



Philadelphia District Attorney's Office

R. Seth Williams, District Attorney

FY 2015 Budget Hearing Statement

April 16, 2014

## **FY 2015 BUDGET TESTIMONY**

### **DISTRICT ATTORNEY R. SETH WILLIAMS**

#### **INTRODUCTION<sup>1</sup>**

I am pleased to submit this testimony on behalf of my budget request for FY 2015. I want to thank City Council for its great leadership in helping us secure additional funding for my office last year, funding that was critical to allow us to sustain many of our important diversionary programs. I also appreciate the collaboration over the last four years which has allowed us to make many significant accomplishments.

As I will explain in great detail below, while we have done so much good for Philadelphia, while we have tracked our performance, while we are engaged in the community, and while we are implementing and sustaining innovative programs, we remain underfunded. I understand the financial challenges of the City but believe our office is still significantly short-changed in the Mayor's proposed budget. I look forward to working with you and the Mayor again to secure adequate funding.

#### **Department Mission and Function**

Put simply, the mission of the Philadelphia District Attorney's Office is to seek justice – to seek justice with integrity, to seek justice on behalf of victims of crime, to seek justice to ensure safer communities, and to seek justice to hold offenders accountable. We advance our mission by working collaboratively with our criminal justice stakeholders. Part of our mission also involves making the criminal justice system more efficient. Efficiencies undertaken by my office save the entire City's limited resources.

Our function also involves identifying how to implement and sustain our goals given the very limited resources my office receives. We are expected to do more with what is functionally less money. To date, we have achieved this goal, and last year we were provided necessary funding to ensure we did not have to shut down critical diversionary programs. The fiscal challenges, however, did not end last year. I will explain our challenges later in my testimony.

As you recall, four years ago I appeared before you and discussed my goals for the Philadelphia District Attorney's Office. I stated that we needed to be smart on crime. I explained that my

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<sup>1</sup> Spreadsheets we have been asked to include in our testimony are included at the end of the written testimony.



vision of being smart on crime meant we needed to modify the way we held offenders accountable and ensured the criminal justice system was victim-friendly. I explained that being tough on everything meant being tough on nothing; I explained that we needed more diversionary programs, early plea offers that were serious, and that we had to double down on being tough on our violent offenders who deserved none of our sympathy. I also described how, through justice reinvestment, we needed to make investments in my office--as well as the entire criminal justice system--and that such investments would ultimately result in both less crime and less waste in the criminal justice system. This approach was and remains comprehensive.

We have accomplished many of these goals. We have been successful because we have collaborated. We have gained a mutual understanding of our needs and goals, assessed our challenges and limitations, identified what is possible, and forged ahead responsibly with impressive results.

Implementing these goals is one thing; sustaining them is another, and typically presents a different set of challenges we must identify and address. Sustaining these accomplishments means we must continue to collaborate, look at data, identify best practices, make modifications, and support additional investments into the criminal justice system.

I want to take a moment and thank those who deserve an enormous amount of gratitude and appreciation -- my staff. The assistant district attorneys of my office fight every day for justice. They don't get paid a lot, they have to work many hours, their caseloads are far greater than those of their counterparts, and we expect a lot from them. The successes I can brag about are because of the men and women of my office, and I want to acknowledge and thank them for their dedication

### **Proposed Budget Highlights Funding Request**

- *Background*
  - You will recall that last year my tone was a little different. After much work and budget analysis, negotiation and compromise, however, a reasonable appropriation was ultimately provided to my office in FY 2014. The Mayor and his staff indeed worked with us, and we could not have secured the very modest funding increases we received without you. I know full well that without the leadership of Council, as well as the important words of advice from many others of you, this satisfactory resolution would not have been reached. So, again, thank you. I am grateful.

- *Proposed Budget Request:*

- **Total**: We request (and requested from the Mayor) \$35,019,606 for FY 2015. As explained below, a significant amount would be non-recurring funding. Our request for recurring funding is \$33,996,616. The Mayor's budget proposal is for \$33,219,606 (which includes \$587,990 in non-recurring funds for mandated payouts from anticipated FOP retirements). The difference between our request and the Mayor's proposal is \$1.8 million
- **Class 100**: \$ 31,936,813
  - Mayor's proposed budget provided \$30,971,813
    - FY 2014 amount was \$30,158,823 (includes mid-year transfer ordinance)
    - Both the proposed budget request and the Mayor's proposed budget includes a non-recurring expense of \$587,990 for lump sum payments to FOP members
- **Class 200**: \$ 2,250,672
  - Mayor's proposed budget provided \$1,745,672
    - FY 2014 amount was \$1,870,672 (includes mid-year transfer ordinance)
- **Class 400**: \$441,416
  - Mayor's proposed budget provided \$111,416
    - FY 2014 amount was \$111,416
- These numbers do not reflect any allowance that must be made as a result of the contract negotiation settlement with DC 47.

*Problems with Mayor's Budget Request*

To be sure, I am happy to report that the Mayor's Office engaged us throughout FY 2014 concerning our budget issues, and contacted my First Assistant in the early part of 2014 to discuss our budgetary needs for this fiscal year. We have had ongoing discussions. Let me be clear, there has been a process, and I certainly appreciate that.



The Mayor's budget proposal, however, is insufficient and, ultimately, does not provide us with the funding necessary to both attract and retain talented individuals to work on our innovative and challenging smart on crime programs.

#### *Class 100 Shortfall*

While we appreciate that the Mayor's proposed budget makes a significant step toward addressing some of the impact of the city-negotiated FOP contract provisions governing lump sum payments for retiring officers, it fails to do much more. It fails to account for the fact that we have lost JAG funding for salaries that enabled our office to begin and sustain crucial programs such as SMART rooms and Bench Warrant court. These programs primarily benefit our criminal justice partners and save the City significant resources. Last year, The Department of Justice informed us that we could no longer apply for grant funding for these salary positions. DOJ explained that if the City believed the programs initiated with JAG funding were worthwhile, then the City must allocate funds for their continuation. The impact of this loss of JAG funding is substantial. JAG initially provided \$403,639 to develop the SMART room program, and until last year provided \$525,639 to continue its program. It also introduced funding for Bench Warrant Court. We estimate the loss of JAG funding to create a deficit in our FY 2015 budget of approximately \$430,000.

At the same time we confront these issues, we must also maintain effective staffing levels in all of our programs. Experience has shown that without adequate increases in Class 100, we will lose the best and brightest in our office. Replacing their experience, talent and institutional knowledge is impossible. To maintain our staffing, we are requesting an additional \$535,000.

All told, we are requesting an increase of \$965,000 in Class 100 funding.

#### *Class 200 Shortfall*

With regard to Class 200 funding, additional funding is essential to allow our office the ability to meet the expenses of necessary and increasing contractual obligations. Many of our contractual demands are beyond our control. While the Mayor's proposed budget would increase our Class 200 by \$100,000, to cover the increasing expenses related to expert witness testimony, \$100,000 is a very insufficient amount. This increase still leaves us at a significantly lower funding level than in FY 2008. We must have the ability to contract for maintenance of our operating systems, servers, software, and other related equipment and applications.

We are requesting \$75,000 to meet our rising technology maintenance costs. In addition to this maintenance, we are also obligated to maintain two criminal justice technology systems: e-

discovery and case management. In FY 2014, our Class 200 funds were increased by \$225,000 to finalize the initial implementation of the e-discovery system. While this additional funding was necessary for our office to complete the roll-out of e-discovery, we still do not have an adequate technology budget for our Office to maintain this system or to perform required upgrades to our Case Management system. As you know, we have been trying to measure performance by patching an outdated system that was not designed for this purpose. Because we lack the personnel resources with the necessary background to enhance this system, we require continued contractual support of an outside technology firm to assist us. Therefore, we ask for additional funding of \$325,000 to enable our office to maintain e-discovery and to make the necessary upgrades to the case management system. This would reduce dependency on the manual process we must now perform to distribute discovery and gather statistics and would move our office toward the data capture and monitoring that is essential for any business or public entity.

Finally, we request a nonrecurring augmentation to Class 200 funds arising from associated costs for the purchase of 300 computers. The one-time software license cost to purchase these computers is approximately \$105,000.

Therefore, we ask for a recurring increase of \$400,000 and a one-time non-recurring increase of \$105,000.

#### *Class 400 Shortfall*

Finally, we are requesting an additional \$330,000 in one-time funding to allow us to replace outdated computers. The majority of the 680 active desktop computers in the office were purchased when the productivity loan was in place and most have exceeded their life span. OIT purchased 285 computers on our behalf at the end of FY 2013.

We are now requesting a one-time non-recurring increase of \$330,000 to replace an additional 300 computers.

#### **Department Performance**

There are two critical points when we examine our performance initiatives. First, we track performance. You will see from the numbers we present that we are very detailed about what we track. Despite the fact that our outdated case management system is painfully old and requires a significant amount of manual entry and review, we have nonetheless established important performance measures. It is important to note that four years ago, I had requested funds for our office to purchase enhanced software needed to establish a less manually



intensive case management system, perhaps through the capital budget. Of course, if we had been provided that funding, we would have saved money by now, likely through a streamlined tracking system, and we would not have had to hire programmers and analysts to implement and sustain our performance measurements.

Second, our performance measures are incredibly instructive. We are more efficient: more cases are held for court, our conviction rate is up, and we are holding more offenders accountable. Justice is no longer delayed, denied or dismissed. We are not perfect, to be sure—we need to do more and continue to improve. But we have come a long way and, once again, my assistant district attorneys and support staff deserve all the credit in the world for making this success a reality.

Here is some of what we know:

- **Misdemeanors**

- Cases resolved more quickly: Median time to dispose for misdemeanors has decreased from 7 months in 2009 to 4.5 months in 2013.
- More diversion: the rate of successfully diverted cases has risen from 9% to 25%
- Fewer withdrawn/dismissed cases: the rate of withdrawn or dismissed cases has dropped from 43% to 35% over the same period.

- **Felonies**

- More cases held for court: felony Held For Court rate has increased 10% from 2009 to 2013 from 60% to 70%
  - 7% increase for gun cases
  - 14% increase for robbery
  - 6% increase for aggravated assault
- Better conviction rate: the overall felony conviction rate increased 14% from 2009 to 2013 (43% to 57%)
- Cases resolved more quickly: decrease in total median time to final disposition from 10 months in 2009 to approximately 8 in 2013.

- **Violent and Gun Crimes**

- More cases held for court: held for court rates for robbery, aggravated assault, and firearms act violations have increased between 5 and 10% from 2009 compared with the 2013 rate.
- Better conviction rate: conviction rates for violent crimes have all increased from 2009 to 2013.
  - Robbery conviction rate has risen from 28% in 2009 to 48% in 2013
  - Rape conviction rate has risen from 54% in 2009 to 72% in 2013.

## **Department Challenges**

Our primary challenges are budgetary, and I believe we have highlighted them above in our budget highlights section. I wish to emphasize several points:

- Our initiatives over the past 4 years have saved Philadelphia money.
- My office has had to make the bulk of the expenditures in order to help Philadelphia save so much money.
- We continue to have difficulty retaining many of our best and brightest assistant district attorneys because increases to our Class 100 funds – while very much appreciated – have nonetheless been limited.
  - Loss of JAG funding for personnel costs has created a deficit in our Class 100 budget. In the past, JAG VII provided \$403,639 to provide staffing for the SMART room program; JAG VIII provided \$525,639 to continue this program and also introduced Bench Warrant court. Our Office was informed during the JAG funding process that we could no longer apply for these and other salary positions. The explanation given was that, if the City believed the programs initiated with JAG funding were worthwhile, then the City must allocate funding for their continuation. Unfortunately, the City did not.
- Our ability to contract for maintenance for our operating system, servers, software, and other related equipment and applications is in jeopardy. We are facing increased obligations while receiving less Class 200 funding than in Fiscal Year 2008.
  - Without additional Class 200 funding, we will be unable to maintain nor make necessary improvements to our case management system and newly developed e-discovery system.



- This fiscal year, we received a modest increase in Class 200 funds. Prior to that increase, our budget for Class 200 funds remained flat-funded since FY 2010 and was significantly less than the funding received in FYs 2005 through 2009.
  - If our Class 200 funds were being tracked for inflation since FY 2005, we would be receiving almost \$400,000 more than the Mayor's proposed budget--\$2.1 million instead of \$1.7 million.
  - While we diligently sought and were successful in obtaining grant funding for the majority of the e-discovery costs, there are associated costs related to this system, such as maintenance for the new servers and annual license costs for the software that cannot be absorbed under the Mayor's proposed budget.
  - The bulk of the Class 200 expenses are external -- meaning the individuals we hire, the victim services agencies we contract with, the technology we purchase, the experts we retain determine the rates, not us.
  - The Mayor has made technology a priority of his Administration, and he has done a laudable job making Philadelphia a technology hub. Philadelphians should be proud of this success. But, the Mayor seems to have forgotten about the District Attorney's Office. This error should be remedied in the FY 2015 budget.
- Compared to the other largest counties in the country, our overall appropriations remains among the lowest. This dubious distinction should be addressed.
  - Moreover, the small increases to the budget of my office since FY 2008 have not even kept up with the overall increases to the city budget. My office's overall share of the general fund budget in FY 2008 was far greater than it is under the Mayor's proposed budget. If our share for FY 2015 were the same as what it was in FY 2008, our budget would be \$2.9 million more than what the Mayor has proposed.
  - Alternatively, if our overall budget had tracked inflation since FY 2005, our budget for FY 15 would be at least \$3.3 million more than what is proposed in the Mayor's FY 15 budget.
    - Other criminal justice agencies Philadelphia have fared better:
      - Since FY 2005, the Police budget has maintained pace with inflation, and the Prisons budget is above the comparable inflation-tracked amount.

- If the Mayor's budget is enacted in its proposed form, that will mean that between FY 2008 and the proposed budget, the percentage increase for Prisons will be 8.18%; Police 13%; Fire 9.27%; Sheriff 21.49%; OIT 140.29% and my office – just 4.62%

I hope that following these budget hearings we can all have a series of conversations about our budget, both in terms of short-term and long-term needs. Members of Council have been gracious, professional and magnanimous to my Office since I have been the district attorney, and for that I am grateful.

### **Staffing Levels**

Our ideal staffing complement for assistant district attorneys would be 320, approximately 20 more than we have now. Such a complement would reflect the changes we have made to the office, such as having more attorneys in the pre-trial division, including the Charging Unit, as well as the attorneys who have invested time into our Focused Deterrence Program.

Of the 65 new hires between April 1, 2013 and March 30, 2014, 4 are Asian, 15 are African American, 2 are Hispanic, and 44 are Caucasian. Of the new hires, 3 are bilingual: 1 speaks Greek, 1 speaks Spanish, and 1 speaks Korean.

Of the total staff, the following represent the numbers of individuals fluent in the following languages:

Spanish – 10

Greek – 2

Korean – 1

French – 1

Cambodian – 1

Polish – 1

Russian – 1

Taiwanese – 1

Vietnamese – 1

Of the total staff, the following represent the numbers of individuals proficient in the following languages:



Mandarin Chinese – 1

French – 2

German – 1

Spanish – 3

Korean – 1

Of the total staff, the following represent the numbers of individuals conversational in the following languages:

American Sign Language – 1

German – 1

Italian – 2

French – 2

Haitian Creole – 1

Persian/Farsi – 1

Punjabi – 1

When a victim or witness does not speak English, we have a protocol to ensure their voice is heard: if a member of the office needs to speak with a victim or witness who does not speak English, the staff member must first seek the assistance of another staff member using the language list within the office. Additionally, the staff member may explore using a friend or relative of the victim or witness to translate any conversations. If this is not feasible, Language Line will be used in order to engage an appropriate translator.

### **Past And Current Initiatives**

I want to take a step back and remind everyone of what we have done. I don't do this to congratulate myself, but to demonstrate how far we have come and that with the proper support – both in terms of working relationships and financial support – we can continue to make a significant impact. It is noteworthy, that most of these “past initiatives” are also present initiatives.

- Charging Unit: We changed our charging unit to ensure that it is staffed with extraordinarily competent assistant district attorneys to ensure that we charge what we can prove. It is critical we get it right from the start so that people know we are confident in our charging decisions and that these decisions are based on the facts presented to us.
- Community Based Prosecution: We implemented community based prosecution where we assign most of our cases based on the police district in which the crime occurred. In so doing, we are building bridges with the neighborhoods so that Philadelphians view prosecutors as the champions of justice and victims' rights.
- Small Amounts of Marijuana Program (SAM): We have created meaningful diversion of lower level offenders. Those who possess small amounts of marijuana are eligible for a program which diverts these cases out of the criminal justice system, requires offenders to pay a fine and to complete an educational course about the impact of drugs on our community and on individuals. I remain convinced that we must not legalize or "decriminalize" marijuana. There are too many negative health effects associated with marijuana use, and while we can create lower penalties, as we have, we cannot as a society tell people it is okay to smoke marijuana. It is not.
  - Last year, 3,201 people were referred to the SAM program, and by the end of the year, 1,691 had completed it.
- Misdemeanor Diversion: We now divert less serious misdemeanors into community service through our Accelerated Misdemeanor Program.
  - Last year, 5,319 people were referred to AMP, and there were ultimately 2,725 successful dispositions. Of the more than 5,300 people referred to AMP, more than 1,100 were ultimately deemed to be ineligible before an offer was presented because of factors such as having a dangerous criminal record, out of county detainer, had completed the program before, or the victim objected.
- SMART Rooms: And, so that we do not drag every case through the full maze of the criminal justice system, we identify cases at the beginning of the process that are appropriate for early plea agreements. In doing so we reduce the time it takes to secure a guilty plea, increasing the swiftness and certainty of punishment.



- There were 4,165 dispositions in SMART Rooms last year, representing 32% of all common pleas dispositions
- The Choice is Yours: With funding from Jerry Lenfest and the great work of JEVS, we implemented The Choice is Yours, an innovative diversionary program that allowed those charged with enough controlled substances to send them to state prison to a chance to avoid prison sentences and instead receive education and workforce training, along with social services and supports.
  - This program was essentially a pilot program that lasted through 2013. 92 defendants were offered the opportunity to enroll in TCY. 67 entered the program, and 56 graduated from it.
- Removing roadblocks to victims and witnesses from appearing in court: We no longer require the presence of civilian witnesses at preliminary hearings in certain non-violent property crimes. This change remedied the long-standing problem of witnesses having to spend the entire day in court to testify that the item the defendant stole from them was theirs and that they did not give the defendant permission to steal it.
- Witness Intimidation: We also helped make another critical change to help reduce the problem of witness intimidation by working with the Courts to implement indicting grand juries. We are permitted to convene a grand jury in lieu of having a preliminary hearing if we believe a case may be negatively affected by witness intimidation.
- E-discovery: We are in the process of implementing an e-discovery system that is used to process digitally discovery material from the time of arrest to trial. E-discovery operates with the Police Department's existing PIINS system to transmit discovery to our office, where it can be electronically redacted and then provided to the appropriate defense attorneys through the First Judicial District's eFiling portal. The system was rolled out to the Municipal Court Misdemeanor Pretrial room on March 3, 2014 and is anticipated to roll out in Common Pleas Court during the early summer month of 2014.
- Our public nuisance task force continues to engage in our communities and improve the quality of life in our neighborhoods.
- Community Action Centers: These centers, staffed by members of my office, allow us to assist members of the communities in their communities. Once again, it helps us demonstrate our mission statement that I discussed at the

beginning—that we are here to do justice. I am happy to report that 2 additional centers will be open this spring – in West Philadelphia and in the Northeast.

One of the common themes here is that none of these important changes could have gotten done without collaboration. We were part of the process in each of these initiatives. We had partners in each one, and I am grateful.

### **Current and New Initiatives**

I would like to highlight two of our newest initiatives: Focused Deterrence and the appointment of a Director of Conviction Review.

#### *Focused Deterrence*

As most of you know, we have embarked with many of our criminal justice partners as well as with social service stakeholders on implementing an innovative program called Focused Deterrence. The Public Safety Committee recently held a hearing to explore this program, which included testimony from members of my office.

But the key points about Focused Deterrence are worth repeating. As many of you know, we have been able to meaningfully address gun violence in South Philadelphia without any changes to the law – federal, state or local – and without any additional resources. Instead, we created a partnership – a partnership with our office, the Philadelphia Police Department, the U.S. Attorney’s Office, the Attorney General’s Gun Violence Task Force, the courts, adult and juvenile probation, the Mayor’s Office, members of City Council, staff, PGW, PECO, Comcast, over 30 social service provider agencies, and members of 24 community and neighborhood groups. We believed that through a collaborative process, we could identify best practices and implement them, and ultimately reduce crime. And that is what we did. This level of cooperation is unprecedented in this City. I congratulate everyone involved.

For those of you at the recent hearing and those of you with whom members of my staff or I have spoken about this issue, Focused Deterrence is a strategy to reduce group-motivated gun violence in South Philadelphia. Law enforcement agencies, led by the Philadelphia Police Department and our office, work together to identify the violent groups in South Philadelphia and their members. The lynchpin of Focused Deterrence is the face-to-face meeting between group members and the partnership. We call this the “call-in.” Group members hear from the partners that the violence is wrong, must end, the community needs them alive and out of trouble, and that help is available to those who will accept it. But with that comes something else: an assurance that any future violence will be met with clear, predictable, and certain consequences.



We have conducted three “call-ins.” Our message has been heard. Group members in South Philadelphia know about this program and the consequences that follow if their group is involved with a shooting. The recent Uniform Crime Report, released by the FBI, reflects this success; from 2012 to 2013, the number of shooting victims in Philadelphia decreased by almost 12%. While there are promising early signs that the program is having a positive effect on reducing violence, we have still had to conduct several enforcement actions after we determined that a shooting or homicide was group motivated.

The National Network for Safe Communities recently held a working session in New Orleans, in part to highlight the Philadelphia Police Department’s South Gang Task Force, which they described as an extremely creative line level operation that can serve to advance practice amongst leading practitioners nationally. So while this program has only been running in South Philadelphia for less than a year, the Police Department’s enforcement strategy is already being recognized nationally as a best practice for other jurisdictions to follow.

The District Attorney’s Office has expended enormous amounts of time and resources in helping to shape and implement Focused Deterrence, as have all of our partners. Although there already existed an informal network of intelligence that was available to us in South Philadelphia and it is the smallest bureau, the Focused Deterrence program still requires significant attention and effort from our office: both the Chief of our South Philadelphia Bureau and the head of our Gun Violence Task Force spend the majority of their time on this program. My First Assistant usually spends dozens of hours per month working on matters related to the program as well. We are talking about substantial staff hours devoted each and every day to this program. It is a worthy and important investment; but it has been successful in part because we have dedicated supervisors to Focused Deterrence. It has been well worth the commitment, and our commitment will continue.

If I had to assign a dollar figure that represents the amount of staff time we dedicate to this critical project, I would estimate approximately \$200,000. And keep in mind that South Philadelphia – because of its small size and already existing database of intelligence information – requires the least amount of time and expense on our part.

### *Conviction Review*

Beginning next week, one of my most veteran and well-respected prosecutors, Mark Gilson, will assume a newly created position in my office as the first Director of Conviction Review for the Philadelphia District Attorney’s Office. Over the last several years, the criminal justice landscape has changed with the arrival of new organizations, such as the Pennsylvania Innocence Project,

as well as the inappropriate use of federal money by the Federal Defenders in state court, wielding significant resources. The allegations put forth by these organizations generally receive extensive media attention, and often come to be seen as tests of the integrity of the system. As a result, I believe that these cases demand the most serious and meticulous examination by my office. Where we determine that defendants are actually innocent, we must of course take corrective action, and where we determine that the conviction was proper, we must of course defend it and point out any unsavory or unethical tactics by the organizations that have claimed their client is innocent. There is no one better suited to this task than Mark Gilson. Mark has an almost unequaled history of homicide prosecution experience, coupled with the requisite interpersonal skills and institutional knowledge that this position demands.

Going forward, we will continue to sustain and improve our innovations. This is no easy task and requires us to assess our successes, analyze data, review best practices, assess our budget, and determine in what ways how we can continue to seek justice.

#### OTHER BUDGETARY IMPACTS

##### **Impacts of Decreased Federal and/or state Funds**

As discussed above, we estimate the loss of JAG funding to create a deficit in our FY 2015 Class 100 budget of approximately \$430,000.

State grants -- the YAP Enhancement, Family Justice and Elder Victim Witness -- will expire by the end of fiscal year 2014. This will result in a loss of funding for salaries of approximately \$109,000 in Fiscal Year 2015.

Two federal grants, BJA Performance and Don't Shoot, will expire during the course of Fiscal Year 2015. We anticipate this will result in a loss of funding for salaries of approximately \$149,000.

We are currently in the renewal process for several grants and have not been made aware of any other significant reductions. We continue to aggressively seek out all grant opportunities that may be available for our Office.

#### CONCLUSION

We received a necessary, albeit modest, budget increase last year, thanks to your invaluable efforts. But do not expect innovation, an expansion of smart on crime programs, the ability to leverage technology, or the opportunities to retain the best and brightest in my office if there is

not a continued commitment to properly funding my office. I appreciate that the Mayor and his staff have been receptive to our concerns, and there has been a positive process thus far. The process, however, needs to have impact and meaning and yield results. I hope that together we will reach a consensus that benefits the people of Philadelphia.



[DEPARTMENT NAME]  
BUDGET SUMMARY AND OTHER BUDGET DRIVERS

Financial Summary by Class

	Fiscal 2013 Actual Obligations	Fiscal 2014 Original Appropriations	Fiscal 2014 Estimated Obligations	Fiscal 2015 Proposed Appropriations	Difference FY14 - FY15*
Class 100 - Employee Compensation	\$29,302,614	\$29,933,823	\$30,158,823	\$30,971,813	\$812,990
Class 200 - Purchase of Services	\$1,645,672	\$1,645,672	\$1,870,672	\$1,745,672	(\$125,000)
Class 300 - Materials and Supplies	\$452,262	\$390,705	\$390,705	\$390,705	\$0
Class 400 - Equipment	\$49,141	\$111,416	\$111,416	\$111,416	\$0
Class 500 - Contributions	\$	\$	\$	\$	#VALUE!
Class 700 - Debt Service	\$	\$	\$	\$	#VALUE!
Class 800 - Payment to Other Funds	\$	\$	\$	\$	#VALUE!
Class 900 - Advances/Misc. Payments	\$	\$	\$	\$	#VALUE!
<b>TOTAL</b>	<b>\$31,449,689</b>	<b>\$32,081,616</b>	<b>\$32,531,616</b>	<b>\$33,219,606</b>	<b>\$687,990</b>

\*Calculation based on the difference between Fiscal 2015 Proposed Appropriations and Fiscal 2014 Estimated Obligations.

Staff Demographics Summary\*

	Total	Minority	White	Female
Full-Time Staff	536	29%	71%	61%
Executive Staff	14	36%	64%	50%
Average Salary - ES	\$143,815	\$149,312	\$140,761	\$128,403
Median Salary - ES	\$161,909	\$161,909	\$161,909	\$121,875

Above information is based on current staff members as of 3/28/14

Employment Levels\*

	Budgeted	Approved	Filled
Full-Time Positions	579	579	558
Part-Time Positions	1	1	3
Executive Positions	#	#	14

The figures for the filled positions reflect the data submitted on the FY2015 Operating Budget, captured in the Increment Run column (with the exception of the executive positions which are not isolated on this report). However, we have made a correction to break-out the part time positions that were originally included as full time positions in error.

Contracts Summary\*

	FY09	FY10	FY11	FY12	FY13	FY14*
Total amount of contracts	\$	\$	\$991,157	\$965,957	\$1,008,157	\$1,332,992
Total amount to M/W/DBE	\$	\$	\$	\$	\$	\$
Participation Rate	%	%	%	%	%	%

See Attached Spreadsheet for Contract details for Fiscal 2014 information.

Fiscal Years 2011 and 2012 information from FAMIS, Fiscal 2009 and 2010 are no longer available in FAMIS.

\*As of February 2014

## CONTRACTING EXPERIENCE

## M/W/DBE Participation on Large Contracts

FY14 Contracts

Vendor	Service Provided	Amount of Contract	RFP Issue Date	Contract Start Date	Ranges in RFP	% of M/W/DBE Participation Achieved	\$ Value of M/W/DBE Participation	Total % and \$ Value Participation - All DSBES	Living Wage Compliant?
e attached spreadsheet		\$			MBE:	%	#VALUE!	0%	y/n
					WBE:	%	#VALUE!		y/n
					DSBE:	%	#VALUE!	#VALUE!	y/n
		\$			MBE:	%	#VALUE!	0%	y/n
					WBE:	%	#VALUE!	#VALUE!	y/n
		\$			DSBE:	%	#VALUE!	0%	y/n
					MBE:	%	#VALUE!		y/n
					WBE:	%	#VALUE!	0%	y/n
					DSBE:	%	#VALUE!	#VALUE!	y/n
		\$			MBE:	%	#VALUE!	0%	y/n
		\$			WBE:	%	#VALUE!		y/n
					DSBE:	%	#VALUE!	0%	y/n
					MBE:	%	#VALUE!	#VALUE!	y/n
					WBE:	%	#VALUE!	0%	y/n
		\$			DSBE:	%	#VALUE!	#VALUE!	y/n

## EMPLOYEE DATA

## Staff Demographics

## Full-Time Staff

		Male		Female	
Total % of Total		208 39%	328 61%	7 50%	7 50%
		African-American	African-American	African-American	African-American
Total % of Total		31 15%	83 25%	3 43%	1 14%
		White	White	White	White
Total % of Total		163 78%	215 66%	4 57%	5 71%
		Hispanic	Hispanic	Hispanic	Hispanic
Total % of Total		3 1%	12 4%	# %	# %
		Asian	Asian	Asian	Asian
Total % of Total		11 5%	18 5%	# %	1 14%
		Other	Other	Other	Other
Total % of Total		0 %	0 %	# %	# %
		Bi-lingual	Bi-lingual	Bi-lingual	Bi-lingual
Total % of Total		5 2%	10 3%	# %	# %

## Executive Staff

		Male		Female	
Total % of Total		7 50%	7 50%	7 50%	7 50%
		African-American	African-American	African-American	African-American
Total % of Total		3 43%	3 43%	1 14%	1 14%
		White	White	White	White
Total % of Total		4 57%	4 57%	5 71%	5 71%
		Hispanic	Hispanic	Hispanic	Hispanic
Total % of Total		# %	# %	# %	# %
		Asian	Asian	Asian	Asian
Total % of Total		# %	# %	1 14%	1 14%
		Other	Other	Other	Other
Total % of Total		# %	# %	# %	# %
		Bi-lingual	Bi-lingual	Bi-lingual	Bi-lingual
Total % of Total		# %	# %	# %	# %



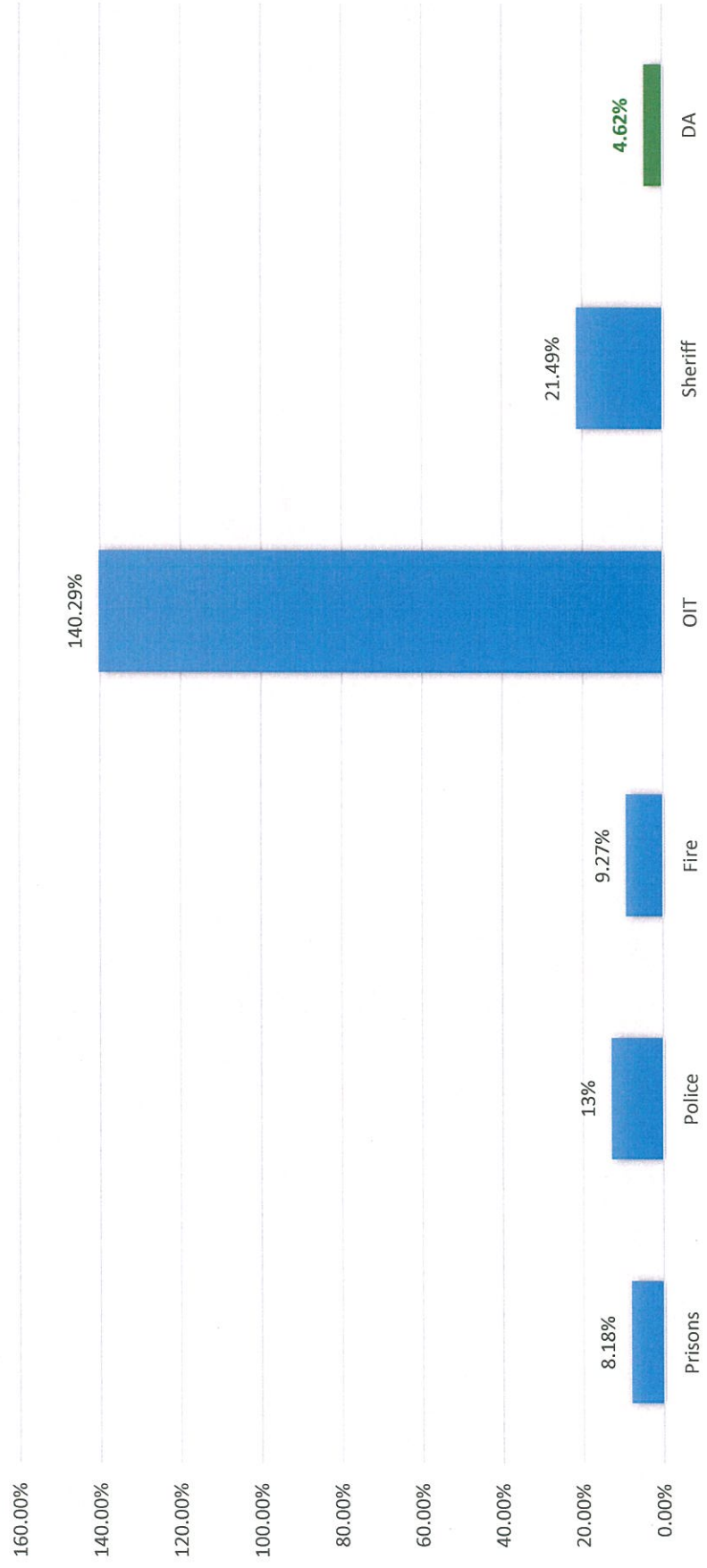
FY 2014 Contracts Paid by General Fund as of 3.31.14					
Vendor	Amount	Summary of Service	Current Contract Period	DBE Status	
Best Transit, Inc.	\$65,000	Performs shuttle passenger operations between DA's Office and 1801 Vine Street.	March 11, 2013 - March 10, 2014	MWBE Certified	
	\$20,625		March 11, 2014 - June 30, 2014		
Center City/ North Central Crime Victims Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	Jul 2013 - June 2014	Center City-White Female (Executive Director)	
				North Central-African American Female (Executive Director)	
Judge Anthony Defino	\$13,910	Advisor to the DA and Liaison to the Court of Common Pleas. (\$55/hr not to exceed \$5000/month)	Sep 3, 2013 - March 31, 2014		
Drugscan, Inc.	\$200,000	Consultant to provide testimonial services in connection with the contract entered into between Consultant and City to perform blood and urine analysis for drug and alcohol detection purposes.	July-Dec 2013 (\$100,000) Jan-Jun 2014 (\$100,000)		
East Division Crime Victims Services	\$95,756	Provides services to victims/witnesses during preliminary hearings. Contract requires part of funds to include the employment of a bilingual court advocate.	Jul 2013 - June 2014	African American Female (Executive Director)	
Families of Murder Victims	\$54,769	Provides services to victims/witnesses during homicide preliminary hearings	Jul 2013 - June 2014	White Female (Program Director)	
GRM Information Management Services	\$90,000	Provides file storage and management services	Jul 2013 - June 2014		
IQ Business Group	\$250,000	Technology consultant for ediscovery and case management system	July-Sep 2013 (\$125,000) Oct-Dec 2013 (\$125,000)		
			(Oct-Dec reimbursed by OIT)		
			Jan-Mar 2014 (\$125,000)		

Northeast Victim Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	Jul 2013 - June 2014	White Male (Executive Director)
Northwest Victim Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	Jul 2013 - June 2014	African American Female (Executive Director)
Support Center for Child Advocates	\$76,086	Provides legal representation and services to minor age victims throughout the court process.	Jul 2013 - June 2014	White Male (Executive Director)
Victim Services of South Philadelphia	\$70,000	Provides services to victims/witnesses during preliminary hearings	Jul 2013 - June 2014	White Female (Executive Director)
West/Southwest Phila Victim Services	\$82,000	Provides services to victims/witnesses during preliminary hearings	Jul 2013 - June 2014	African American Female (Program Director)
Women Against Abuse	\$54,846	Provides services to victims/witnesses of domestic violence during preliminary hearings and misdemeanor trials	Jul 2013 - June 2014	Hispanic Female (Executive Director)
Women Organized Against Rape	\$41,000	Provides services to victims/witnesses of sexual assault during preliminary hearings and misdemeanor trials	Jul 2013 - June 2014	African American Female (Executive Director)
* maximum amount not to be exceeded.				
<b>TOTAL</b>	\$1,332,992			



## Public Safety & Technology Budgets Increase ...Except for the District Attorney's Office

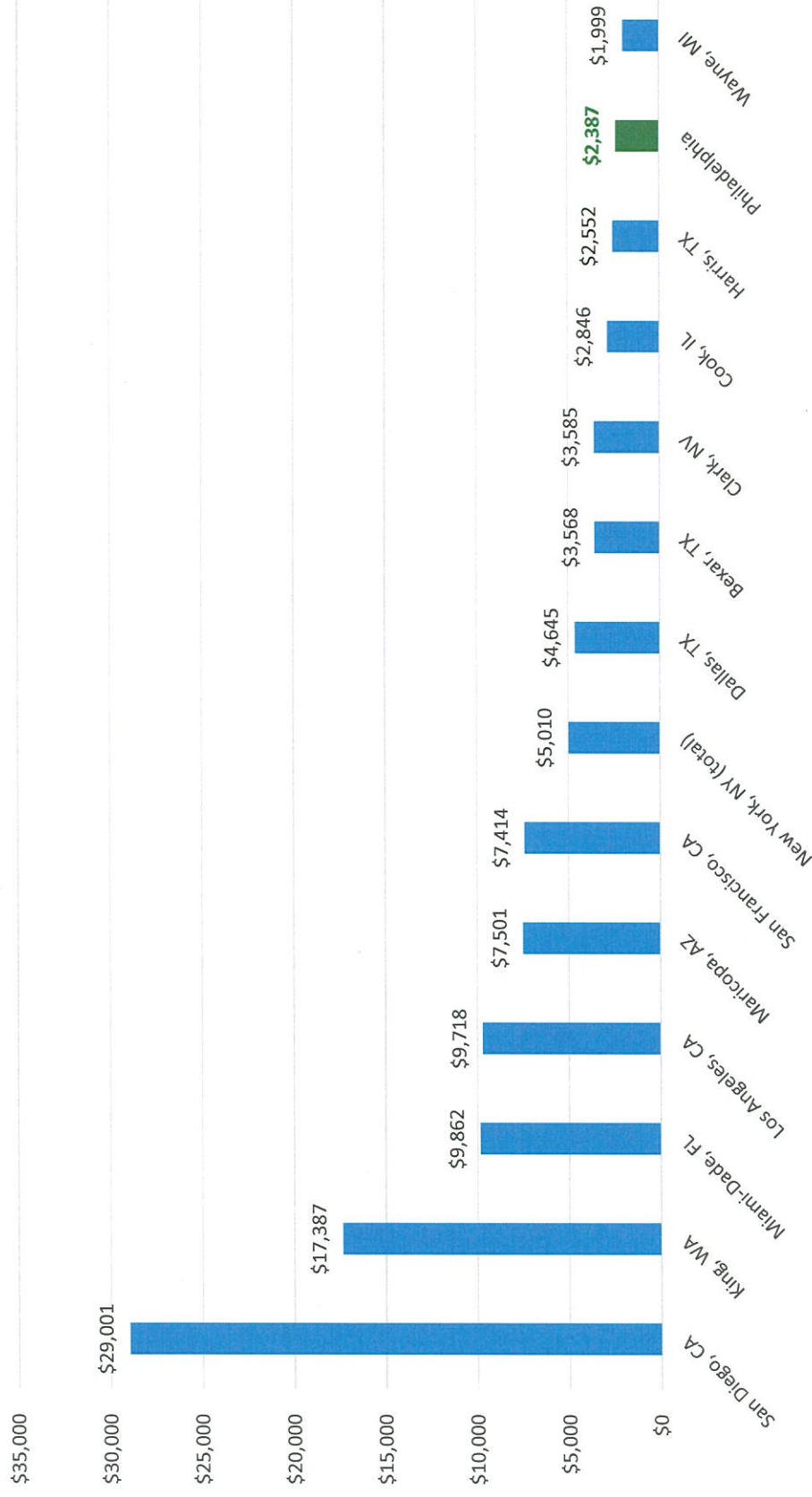
Chart: Department Budget % Change from FY 08 to Proposed FY 15



- Source: Mayor's Operating Budget in Brief for Fiscal Year 2010, (FY2008 listed *Actual* budget) and Mayor's Operating Budget in Brief for Fiscal Year 2015

## Philadelphia's District Attorney's Office is Underfunded

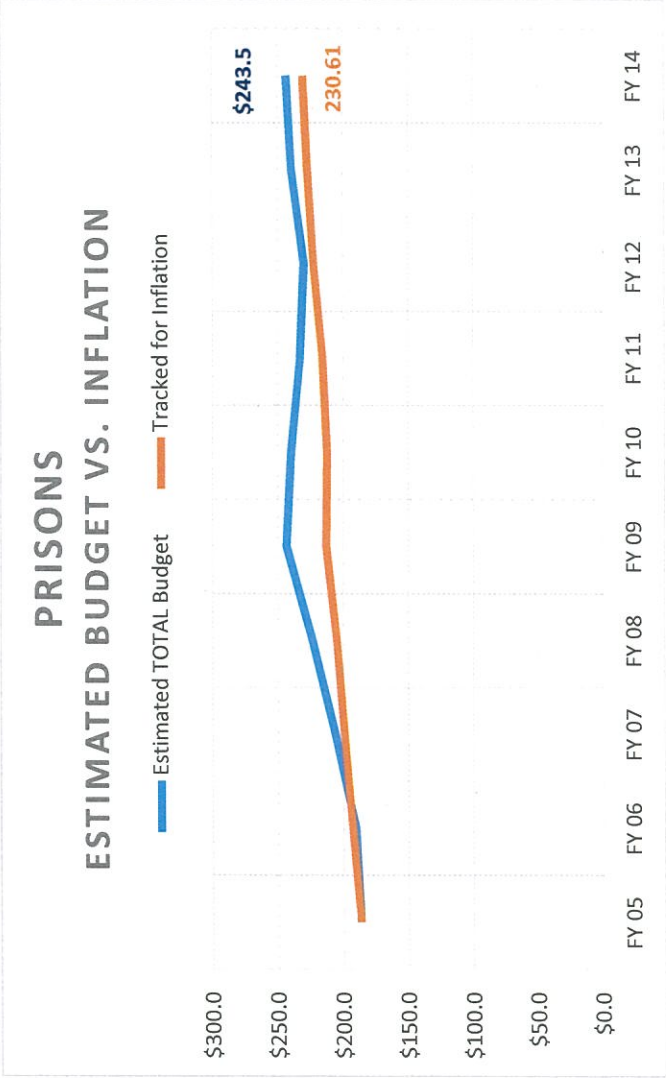
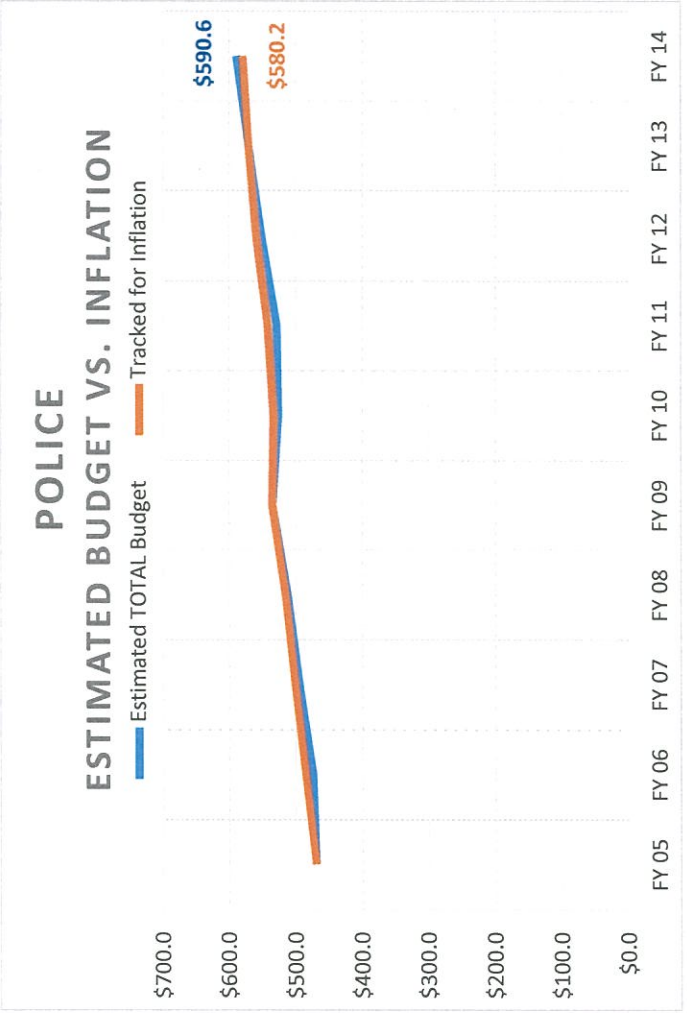
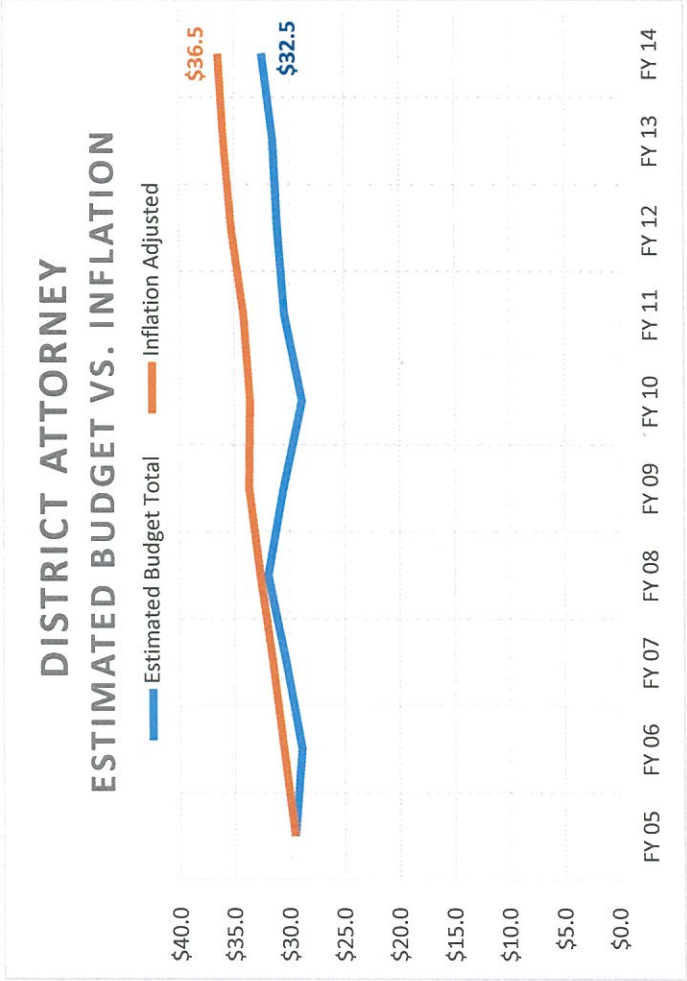
### Chart: Prosecutor's Budget Per Incidence of Violent Crime



- Source: 2012 FBI Uniform Crime Report (UCR) and FY2014 general fund appropriations
- Bexar, TX and Los Angeles, CA currently only have FY2013 budget reports available.
- The data collection methodology for the offense of forcible rape used by Chicago, Illinois does not comply with national UCR Program guidelines for 2012, therefore we used 2011 FBI UCR data for Cook County, IL.
- New York, NY data was obtained by combining all five boroughs District Attorney budgets and comparing that total with the 2012 FBI UCR violent crime number for all five boroughs.



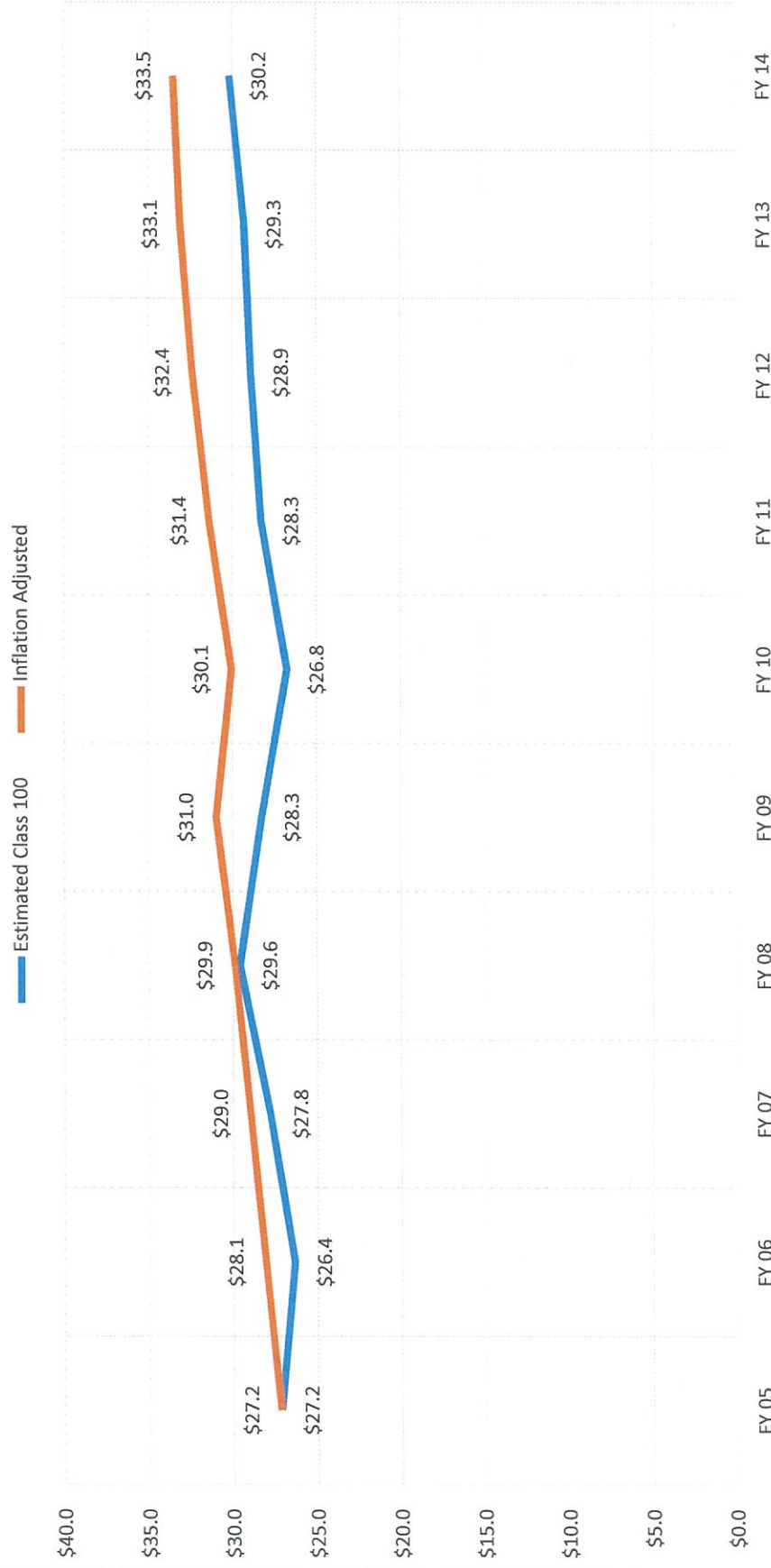
PUBLIC SAFETY BUDGETS RECEIVE MORE THAN THE INFLATION-TRACKED RATE...EXCEPT FOR THE DISTRICT ATTORNEY'S OFFICE



- Estimated budget values are from City of Philadelphia Operating Budget FY 2005-2014
- Inflation-adjusted values are calculated with <http://data.bls.gov/cgi-bin/cpicalc.pl>, using the previous calendar year for FY.

# DISTRICT ATTORNEY CLASS 100 BUDGET FAILS TO TRACK FOR INFLATION

CHART: CLASS 100 ESTIMATED BUDGET VS. INFLATION

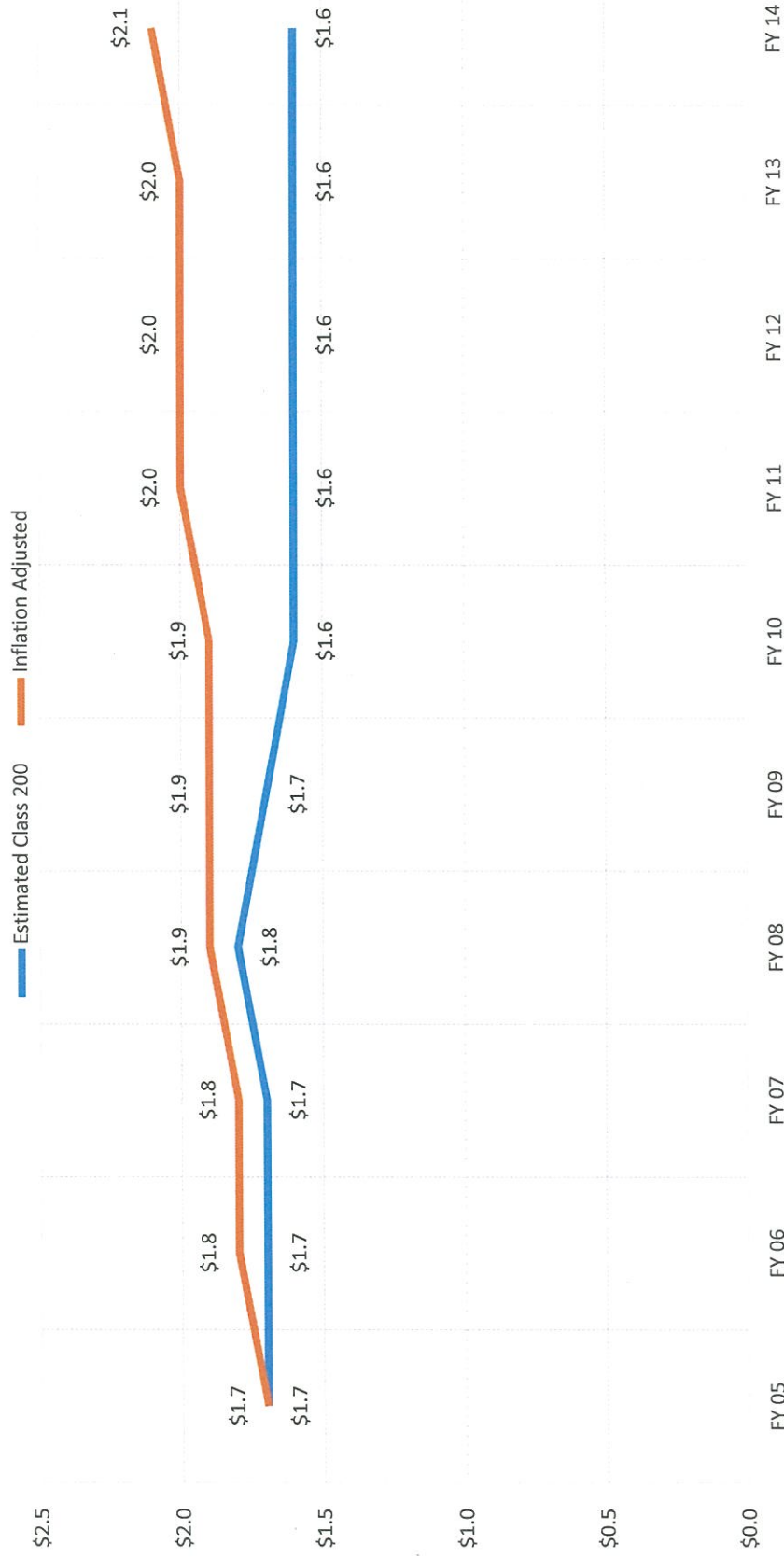


- Estimated budget values are from City of Philadelphia Operating Budget FY 2005-2014
- Inflation-adjusted values are calculated with <http://data.bls.gov/cgi-bin/cpicalc.pl>, using the previous calendar year for FY.



# DISTRICT ATTORNEY CLASS 200 BUDGET FAILS TO TRACK FOR INFLATION

CHART: CLASS 200 ESTIMATED BUDGET VS. INFLATION-ADJUSTED BUDGET



- Estimated budget values are from City of Philadelphia Operating Budget FY 2005-2014
- Inflation-adjusted values are calculated with <http://data.bls.gov/cgi-bin/cpicalc.pl>, using the previous calendar year as FY.