDUM

TO: Krystal Oriadha, Chair
Health, Human Services and Public Safety (HHSPS) Committee

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: David Williams 
Legislative Budget and Policy Analyst

RE: Office of the State's Attorney
Fiscal Year 2024 Budget Review

Budget Overview

- The FY 2024 Proposed Budget for the Office of the State's Attorney is \$27,257,900. This is an increase of \$2,562,100 or 10.4% above the FY 2023 approved budget.
- The FY 2024 General Fund budget is \$24,806,500, an increase of \$2,539,200 or 11.4% over the FY 2023 approved budget.
- The primary causes for the increase are salary adjustments, new funding for six new Assistant State's Attorney (ASA) positions, fringe benefits, and mandated OIT technology charges.
- The grant budget is \$2,451,400, an increase of \$22,900, 0.9% over the FY 2023 approved budget.
- The primary fund sources for the grant-based portion are the Prince George's Strategic Investigation and Charging Unit and the Victim Advocacy Grant. The increase was due to the addition of a grant from the Stop Violence Against Women organization.

Approved FY 2023 Budget to Proposed FY 2024 Budget

Fund	FY 2022 Actual	FY 2023 Approved	FY 2023 Estimate	% Change - Est vs App	FY 2024 Proposed	Change Amount	% Change
General Fund	\$19,793,317	\$22,267,300	\$ 22,125,300	-0.6%	\$ 24,806,500	\$ 2,539,200	11.4%
Grant Funds	1,921,883	2,428,500	2,278,200	-6.2%	2,451,400	22,900	0.9%
Total	\$ 21,715,200	\$ 24,695,800	\$ 24,403,500	-1.2%	\$ 27,257,900	\$ 2,562,100	10.4%

Authorized Staffing - All Classifications

	FY 2023 Approved	FY 2024 Proposed	Amount Change	% Change
General Fund	187	193	6	3.2%
Grant Funds	34	32	-2	-5.9%
Total	221	225	4	1.8%

Budget Comparison-General Fund

Approved FY 2023 Budget to Proposed FY 2024 General Fund

Category	FY 2022 Actual	FY 2023 Approved	FY 2023 Estimate	FY 2024 Proposed	Change Amount	Percentage Change
Compensation	\$ 13,348,437	\$ 14,712,400	\$ 14,714,700	\$ 16,663,100	\$ 1,950,700	13.3%
Fringe Benefits	4,139,640	5,266,000	4,821,000	5,755,200	489,200	9.3%
Operating Expenses	2,305,240	2,403,800	2,669,600	2,604,000	200,200	8.3%
Sub-Total	\$ 19,793,317	\$ 22,382,200	\$ 22,205,300	\$ 25,022,300	\$ 2,640,100	11.8%
Recoveries	0	(114,900)	(80,000)	(215,800)	(100,900)	87.8%
Total	\$ 19,793,317	\$ 22,267,300	\$ 22,125,300	\$ 24,806,500	\$ 2,539,200	11.4%

Authorized Staffing - General Fund

	FY 2023 Approved	FY 2024 Proposed	Amount Change	% Change
Full-Time	182	188	6	3.3%
Part-Time	5	5	0	0%
Total	187	193	6	3.2%

Staffing Changes and Compensation-General Fund

- FY 2024 compensation is proposed at \$16,663,100, an increase of \$1,950,700 or 13.3% above the FY 2023 approved level. The increase is due to annual salary adjustments, staff attrition and the addition of six (6) new Assistant District Attorney positions.

- The Proposed FY 2024 General Fund Budget authorized staffing level is 188 full-time and five (5) part-time positions, which is an increase of six positions from FY 2023.
- 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 March 15, 2023, there were 21 listed full-time and 11 limited-term vacancies.
- The Office has a two-person Human Resources team that identifies and hires candidates for the exempt positions in the Office: all Assistant State’s Attorney, Legal Assistants, Community Developers, and grant employees. The team’s goal is to maintain a vacancy rate below 10%.
- The Office projects a \$25,000 expense for overtime, which is included in the proposed FY 2024 Budget.

Fringe Benefits – General Fund

- The FY 2024 fringe benefits are proposed at \$5,755,200, an increase of \$489,200 or 9.3% above the FY 2023 budget due to an increase in compensation adjustments.
- A five-year trend analysis of fringe benefit expenditures is included below:

	FY 2020 Actual	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimate	FY 2024 Proposed
Fringe Benefit Expenditures	\$ 3,964,998	\$ 4,274,064	\$ 4,139,640	\$ 4,821,000	\$ 5,755,200
As a % of Compensation	32.0%	33.1%	31.0%	32.8%	34.5%
Annual % Change		7.8%	-3.1%	16.5%	19.4%

Operating Expenses

In FY 2024, the operating expenses are proposed at \$2,604,000 and consist of the following major items:

❖ Office Automation:	\$1,445,500
❖ Miscellaneous:	\$ 270,000
❖ Operating Contracts:	\$ 223,800
❖ General and Administrative Contracts:	\$ 135,000

- Operating expenses are expected to increase by \$200,200 or 8.3% above the FY 2023 approved budget.

- The accompanying table compares the FY 2024 Proposed Budget operating expenditures with the FY 2023 (Budget operating expenditures. In five (5) of the categories, the FY 2024 proposed budget decreases planned spending from the FY 2023 Approved level. In seven (7) of the categories, the FY 2024 Proposed Budget level remains unchanged compared to the FY 2023 approved level.

Operating Expenses	FY 2023 Budget	FY 2024 Proposed	FY 2022 - FY 2023	
			\$ Change	% Change
Miscellaneous	\$ 223,100	\$ 270,000	\$ 46,900	21.0%
Office Automation	1,268,300	1,445,500	177,200	14.0%
Printing	24,800	23,800	(1,000)	-4.0%
Vehicle Equipment Repair/Maintenance	89,900	90,000	100	0.1%
Gas and Oil	33,000	40,000	7,000	21.2%
General Office Supplies	100,000	100,000	-	0%
Membership Fees	18,000	18,000	-	0%
Mileage Reimbursement	2,500	2,000	(500)	-20.0%
Office and Operating Equipment Non-Capital	56,000	56,000	-	0%
Periodicals	44,900	44,900	-	0%
Telephone	69,000	89,500	20,500	29.7%
Travel: Non-Training	30,000	30,000	-	0%
Advertisements	-	-	-	0.0%
Training	30,500	30,500	-	0%
Equipment Lease	25,000	5,000	(20,000)	-80.0%
Operating Contracts	253,800	223,800	(30,000)	-11.8%
General & Administrative Contracts	135,000	135,000	-	0%
TOTAL	\$ 2,403,800	\$2,604,000	\$ 200,200	8.3%

- The most significant increase between the FY 2024 Proposed Budget and the FY 2023 Approved Budget is in the Office Automation category with an increase of \$177,200 or 14%. This is the result of a countywide increase.
- The most significant decrease between the FY 2024 Proposed Budget and the FY 2023 Approved Budget is in the Operating Contracts category with a decrease of \$30,000 or 11.8%.

Recoveries

- In FY 2024, recoveries are proposed at \$215,800 an increase of 87.8% above the FY 2023 Approved Budget level. The origins of the increase are from the Drug Enforcement and Education Fund's Asset Forfeiture Fund, the Maryland Criminal Intelligence Network (MCIN) - Police Grant, and the Office of Problem-Solving Court. The accompanying table compares the FY 2024 Proposed Budget recoveries with the FY 2023 Approved Budget Recoveries.

Recoveries, FY 2022, FY 2023 and FY 2024				
Description	FY 2022 Actual	FY 2023 Budget	FY 2023 Estimate	FY 2024 Proposed
Asset Forfeiture Fund	\$ -	\$ -	\$ 22,300	\$ 57,800
Office of Problem Solving Court (OPSC)	\$0	\$0	57,700	57,700
Maryland Crime Intelligence Network (MCIN)	\$0	\$0	\$0	100,300
TOTAL	\$ -	\$ -	\$ 80,000	\$ 215,800

Highlights

Workload/Performance Trends

- The lockdown protocols of the COVID-19 pandemic resulted in the postponement of jury trials creating a substantial backlog from 2020 through 2022. As of March 15, 2023, the Office as indicted 579 cases during the first two months of 2023 and anticipate 3,400 cases for the calendar year. Staff turnover has caused increased workloads for all remaining staff and maintaining a consistent hiring effort to eliminate vacancies creates additional agency strain.
- The Office expects criminal, domestic violence, and traffic filings to be consistent going forward with the most recently reported numbers for the County from 2021: 12,333 criminal filings; 7,034 domestic violence filings; and 40,984 traffic filings.
- The Office has received funding for six (6) additional Assistant State's Attorney positions to combat the increasing workload brought on by rising crime rates and to tackle the backlog that remains from the pandemic.
- The Office is also charged with handling circuit court cases via their District Court unit and over 1400 such cases were handled in the current fiscal year. The Office also handles Juvenile Court cases via the Juvenile Justice Unit.
- As of March 2023, the Public Integrity Unit has received 14 cases, a decrease of 42 cases from FY 2022. The Strategic Investigations Unit has received 70 cases, a decrease of 55 from FY 2022.
- The Discovery Unit has experienced an increase in workload demands due to rapid deployment of body-worn cameras, and other surveillance equipment. These materials require editing and preparation for trial use and are pushing the storage capacity of the Office to exhaustion. The Office is working with the Office of Information Technology (OIT) for additional storage space, and they plan to implement a new digital evidence system to assist with the growing workload.

Diversion Programs

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

- Circuit Court program participation for FY 2023 YTD is in line with FY 2022 participation, with an increase in the Back on Track Program.
 District Court program participation appears to have declined. Council staff has sought clarification in a follow-up question but has not received a response as of the finalization of this memorandum.

Information Technology

- The Office is currently working on a new digital evidence system that will aid in the retrieval and storage of digital evidence. Additionally, the Office is working on a new case management system to process requests for evidence.
- The Office is currently coordinating with OIT to acquire additional storage space and install the Digital Evidence System to reduce reliance on OIT for additional space and rely on cloud-based software for storage concerns.

Facilities

- Prior to the COVID-19 pandemic, the Office acquired leasing space for a satellite office for District Court staff across from the District Court building in Hyattsville to replace the now-closed County Services Building. This location can house up to five (5) attorneys and two (2) support staff.
- The Office has received permission to occupy a suite of offices on the third floor in the old County Administration Building in Upper Marlboro.

Budget Comparison-Grants

Approved FY 2023 to Proposed FY 2024 - Grants

Category	FY 2022 Actual	FY 2023 Approved	FY 2023 Estimate	FY 2024 Proposed	Change Amount	Percentage Change
Compensation	\$ 1,525,723	\$ 1,824,800	\$ 1,646,100	\$ 1,897,200	\$ 72,400	4.0%
Fringe Benefits	134,286	207,500	174,100	206,900	(600)	-0.3%
Operating Expenses	317,301	455,000	514,100	423,500	(31,500)	-6.9%
Total	\$ 1,977,310	\$ 2,487,300	\$ 2,334,300	\$ 2,527,600	\$ 40,300	1.6%

Authorized Staffing Count - Grants

	FY 2023 Approved	FY 2024 Proposed	Change Amount	Percentage Change
Limited Term	34	32	(2)	-5.9%
Total	34	32	(2)	-5.9%

Grant Highlights

- In FY 2024, the proposed Grant Fund (including a General Fund transfer for County Contribution/Cash Match of \$76,200) is \$2,527,600, an increase of \$40,300 or 1.6% above the FY 2023 Approved Budget. This increase is due to the additional funds from the Violence Against Women grant.
- The Office's FY 2024 proposed grant funded staffing includes 32 limited term positions which is two fewer than in FY 2023.
- 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 (\$141,000)- 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.
- Gun Violence Reduction (GVR II)- \$100,000- As the number of gun cases have spiked, attorneys assigned to the SAO's Guns & Drugs Unit have experienced a sharp increase in their caseload. The grant funds will be used to hire a prosecutor who will be assigned to the Guns & Drugs Unit and will be assigned primarily gun cases. This will allow for the reduction in caseload for each prosecutor in the unit and will allow for more focus and resources to be directed to criminal cases involving violent repeat offenders and prohibited persons charged with illegal possession of a firearm.
- *For a complete list and description of the Office's grant funding, please refer to the FY 2024 Operating Budget Book pages 299 - 300.*