

**DISTRICT ATTORNEY'S OFFICE  
FISCAL YEAR 2018 BUDGET TESTIMONY  
MAY 3, 2017**

**INTRODUCTION**

Good Morning, President Clarke and Members of City Council. I am Kathleen Martin, First Assistant District Attorney. Joining me today is Jodi Lobel, Deputy District Attorney. I am pleased to provide testimony on the District Attorney's Office's Fiscal Year 2018 Operating Budget.

**DEPARTMENT MISSION & PLANS**

**Mission:**

The Philadelphia District Attorney's office provides a voice for victims of crime and protects the community through zealous, ethical and effective investigations and prosecutions.

The Office is the largest prosecutor's office in Pennsylvania and one of the largest in the nation, serving more than 1.5 million citizens of Philadelphia. The Office employs over 600 individuals, including approximately 300 attorneys and is responsible for handling around 200,000 cases annually.

The Office is organized into seven divisions: Trial, Pre-Trial, Juvenile, Law, Administration & Technology, Investigations, and Gun Trafficking & Community Engagement.

### **Plans for Fiscal Year 2018:**

- Sustain and Build on Operational Improvements: We have become better and more efficient in what we do. We divert more cases, charge fewer crimes, resolve misdemeanors quicker, withdraw fewer cases, and more felonies are held for court than in the past.
- Provide Continued Active Leadership in MacArthur Safety & Justice Grant effort.
- Continue commitment to robust diversionary programs, including:
  - Early Resolution program, which seeks to resolve certain less violent cases quickly.
  - The Choice is Yours, a robust pre-entry program for young offenders who sell drugs.
  - Detainer Alternative Program, a program where we give substance abusers the tools to address their addiction from outside the prison walls
  - ARC Program, where defendants with open cases plead guilty in front of their probation judge or a judge who was the first to sentence them in an open case. This procedure results in defendants resolving their cases more than twice as fast as before.
- Continued emphasis on addressing the heroin and opioid epidemic. We cannot arrest our way out of this crisis, and a combination of many significant efforts are needed. These would include, but not be limited to, continuing our drug drop box program, increased use of Naloxone, more treatment beds being made available to those who are addicted, more information sharing between and among the relevant stakeholders who encounter those buying and selling opioids and heroin, training to ensure there is less overprescribing, and an emphasis on prosecuting the major drug traffickers who view drug dealing as a business.

**BUDGET SUMMARY & OTHER BUDGET DRIVERS**

<b>1. Staff Demographics Summary</b>				
<b>Staff Demographics Summary (as of December 2016)</b>				
	Total	Minority	White	Female
Number of Full-Time Staff	564	175	389	315
Number of Civil Service-Exempt Staff	550	170	380	310
Number of Executive Staff (deputy level and above)	14	5	9	5
Average Salary, Full-Time Staff	\$65,091	\$58,881	\$67,885	\$60,941
Average Salary, Civil Service-Exempt Staff	\$62,915	\$56,011	\$66,004	\$59,603
Average Salary, Executive Staff	\$150,576	\$156,429	\$147,325	\$143,894
Median Salary, Full-Time Staff	\$56,199	\$51,956	\$60,000	\$51,956
Median Salary, Civil Service-Exempt Staff	\$56,199	\$51,956	\$56,199	\$51,956
Median Salary, Executive Staff	\$167,576	\$174,000	\$167,576	\$167,576

<b>Employment Levels (as of December 2016)</b>		
	Budgeted	Filled
Number of Full-Time Positions	602	564
Number of Part-Time Positions		
Number of Civil-Service Exempt Positions	588	550
Number of Executive Positions	14	14
Average Salary of All Full-Time Positions	\$65,296	\$65,091
Median Salary of All Full-Time Positions	\$56,199	\$56,199

<b>General Fund Financial Summary by Class</b>						
	FY16 Original Appropriations	FY16 Actual Obligations	FY17 Original Appropriations	FY17 Estimated Obligations	FY18 Proposed Appropriations	Difference: FY18-FY17
Class 100 - Employee Compensation	\$32,490,021	\$32,810,833	\$33,800,485	\$33,878,575	\$34,686,670	\$808,095
Class 200 - Purchase of Services	\$2,467,172	\$2,391,233	\$2,597,257	\$2,597,257	\$2,594,296	-\$2,961
Class 300 - Materials and Supplies	\$413,605	\$449,811	\$464,971	\$464,971	\$464,941	-\$30
Class 400 - Equipment	\$111,416	\$41,339	\$81,357	\$81,357	\$64,580	-\$16,777
Class 500 - Contributions		\$5,000				\$0
Class 700 - Debt Service						\$0
Class 800 - Payment to Other Funds						\$0
Class 900 - Advances/Misc. Payments						\$0
	<b>\$35,482,214</b>	<b>\$35,698,216</b>	<b>\$36,944,070</b>	<b>\$37,022,160</b>	<b>\$37,810,487</b>	<b>\$788,327</b>

<b>Professional Services Contracts Summary</b>						
	FY12	FY13	FY14	FY15	FY16	FY17 YTD (Q1 & Q2)
Total amount of contracts	\$965,957	\$1,008,157	\$1,332,992	\$1,417,457	\$1,468,761	\$1,324,457
Total amount to M/W/DSBE						
Participation Rate	0%	0%	0%	0%	0%	0%

## **PROPOSED BUDGET OVERVIEW**

### **Proposed Funding Request:**

The proposed Fiscal Year 2018 General Fund budget totals \$37,810,487, an increase of \$788,327 over Fiscal Year 2017 estimated obligation levels. This increase is primarily due to the salary increases relating to the pension contribution modification.

The proposed budget includes:

- \$34,686,670 in Class 100, an \$808,095 Increase over FY17. This funding will support the mandated DC33 union increases and the pending pension modification approval for exempt employees.
- \$2,594,296 in Class 200, a \$2,961 decrease over FY17. This funding was appropriated in FY17 for start-up costs associated with the Juvenile Life Without Parole initiative.
- \$464,941 in Class 300, a \$30 decrease over FY17. This funding was appropriated in FY17 for start-up costs associated with the Juvenile Life Without Parole initiative.
- \$64,580 in Class 400, a \$16,777 decrease over FY17. This funding was appropriated in FY17 for start-up costs associated with the Juvenile Life Without Parole initiative.

## STAFFING LEVELS

The department is requesting 594 budgeted positions for FY18, a decrease in the total number of staffing levels over FY17. This decrease is in grant funded positions, general fund staffing level remains the same.

## NEW HIRES

New Hires				
	Total Number	English	Spanish	Arabic
Black or African American	19	19		
Asian	2	2		
Hispanic or Latino	3	3	2	
White	40	40		1
Other	3	3		
Total	67	67	2	1

## PERFORMANCE, CHALLENGES, AND INITIATIVES

	2015	2016	2017 Projection
Median time to disposition for felony Common Pleas dockets (in months)	8	7.5	7.5
Median time to disposition for misdemeanor Municipal Court dockets (in months)	4.4	4.2	4.2
Percent of misdemeanor cases resolved through diversion programs	29.20%	27.60%	28%
Percent of cases diverted out of Charging	20%	20%	20%
Percent of felony Common Pleas cases resolved through early offer disposition in a Smart Room	19%	20%	20%
*All years are calendar years			

We have become better and more efficient in what we do. We divert more than 34 percent of our misdemeanor cases, which is twice what we diverted in 2010. These programs work: the recidivism rate for our misdemeanor diversionary program was just 16% after the first year of completion and 27% after three years. We charge fewer cases than we did years ago, approximately one-quarter fewer cases in 2016 than in 2010. Misdemeanors are resolved quickly: between 2010 and 2016, the time to disposition decreased from 7 months to less than 4 and a half months, and we continue to have to withdraw approximately 14% fewer cases during the same time period. Nearly 70% of felonies are held for court, which represents a nearly 10% increase from 2010. And through our SMART Room program, over 20 percent of our felony cases are disposed of well before trial, representing a 3% increase since 2012. The efficiency created by this program reduces continuances and avoid defendants, victims, police and witnesses having to appear in court for multiple listings.

## **OTHER BUDGETARY IMPACTS**

### **Federal and State (Where Applicable)**

Within the past few years the District Attorney's Office has received increasingly less grant funding than in the past. This is attributed to two main factors, one being the new primary focus of Federal grant solicitations for criminal justice entities are now targeted for research based awards with the majority of funding to be allocated for this purpose; and the other is the inability to use JAG grants funds for personnel costs. Almost 92% of all expenditures made by the DA's Office are for personnel costs and the lack of opportunity to request funding for this purpose hampers our ability to secure crucial funding where it is most needed.



## CONTRACTING EXPERIENCE

M/W/DSBE Participation on Large Professional Services Contracts													
Top Five Largest Contracts, FY17													
Vendor Name	Service Provided	Dollar Amount of Contract	RFP Issue Date	Contract Start Date	MBE Range in RFP	WBE Range in RFP	DSBE Range in RFP	% of M/W/DSBE Participation Achieved	\$ Value of M/W/DSBE Participation	Total % Participation - All DSBEs	Total \$ Value Participation - All DSBEs	Local Business (principal place of business located within City limits) [yes / no]	Waiver for Living Wage Compliance ? [yes / no]
IQ Business Group	Technology consultant for ediscovery and case management system.	\$316,000	NA	7/1/2016	NA	NA	NA		\$0		\$0	No	No
JEVS Human Services	Social services diversion program providing an alternative to incarceration for first time non violent felony drug offenders.	\$250,000	NA	7/1/2016	NA	NA	NA		\$0		\$0	Yes	No
Drugscan, Inc.	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.	\$210,000	NA	7/1/2016	NA	NA	NA		\$0		\$0	No	No
GRM Information Management Services	Provides file storage and management services.	\$142,000	NA	7/1/2016	NA	NA	NA		\$0		\$0	Yes	No
Council of Spanish Speaking Organizations, Inc.	Provides services to victims/witnesses during preliminary hearings. Contract requires part of the funds to include the employment of a bilingual court advocate.	\$87,840	NA	7/1/2016	NA	NA	NA		\$0		\$0	Yes	No

## EMPLOYEE DATA

Staff Demographics (as of December 2016)					
Full-Time Staff			Executive Staff		
	Male	Female		Male	Female
	African-American	African-American		African-American	African-American
<i>Total</i>	43	76	<i>Total</i>	4	0
<i>% of Total</i>	8%	14%	<i>% of Total</i>	29%	0%
<i>Average Salary</i>	\$60,420	\$49,109	<i>Average Salary</i>	\$156,286	\$0
<i>Median Salary</i>	\$56,199	\$44,850	<i>Median Salary</i>	\$174,785	\$0
	White	White		White	White
<i>Total</i>	183	197	<i>Total</i>	4	5
<i>% of Total</i>	33%	36%	<i>% of Total</i>	29%	36%
<i>Average Salary</i>	\$69,433	\$62,818	<i>Average Salary</i>	\$151,613	\$143,894
<i>Median Salary</i>	\$68,405	\$56,199	<i>Median Salary</i>	\$151,716	\$167,576
	Hispanic	Hispanic		Hispanic	Hispanic
<i>Total</i>	5	17	<i>Total</i>	1	0
<i>% of Total</i>	1%	3%	<i>% of Total</i>	7%	0%
<i>Average Salary</i>	\$88,434	\$58,449	<i>Average Salary</i>	\$157,000	\$0
<i>Median Salary</i>	\$72,869	\$56,199	<i>Median Salary</i>	\$157,000	\$0
	Asian	Asian		Asian	Asian
<i>Total</i>	7	18	<i>Total</i>	0	0
<i>% of Total</i>	1%	3%	<i>% of Total</i>	0%	0%
<i>Average Salary</i>	\$41,781	\$71,588	<i>Average Salary</i>	\$0	\$0
<i>Median Salary</i>	\$40,020	\$61,089	<i>Median Salary</i>	\$0	\$0
	Other	Other		Other	Other
<i>Total</i>	2	2	<i>Total</i>	0	0
<i>% of Total</i>	0%	0%	<i>% of Total</i>	0%	0%
<i>Average Salary</i>	\$43,689	\$43,689	<i>Average Salary</i>	\$0	\$0
<i>Median Salary</i>	\$43,689	\$43,689	<i>Median Salary</i>	\$0	\$0
	Bilingual	Bilingual		Bilingual	Bilingual
<i>Total</i>	11	27	<i>Total</i>	1	0
<i>% of Total</i>	2%	5%	<i>% of Total</i>	7%	0%
<i>Average Salary</i>	\$70,680	\$53,271	<i>Average Salary</i>	\$157,000	\$0
<i>Median Salary</i>	\$72,869	\$51,956	<i>Median Salary</i>	\$157,000	\$0
	Male	Female		Male	Female
<i>Total</i>	240	310	<i>Total</i>	9	5
<i>% of Total</i>	44%	56%	<i>% of Total</i>	64%	36%
<i>Average Salary</i>	\$67,193	\$59,603	<i>Average Salary</i>	\$154,288	\$143,894
<i>Median Salary</i>	\$61,089	\$51,956	<i>Median Salary</i>	\$167,576	\$167,576

**NUMBER OF BILINGUAL EMPLOYEES**

<b>Number of Bilingual Employees</b>									
	Arabic	Bengali	French	Greek	Hindi	Italian	Japanese	Korean	Malayalam
Division 1 (General Support)									
Division 2 (Trials)	1	1	1	1	1				1
Division 3 (Investigations)									
Division 4 (Law)			1			1			
Division 5 (Detectives)									
Division 6 (Juvenile)			1						
Division 7 (Narcotics)									
Division 9 (Pre-Trial)			1				1	1	
Total - All Divisions	1	1	4	1	1	1	1	1	1

<b>Number of Bilingual Employees</b>									
	Mandarin	Polish	Portugese	Russian	Spanish	Sign (American)	Tigrinya	Taiwanese	Vietnamese
Division 1 (General Support)		1	2		1				
Division 2 (Trials)				1	10				1
Division 3 (Investigations)					2				
Division 4 (Law)	1				1	1		1	
Division 5 (Detectives)					6				
Division 6 (Juvenile)					1		1		
Division 7 (Narcotics)					1				
Division 9 (Pre-Trial)									
Total - All Divisions	1	1	2	1	22	1	1	1	1

Total - # of Bilingual Employees	39
Total - # of Languages Spoken	18