

**DISTRICT ATTORNEY
FISCAL YEAR 2024 BUDGET TESTIMONY
APRIL 4, 2023**

INTRODUCTION

Good morning, President Clarke and Members of City Council. I am Lawrence S. Krasner, District Attorney. Joining me today are my Executive Team and key supervisors. I am pleased to provide testimony on District Attorney Office's Fiscal Year 2024 Operating Budget.

DEPARTMENT MISSION & PLANS

Mission: The mission of the Philadelphia District Attorney's Office (DAO) is to seek justice through a safe, fair, and equitable criminal legal system in Philadelphia. With more than 600 lawyers, detectives, and support staff, the DAO is the largest prosecutor's office in Pennsylvania and the third-largest in the nation. The Office is focused on restoring balance to the criminal justice system, ending the era of mass incarceration, and moving beyond the false promises of overly punitive policies.

Plans for Fiscal Year 2024: Collaborative budgeting plans for the DAO FY24 are twofold. First, to continue building upon the organizational and structural improvements from FY23. This stability will provide opportunities for Assistant District Attorneys (ADA) to develop and mature as professionals, while allowing for more experienced ADAs to refine specialized trial and investigation skills. Second, to continue to prioritize actives and crimes of public concern, which have been raised by community, law enforcement and other government agencies.

Recruitment and Retention are always priorities for the DAO. The DAO aims to accomplish this through more focused recruiting, improved onboarding, and continuous training and efficient delivery of internal resources so that staff feel fully equipped to meet their professional goals throughout their careers at the DAO. What undergirds all of this is a culture of trust and respect that explicitly values growth. The DAO will continue to strategically gather and implement feedback from staff as part of the Office's five-year plan and hopes to see it positively impact retention.

The DAO aims to be as responsive to the concerns, fears and feedback provided from all perspectives. The prosecutorial priority plans for FY24 are drawn directly from conversations with directly impacted people, impacted communities, law enforcement partners, businesses, faith leaders and other government agencies and leaders. In FY24 the DAO will continue to prioritize gun violence.

First, though the continued investment and growth of our Trial Division, which includes Homicide/Non-Fatal shooting, Carjacking Enforcement Unit, Sexual Assault Family Violence Unit and non-specialized felony prosecution. Despite almost half the attorneys in the DAO working in the Trial Division, the caseload levels are too high and the DAO is invested in safely bringing caseloads down. Additionally, the DAO Bail Revocation & Bail Appeal Program will file motions to appeal and handle bail revocation hearings for defendants charged with firearm-related offenses who have pending criminal matters in the city of Philadelphia.

Secondly, the DAO will prioritize Economic Crimes that undermine job creation and generational wealth. DAO has convened a working group of merchants, retailers and law enforcement officials to discuss the

root causes of the spikes in organized retail theft. This insight led to the DAO intensifying resources around organized retail theft and fencing by launching an Organized Retail Theft Task Force to combat street-level offense, to get people into treatment for substance use and to enhance the safety and security for employees throughout Philadelphia. Similarly, the DAO has made incremental advances in our response to the deed theft. A deed can be illegally transferred in minutes stealing not just a property but also generational wealth and pride. While we continue to partner with City agencies to prevent deed fraud, the DAO remains committed to investigating and prosecuting deed fraud.

Thirdly, public integrity and trust in government functions is a priority for the DAO in FY24. The Special Investigations Unit and Conviction Integrity Unit of the DAO require additional resources to improve their capacity to protect elections against anti-democratic criminal activity, to more swiftly and thoroughly address the innocent people who remain in custody for crimes they did not commit, which builds community trust for DAO, PPD, and the government as a whole. Additionally, these units will continue to assist PPD in its staffing challenges by addressing the abuse of IOD by certain PPD officers, to assist the Philadelphia Department of Prisons by addressing criminal activity such as drug dealing, unlawful cell phone distribution, even illegal gun activity that involves certain correctional officers, among other important public integrity issues facing the city. Supporting our investigations and prosecutions will be law enforcement from the Detective Division some of which are DAO employees independent of the PPD.

Finally, the DAO plans to continue to invest in Victim Witness Relocation Program. The DAO is seeking an appropriate increase in city funding in support of the DAO's Victim Witness Relocation Program (those funds should come directly to the DAO). During prior years, the DAO received \$260,000 annually from Philadelphia City Council via the Philadelphia Managing Director's Office. The PA Attorney General's Office has a budget of \$1,500,000 for the entire Commonwealth of Pennsylvania. However, the state has very strict guidelines for relocation and the DAO often relies on our city relocation resources to prioritize the safety of witnesses, victims, families and survivors who don't qualify for the state funding.

BUDGET SUMMARY & OTHER BUDGET DRIVERS

Staff Demographics Summary (as of December 2022)					
	Total	Minority	White	Female	Non-Binary
Number of Full-Time Staff	666	288	378	384	2
Number of Exempt Staff	572	236	336	333	2
Number of Executive Staff (deputy level and above)	9	5	4	3	0
Average Salary, Full-Time Staff	\$74,401	\$68,367	\$78,999	\$70,181	\$88,568
Average Salary, Exempt Staff	\$75,765	\$69,989	\$79,822	\$72,182	\$88,568
Average Salary, Executive Staff	\$146,567	\$145,228	\$148,241	\$141,057	N/A
Median Salary, Full-Time Staff	\$72,135	\$65,050	\$75,000	\$70,000	\$88,568
Median Salary, Exempt Staff	\$72,380	\$70,000	\$74,635	\$70,000	\$88,568
Median Salary, Executive Staff	\$135,000	\$135,000	\$151,086	\$125,000	N/A

Employment Levels (as of December 2022)		
	Budgeted	Filled
Number of Full-Time Positions	667	666
Number of Part-Time Positions	9	8
Number of Exempt Positions	566	572

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Number of Executive Positions (deputy level and above)	9	9
Average Salary of All Full-Time Positions	\$73,600	\$74,401
Median Salary of All Full-Time Positions	\$63,280	\$72,135

General Fund Financial Summary by Class						
	FY22 Original Appropriations	FY22 Actual Obligations	FY23 Original Appropriations	FY23 Estimated Obligations	FY24 Proposed Appropriations	Difference: FY24-FY23
Class 100 - Employee Compensation	\$36,562,904	\$39,764,411	\$40,467,055	\$43,830,991	\$46,912,929	\$3,081,938
Class 200 - Purchase of Services	\$3,343,738	\$3,135,890	\$3,343,738	\$3,803,738	\$3,373,866	(\$429,872)
Class 300/400 - Materials, Supplies & Equipment	\$525,017	\$509,537	\$533,417	\$633,417	\$832,275	\$198,858
Class 500 - Contributions		\$322,500				\$0
	\$40,431,659	\$43,732,338	\$44,344,210	\$48,268,146	\$51,119,070	\$2,850,924

Top Five Largest Contracts, FY23

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Vendor Name	Service Provided	Dollar Amount of Contract	RFP Issue Date	Contract Start Date	Ranges 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]
GRM Information Management Services	File storage and management services	\$225,000	2/7/2020	7/1/2022	MBE: 0	0%	\$0	0%	\$0	Yes	No
					WBE: 0	0%	\$0				
					DSBE: 0	0%	\$0				
Franklin Strategies, LLC	Lobbying Services	\$102,000	10/28/2019	1/1/2022	MBE: 0	0%	\$0	0%	\$0	Yes	No
					WBE: 0	0%	\$0				
					DSBE: 0	0%	\$0				

Non-Profit Vendor Demographics		
Anti-Violence Partnership	Minority %	Female %
Workforce	58.00%	73.00%
Executive	100.00%	100.00%
Board	89.00%	33.00%
Central Division Victim Services	Minority %	Female %
Workforce	57.14%	83.92%
Executive	33.33%	66.67%

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Board	50.00%	37.50%
Council of Spanish Speaking Org.	Minority %	Female %
Workforce	93.00%	74.00%
Executive	100.00%	50.00%
Board	100.00%	45.00%
JEVS Human Services	Minority %	Female %
Workforce	77.00%	68.00%
Executive	27.00%	45.00%
Board	10.00%	48.00%
Northeast Victim Services	Minority %	Female %
Workforce	25.00%	100.00%
Executive	0.00%	100.00%
Board	0.00%	38.00%
Northwest Victim Services	Minority %	Female %
Workforce	86.00%	90.00%
Executive	100.00%	100.00%
Board	75.00%	50.00%
Support Center for Child Advocates	Minority %	Female %
Workforce	31.00%	91.00%
Executive	25.00%	83.00%
Board	26.00%	52.00%
Urban Affairs Coalition	Minority %	Female %
Workforce	92.09%	54.27%
Executive	83.72%	58.14%
Board	57.50%	35.00%
Victim Services of South Philadelphia	Minority %	Female %
Workforce	75.00%	50.00%
Executive	67.00%	100.00%
Board	55.00%	55.00%
Women Against Abuse	Minority %	Female %
Workforce	80.70%	82.10%

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Executive	63.60%	100.00%
Board	52.40%	76.20%
Women Organized Against Rape	Minority %	Female %
Workforce	60.00%	90.50%
Executive	40.00%	33.33%
Board	70.00%	70.00%

PROPOSED BUDGET OVERVIEW

Proposed Funding Request:

The proposed Fiscal Year 2024 General Fund budget totals \$51,119,070, an increase of \$2,850,924 over Fiscal Year 2023 estimated obligation levels. This increase is primarily due to contractual obligations, exempt increases and addressing our structural shortfall.

The proposed budget includes:

- \$46,912,929 in Class 100, a \$3,081,939 increase from FY23. This funding will further the DAO's plans to continue to invest in retention initiatives and begin initiatives to maintain a diverse and inclusive workspace.
- \$3,373,866 in Class 200, a \$429,872 decrease from FY23. The decreased funding will stall the implementation of the mandatory Microsoft Outlook software upgrade to maintain compliance with OIC and ensure that our computers are operational. Additionally, decreasing the recurring funding request implemented in FY23 will not allow the DAO to meet ongoing contractual obligations, including Evidence.com, our electronic discovery software.
- \$832,275 in Class 300/400, A \$198,858 increase over FY23. The proposed inflation funding increase will allow the DAO to continue purchasing routine office supplies and begin transitioning to a purchase schedule where a percentage of equipment is replaced annually, rather than requesting large purchases every few years.

STAFFING LEVELS

The department is requesting 695 budgeted positions for FY24, an increase of 28 positions over the FY23 staffing level. 20 positions are newly funded grant positions and 8 positions are a net increase in the general fund headcount. The increase in general fund headcount is needed to expand our capacity to conduct complex criminal investigations, including, carjackings and the prosecution of gun violence. Additional staffing is needed to support several additional initiatives that align with the City’s priorities of reducing gun violence, contributing to a safer and more just Philadelphia, and administering a diverse, inclusive, efficient and effective government.

NEW HIRES

New Hires (from 7/1/2021 to December 2022)										
	Total Number of New Hires	Arabic	Chinese (Mandarin)	Dutch	French	Hungarian	Italian	Japanese	Korean	Spanish
Black or African American	22									2
Asian	5		1					1	3	
Hispanic or Latino	6						1			4
White	61	1			1	1				8
Other	4	1		1						
Total	98	2	1	1	1	1	1	1	3	14

New Hires since December 2022)				
	Total Number of New Hires	Albanian	Arabic	Italian
Black or African American	5			
Asian	1			
Hispanic or Latino	1			

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White	8		1	1
Other	3	1		
Total	18	1	1	1

PERFORMANCE, CHALLENGES, AND INITIATIVES

GENERAL SUPPORT

- Continue implementation of retention strategy: Under the leadership of the DAO's new HR Director and HR Generalist, hired in late FY22 and early FY23, the Office will launch a DAO Wellness Committee that aims to support employee wellness in all its forms.
- Improve retention for diverse staff.
- Financial project management processing.

TRIALS

- Continue the build out of the Carjacking Enforcement Unit.
- Continue the build out of the Gun Crimes Strategies & Prevention Collaborative.
- Reduce the average caseload per ADA.

INVESTIGATIONS

- Sustain the newly established Organized Retail Theft Task Force.
- Sustain deed fraud/house theft investigation and prosecution.
- Sustain the Special Investigations Unit.
- Sustain the Conviction Integrity Unit.

LAW

- Increase diversity and inclusion within the Division.
- Continue to address PCRA backlog of over 10,000 cases.
- Continue improving the open file discovery process.
- Continue careful review of every conviction at the post-trial stage to ensure that justice was served.
- Expand affirmative civil litigation, including in the environmental space.

DETECTIVES

- This Division's work involves active collaboration with units throughout the office.
- As such, a primary goal of this Division will be to use the unique skills of the detectives to support the goals of other divisions in the DAO.
- Continuing to expand training and resources for detectives.

JUVENILE

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- Continue the build out of the Carjacking Enforcement Unit's Juvenile Focus.
- Continue to expand restorative justice diversion, with the assistance of grant funding.
- Continue to provide diversion services, with the assistance and support of DHS funding.

VICTIM SUPPORT SERVICES

- Develop web-based application to improve communications and notifications to victims and witnesses.
- Improve language access.

PRE-TRIAL

- Reduce expungement backlog.
- Continue implementation of the Organized Retail Theft Task Force.

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OTHER BUDGETARY IMPACTS

Federal and State (Where Applicable)

CONTRACTING EXPERIENCE

Contracts Summary (Professional Services only)						
	FY20	FY21	FY22	FY23	FY23 YTD (Q1 & Q2)	FY24 Projected
Total amount of contracts	\$540,179	\$434,000	\$493,170	\$327,000	\$327,000	\$380,000
Total amount to M/W/DSBE	\$225,000	\$100,000	\$100,000	\$0	\$0	\$80,000
Participation Rate	42%	23%	20%	0%	0%	21%

Total M/W/DSBE Contract Participation Goal (Public Works; Services, Supplies & Equipment; and Professional Services combined)			
	FY22	FY23	FY24 Projected
M/W/DSBE Contract Participation Goal	NA	NA	35%

EMPLOYEE DATA

Staff Demographics (as of December 2022)				
Full-Time Staff			Executive Staff	
	Male	Female	Male	Female
	African-American	African-American	African-American	African-American
<i>Total</i>	60	124	<i>Total</i>	3
<i>% of Total</i>	9%	19%	<i>% of Total</i>	11%
<i>Average Salary</i>	\$77,287	\$60,845	<i>Average Salary</i>	\$163,380
<i>Median Salary</i>	\$72,258	\$56,000	<i>Median Salary</i>	\$111,000
	White	White	White	White
<i>Total</i>	182	195	<i>Total</i>	3
<i>% of Total</i>	27%	29%	<i>% of Total</i>	11%
<i>Average Salary</i>	\$82,430	\$75,664	<i>Average Salary</i>	\$135,264
<i>Median Salary</i>	\$78,635	\$73,135	<i>Median Salary</i>	\$187,171
	Hispanic	Hispanic	Hispanic	Hispanic
<i>Total</i>	20	34	<i>Total</i>	0
<i>% of Total</i>	3%	5%	<i>% of Total</i>	11%
<i>Average Salary</i>	\$78,572	\$68,668	<i>Average Salary</i>	\$0
<i>Median Salary</i>	\$72,635	\$70,000	<i>Median Salary</i>	\$125,000
	Asian	Asian	Asian	Asian
<i>Total</i>	9	25	<i>Total</i>	0
<i>% of Total</i>	1%	4%	<i>% of Total</i>	0%
<i>Average Salary</i>	\$67,842	\$77,051	<i>Average Salary</i>	\$0
<i>Median Salary</i>	\$72,380	\$75,135	<i>Median Salary</i>	\$0

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	Other		Other			Other		Other	
<i>Total</i>	9	6			<i>Total</i>	0	0		
<i>% of Total</i>	1%	1%			<i>% of Total</i>	0%	0%		
<i>Average Salary</i>	\$67,022	\$64,878			<i>Average Salary</i>	\$0	\$0		
<i>Median Salary</i>	\$70,000	\$63,334			<i>Median Salary</i>	\$0	\$0		
	Bilingual		Bilingual			Bilingual		Bilingual	
<i>Total</i>	24	41			<i>Total</i>	0	0		
<i>% of Total</i>	4%	6%			<i>% of Total</i>	0%	0%		
<i>Average Salary</i>	\$76,871	\$66,473			<i>Average Salary</i>	\$0	\$0		
<i>Median Salary</i>	\$70,000	\$64,612			<i>Median Salary</i>	\$0	\$0		
	Male		Female			Male		Female	
<i>Total</i>	280	384			<i>Total</i>	6	3		
<i>% of Total</i>	42%	58%			<i>% of Total</i>	67%	33%		
<i>Average Salary</i>	\$80,088	\$70,181			<i>Average Salary</i>	\$149,322	\$141,057		
<i>Median Salary</i>	\$75,000	\$70,000			<i>Median Salary</i>	\$151,485	\$125,000		

Detail for non-binary employees, if applicable:				
	Total	White	African-American	Bilingual
<i>Total</i>	2	1	1	1
<i>% of Total</i>	0.30%	0.26%	1%	1%
<i>Average Salary</i>	\$88,568	\$105,000	\$72,135	\$105,000
<i>Median Salary</i>	\$88,568	\$105,000	\$72,135	\$105,000

LANGUAGE ACCESS

- 1. Provide the name of your language access coordinator, the date of your last department training, and a link to the posting of your language access plan.** Maram Samara, A new training schedule will start in the summer of 2023. [District-Attorney-Final-Language-Access-Plan-2019.pdf \(phila.gov\)](#)
- 2. Breakdown new hires and existing staff by race and language. Breakdown how many front-line personnel are trained to provide language access services.** See Testimony Charts for New Hire Breakdown.

Race	Total Number of Existing Staff	Albanian	Arabic	Armenian	Chaldean	Chinese (Mandarin)	Dutch	Farsi	French	Gujarati	Hebrew	Hindi
Black or African American	158											
Asian	28		1		1	1		1				2
Hispanic or Latino	47											
White	315		1	1					4	1	3	
Other	20									1		
Total	568	0	2	1	1	1	0	1	4	2	3	2

Korean	Krio	Malayalam	Portuguese	Pohnpean	Punjabi	Russian	Spanish	Tagalog	Taiwanese	Urdu	Vietnamese
	1										
		1			1		3	1	1	1	1
			1				15				
				1		1	2				
0	1	1	1	1	1	1	20	1	1	1	1

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Race	Total Number of Existing Staff	Albanian	Arabic	Armenian	Chaldean	Chinese (Mandarin)	Dutch	Farsi	French	Gujarati	Hebrew	Hindi
Black or African American	158											
Asian	28		1		1	1		1				2
Hispanic or Latino	47											
White	315		1	1					4	1	3	
Other	20									1		
Total	568	0	2	1	1	1	0	1	4	2	3	2

Korean	Krio	Malayalam	Portuguese	Pohnpean	Punjabi	Russian	Spanish	Tagalog	Taiwanese	Urdu	Vietnamese
	1										
		1			1		3	1	1	1	1
			1				15				
				1		1	2				
0	1	1	1	1	1	1	20	1	1	1	1

3. How many requests for language access services did your department receive in the past year? How many language access services were delivered by staff? Breakdown language access services provided, by language, including but not limited to the language line, translation of public notices and documents, website language services, and advertisement/publication services. The DAO delivered 316 language access services, consisting of 11 languages, in 2022. There were 315 telephonic interpretations and one video interpretation. The translated languages were: Spanish, Chinese Mandarin, Chinese Cantonese, Portuguese, Russian, Arabic, Khmer (Cambodian), Korean, Vietnamese, Urdu and Hindi.

4. Explain what your department has done to improve language access services over the past year.

Named a new language access coordinator. Increased the use of streamlined access to language access lines to keep lines of communications open with victims and witnesses. Created a DAO Language Access account to request on-demand video remote interpreting and schedule interpreters whenever needed. The DAO is updating our policy and language access plan. Additionally, we are developing training guidelines, curriculums and schedules to improve language access within the office.

CLIMATE CHANGE

1. How has climate change affected your department's provision of services?

The acceleration of the impact of climate change has increased the DAO's commitment to Information Technologies ("IT") and to our cost of services and procurement. The ever-changing climate and short-term extreme weather events exposed IT vulnerabilities that are actively being addressed. The DAO is on track to obtain Criminal Justice Information Systems compliance for the first time. This compliance is dependent upon our IT responses to climate change, cyber security and DAO personnel behaviors. Climate change will continue impact our physical access to infrastructure and the costs of maintaining climate stable environments increases. From flooding on Kelly drive impacting an ADA's ability to start a trial to extreme heat creating a leak in our HVAC system, climate change creates issues the DAO is actively addressing.

2. How might worsening climate change increase costs and demands for your department?

While the impact of climate change is uncertain, it is imperative that the DAO remain flexible and adaptable to climate change's impact. Migration and immigration patterns are already being impacted by climate change and short-term extreme weather events. This has the potential to increase Philadelphia's already diverse neighborhoods, but also bring in new cultures. For the DAO, this means training for new cultural competencies as well as ensuring language access and protections from ICE for victims and witnesses of crimes. The recruitment, retention and advancement of diverse ADAs is paramount element in the DAO's response to climate change and to meeting the increasing diversity demands of Philadelphia.

3. How does your department intend to mitigate and adapt to climate change?

A 21st century prosecutor's office lives in a Criminal Justice Information Systems secure cloud. The DAO continues to adapt to our constantly changing social and environmental climate. Demands for scientifically rooted evidence like forensics, video and digital only increase the need for the DAO to modernize technology and practices. The DAO intends to build upon the successful roll-out of a digital

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evidence discovery system by implementing a cloud-based case management system that integrates numerous streams of information. This case management system will enable DAO personnel to perform numerous tasks remotely and securely. Complementing modern technology with a diverse and talented personnel will mitigate and help the DAO adapt to climate change.