

**DISTRICT ATTORNEY
FISCAL YEAR 2017 BUDGET TESTIMONY
MAY 4, 2016**

INTRODUCTION

Good morning, President Clarke and Members of City Council. I am Seth Williams, District Attorney. Joining me today are George Mosee, First Assistant District Attorney and Jodi Lobel, Deputy District Attorney. I am pleased to provide testimony on DISTRICT ATTORNEY's Fiscal Year 2017 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.

Plans for Fiscal Year 2017: First and foremost, the District Attorney's Office will continue to seek justice for victims of crime. We do this by working to hold offenders accountable for their criminal acts and by being a voice for crime victims. We intend to continue our robust diversionary programs. Approximately 30 percent of our misdemeanor cases are diverted out of the criminal justice system. By way of example, The Choice is Yours program provides intensive programming for non-violent drug dealers who would otherwise be subject to a felony conviction. We would like to improve other diversionary programs by adding programming components, but there is no adequate funding yet available for what would otherwise be an invaluable addition.

We intend to continue our efforts to help contain gun violence. Specifically, we intend to be committed to our Focused Deterrence program and continue its success in reducing the violence, particularly gun violence, in Southwest Philadelphia. We would like to engage in discussions with our law enforcement and social services partners at exploring the possibility of expanding this program to other parts of the City. While we know this would represent a significant and long-term undertaking, we believe now is the time to explore this option.

We will continue our efforts to control the heroin and opioid epidemic ravaging our City. We will be expanding our drug drop box program to ensure there is a box in every police precinct, and our staff will continue to be responsible for transporting the medication to Covanta, the company which burns these drugs. We will also seek to find additional opportunities to find funding sources to help purchase Naloxone, a successful antidote to heroin overdoses. We already helped secure nearly \$50,000 from Blue Cross, which was given to our police to purchase additional kits.

We will continue to focus on helping to provide second chances to many of our ex-offenders. To date, we have been actively doing so, and helped secure passage of legislation that will permit criminal history records of lower level ex-offenders who have stayed crime free for 10 years to be shielded from potential employers. We will be actively involved in ensuring a smooth process for such lower level offenders to file applications with the court when this new law takes effect in November.

Finally, we intend to be in a position to react to changing crime patterns. With our new violent crimes strategy unit we will be better positioned to identify new best practices, as well as to identify ways to address crime hot spots or upticks in particular criminal activity.

**DISTRICT ATTORNEY
BUDGET SUMMARY AND OTHER BUDGET DRIVERS**

Staff Demographics Summary (as of January 2016)

	Total	Minority	White	Female
Full-Time Staff	576	178	398	332
Executive Staff	14	5	9	5
Average Salary - FTS	\$63,616	\$56,942	\$66,600	\$59,949
Average Salary - ES	\$146,648	\$171,927	\$141,927	\$134,179
Median Salary - FTS	\$56,199	\$51,956	\$61,089	\$54,075
Median Salary - ES	\$162,288	\$167,576	\$135,856	\$119,000

Employment Levels (as of January 2016)

	Budgeted	Approved	Filled
Full-Time Positions	580	580	576
Part-Time Positions	0	0	0
Executive Positions	14	14	14
Overall Average Salary	65,478	65,478	65,586
Overall Median Salary	56,199	56,199	56,199

Financial Summary by Class - General Fund

	Fiscal 2015 Actual Obligations	Fiscal 2016 Original Appropriations	Fiscal 2016 Estimated Obligations	Fiscal 2017 Proposed Appropriations	Difference FY17-FY16
Class 100 - Employee Compensation	\$32,780,607	\$32,490,021	\$32,490,021	\$33,303,525	\$813,504
Class 200 - Purchase of Services	\$2,216,061	\$2,467,172	\$2,467,172	\$2,467,172	\$0
Class 300 - Materials and Supplies	\$437,772	\$413,605	\$413,605	\$460,021	\$46,416
Class 400 - Equipment	\$126,394	\$111,416	\$111,416	\$65,000	(\$46,416)
Class 500 - Contributions	\$559	\$0	\$0	\$0	\$0
Class 700 - Debt Service	\$0	\$0	\$0	\$0	\$0
Class 800 - Payment to Other Funds	\$0	\$0	\$0	\$0	\$0
Class 900 - Advances/Misc. Payments	\$0	\$0	\$0	\$0	\$0
TOTAL	\$35,561,393	\$35,482,214	\$35,482,214	\$36,295,718	\$813,504

Contracts Summary (as of December 2015)

	FY11	FY12	FY13	FY14	FY15	FY16*
Total amount of contracts	\$991,157	\$965,957	\$1,008,157	\$1,332,992	\$1,417,457	\$1,314,180
Total amount to M/W/DBE	\$	\$	\$	\$	\$	\$
Participation Rate	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!

**DISTRICT ATTORNEY
PROPOSED BUDGET OVERVIEW**

PROPOSED FUNDING REQUEST

The proposed Fiscal Year 2017 general fund budget totals \$36,295,718, an increase of \$813,504 over Fiscal Year 2016 estimated obligation levels. This increase is primary due to maintaining current staffing levels.

The proposed budget includes:

- \$33,303,525 in Class 100, an \$813,504 increase over FY16. This funding will support the mandated union increases and maintain current staffing levels.
- \$2,467,172 in Class 200, flat funded over FY16.
- \$460,021 in Class 300, a \$46,416 increase over FY16. This funding has been reallocated from Class 400 in our FY17 budget submission to provide the funds necessary to cover increased costs of office supplies (toner, paper, USB drives).
- \$65,000 in Class 400, a \$46,416 decrease over FY16. This funding will cover minimal replacement costs of office and technology equipment.

STAFFING LEVELS

The current staffing levels as of January 2016 are as follows:

Assistant District Attorneys – 315
 Detectives – 54
 Support Staff – 221

Total Staffing Level - 590

- LIST NUMBER OF NEW HIRES BY ETHNICITY AND LANGUAGE.

New Hires Ethnicity	
African-American	10
White	43
Hispanic	3
Asian	0
Other	2
TOTAL New Hires	58

New Hires Languages Spoken	
Tingrinya	1
Arabic	2
Albanian	1
Spanish	2
Farsi	2
Bengali	1
Hebrew	1
French	1
Gujarati	1
Hindi Urdu	2
Portugese	1
TOTAL Bilingual New Hires	9
TOTAL Languages Spoken by New Hires	11

**DISTRICT ATTORNEY
PERFORMANCE, CHALLENGES AND INITIATIVES**

DEPARTMENT PERFORMANCE (OPERATIONS)

N/A

**DISTRICT ATTORNEY
OTHER BUDGETARY IMPACTS**

FEDERAL AND STATE (WHERE APPLICABLE)

We were initially able to begin and sustain some of our significant diversionary programs with different pools of grant funding. Unfortunately, in the last two to three years, we have become ineligible for this funding because federal rules prohibit funding for recurring programs. Instead, the federal government will provide funding for new programs. While these JAG funded programs have been a resounding success and have transformed the criminal justice system in Philadelphia, we are nonetheless ineligible for grant funding. This means that to sustain these terrific programs, we have to cover the costs. We have done so over the past few fiscal years, but it came at a price. The cost to our Office was the incapacity to further expand upon or create other innovative measures that promote City-wide cost savings or retain our most talented staff. The proposed FY 17 budget by Mayor Kenney acknowledges this challenge and provides funding to cover the grant funding for which we are no longer eligible. This funding increase allows us to maintain the status quo – nothing more and nothing less.

In addition to JAG funding, other grant funding has been lost over the past two years that paid for salaries related to YAP (Youth Aid Panels), Performance Unit, Electronic Discovery, Welfare Fraud and Parole Petition Processing. While we continue to vigorously pursue grant funding for the Office, there are limited resources available to us as prosecutors. The loss of grant funding has been extraordinarily detrimental to this Office, especially over the past two years.

We do receive state funding for our joint Gun Violence Task Force with the Attorney General's Office and funding for the state-wide witness relocation program. Funding for the former has increased slightly in order to account for contractually mandated salary augmentations, and funding for the latter has remained.

DISTRICT ATTORNEY – CONTRACTING EXPERIENCE

See Attached for Detailed Contracts List

DISTRICT ATTORNEY – EMPLOYEE DATA

Staff Demographics (as of January 2016)

		<i>Full-Time Staff</i>		<i>Executive Staff</i>	
		Male	Female	Male	Female
	African-American	African-American		African-American	African-American
<i>Total</i>	46	81	<i>Total</i>	4	0
<i>% of Total</i>	8.0%	14.1%	<i>% of Total</i>	28.6%	0.0%
<i>Average Salary</i>	\$60,506	\$49,381	<i>Average Salary</i>	\$154,680	\$0
<i>Median Salary</i>	\$56,199	\$43,253	<i>Median Salary</i>	\$171,573	\$0
	White	White		White	White
<i>Total</i>	185	213	<i>Total</i>	4	5
<i>% of Total</i>	32.1%	37.0%	<i>% of Total</i>	28.6%	35.7%
<i>Average Salary</i>	\$70,767	\$62,981	<i>Average Salary</i>	\$151,613	\$134,179
<i>Median Salary</i>	\$70,739	\$56,199	<i>Median Salary</i>	\$151,716	\$119,000
	Hispanic	Hispanic		Hispanic	Hispanic
<i>Total</i>	5	19	<i>Total</i>	1	0
<i>% of Total</i>	0.9%	3.3%	<i>% of Total</i>	7.1%	0.0%
<i>Average Salary</i>	\$88,361	\$60,133	<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>	8	19	<i>Total</i>	0	0
<i>% of Total</i>	1.4%	3.3%	<i>% of Total</i>	0.0%	0.0%
<i>Average Salary</i>	\$52,794	\$70,836	<i>Average Salary</i>	\$0	\$0
<i>Median Salary</i>	\$51,956	\$61,749	<i>Median Salary</i>	\$0	\$0
	Other	Other		Other	Other
<i>Total</i>	0	0	<i>Total</i>	0	0
<i>% of Total</i>	0.0%	0.0%	<i>% of Total</i>	0.0%	0.0%
<i>Average Salary</i>	\$0	\$0	<i>Average Salary</i>	\$0	\$0
<i>Median Salary</i>	\$0	\$0	<i>Median Salary</i>	\$0	\$0
	Bi-lingual	Bi-lingual		Bi-lingual	Bi-lingual
<i>Total</i>	14	26	<i>Total</i>	1	0
<i>% of Total</i>	2.4%	4.5%	<i>% of Total</i>	7.1%	0.0%
<i>Average Salary</i>	\$65,192	\$62,178	<i>Average Salary</i>	\$157,000	\$0
<i>Median Salary</i>	\$56,523	\$61,089	<i>Median Salary</i>	\$157,000	\$0
	Male	Female		Male	Female
<i>Total</i>	244	332	<i>Total</i>	9	5
<i>% of Total</i>	42.4%	57.6%	<i>% of Total</i>	64.3%	35.7%
<i>Average Salary</i>	\$68,604	\$59,949	<i>Average Salary</i>	\$153,575	\$134,179
<i>Median Salary</i>	\$68,408	\$54,075	<i>Median Salary</i>	\$167,576	\$119,000

**DISTRICT ATTORNEY
APPENDIX (Other Relevant Data and Charts)**

Number of Bilingual Employees, by Division (as of January 2016)

	Bengali	Cambodian	Farsi	French	German	Greek	Hindi	Italian	Korean	Malayalam
Div. 1-Gen. Support	0	0	0	0	0	0	0	0	0	0
Div. 2-Trials	1	0	3	3	0	1	3	0	1	1
Div. 3- Investigations	0	0	0	0	1	0	0	0	0	0
Div. 4-Law	0	0	0	2	0	0	0	1	0	0
Div. 5- Detectives	0	0	0	0	0	0	0	0	0	0
Div. 6-Juvenile	0	0	0	1	0	0	0	0	0	0
Div. 7-Narcotics	0	0	0	0	0	1	0	0	0	0
Total - All Divisions	1	0	3	6	1	2	3	1	1	1

	Mandarin	Polish	Portuguese	Punjabi	Russian	Spanish	Sign (American)	Tigrinya	Taiwanese	Vietnamese
Div. 1 (Gen. Support)	0	1	0	0	0	2	0	0	0	0
Div. 2 (Trials)	0	0	0	1	1	11	0	1	0	1
Div. 3 (Investigations)	0	0	0	0	0	1	0	0	0	0
Div. 4 (Law)	1	0	0	0	0	1	1	0	1	0
Div. 5 (Detectives)	0	0	0	0	0	5	0	0	0	0
Div. 6 (Juvenile)	0	0	0	0	0	1	0	0	0	0
Div. 7 (Narcotics)	0	0	1	0	0	2	0	0	0	0
Total - All Divisions	1	1	1	1	1	23	1	1	1	1

Total - # of Bilingual Employees	44
Total - # of Languages Spoken	19

ATTACHMENTS

FY 2016 Contracts Paid by General Fund as of December 31, 2015				
Vendor	Amount	Summary of Service	Contract Period Start Date	DBE Status
Best Transit, Inc.	\$60,000	Performs shuttle passenger operations between DA's Office and 800 Spring Garden Street (Traffic Court)	July 1, 2015	MWBE Certified
Center City/ North Central Crime Victims Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2015	Center City-White Female (Executive Director) North Central-African American Male (Executive Director)
CONCILIO	\$58,560	Provides services to victims/witnesses during preliminary hearings. Contract requires part of funds to include the employment of a bilingual court advocate.	November 1, 2015	Hispanic Female (Executive Director)
Drugscan, Inc.	\$210,000	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 1, 2015	
East Division Crime Victims Services	\$31,919	Provides services to victims/witnesses during preliminary hearings. Contract requires part of funds to include the employment of a bilingual court advocate.	July 1, 2015	African American Female (Executive Director)
Families of Murder Victims	\$54,769	Provides services to victims/witnesses during homicide preliminary hearings	July 1, 2015	White Female (Program Director)
GRM Information Management Services	\$125,000	Provides file storage and management services	July 1, 2015	
IQ Business Group	\$231,000	Technology consultant for ediscovery and case management system	July 1, 2015	

Northeast Victim Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2015	White Male (Executive Director)
Northwest Victim Services	\$73,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2015	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.	July 1, 2015	White Male (Executive Director)
Victim Services of South Philadelphia	\$70,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2015	White Female (Executive Director)
West/Southwest Phila Victim Services	\$82,000	Provides services to victims/witnesses during preliminary hearings	July 1, 2015	White Female (Program Director)
Women Against Abuse	\$54,846	Provides services to victims/witnesses of domestic violence during preliminary hearings and misdemeanor trials	July 1, 2015	Hispanic Female (Executive Director)
Women Organized Against Rape	\$41,000	Provides services to victims/witnesses of sexual assault during preliminary hearings and misdemeanor trials	July 1, 2015	African American Female (Executive Director)
TOTAL	\$1,314,180			