

**DISTRICT ATTORNEY
FISCAL YEAR 2021 SUPPLEMENTAL BUDGET TESTIMONY
JUNE 8, 2020**

SUPPLEMENTAL FUNDING REQUEST JUSTIFICATION:

The proposed Mayor's FY21 DAO Operating Budget includes an overall **decrease of \$8,794,891, or 21%**. At the same time, the DAO and the Philadelphia Police Department ("PPD") are launching a new crimefighting collaboration to reduce gun violence. This collaborative model is based on efforts to reduce gun violence in Chicago that are led by the chief prosecutor and local police in Cook County, Illinois. The Chicago police and prosecutor collaborative model coincided with a two-year period when metrics of gun violence were reduced by 20%; now, the initiative has been expanded city-wide. Under the DAO/PPD collaborative model, the DAO will embed two Assistant District Attorneys ("ADA") full-time at each of the six PPD divisional headquarters, totaling twelve ADAs. Currently, ADAs partner with PPD with the investigation of homicides. Through this collaboration and at PPD's request, ADAs will now provide expanded our investigation assistance to include non-fatal shootings and directly support the Group Violence Intervention Project as it comes online in West Philadelphia and future target areas. We are also in conversations about having a full-time DAO data analyst embedded with PPD and possibly having a PPD data analyst embedded full-time at the DAO. This collaborative model focuses the required resources and allocates them to address and reduce gun violence, a priority among Public Safety agencies. To staff this collaboration, the DAO requires 12 full-time ADAs, one full-time data analyst, plus investigative support from additional DAO detectives (either detailed PPD officers/detectives or other qualified personnel), however, the Mayor's Proposed FY21 Operating Budget fails to allocate resources for this model.

CLASS 100

The Mayor's Proposed FY21 Operating Budget for Class 100 represents a **decrease of \$7,366,453** compared with our current FY20 Target Funding level. With the COVID-19 pandemic delaying hundreds of arrests and prosecutions, public safety necessitates fully funding all criminal justice agencies. In addition, the sharp economic downturn has the potential to increase complex criminal acts, like the economic crimes of fraud, illegal business practices, and deed fraud. This significant loss of funding is unprecedented and eliminates funding for any incremental hiring or replacements for departing staff. Staffing shortages will result in severe difficulty staffing Municipal courtrooms resulting in more senior level ADAs being diverted from more complex criminal investigations. The significant loss in funding will significantly decrease our ability to retain ADAs and support staff that share the Office's core mission: to seek justice and promote public safety by exercising prosecutorial discretion to enforce fair and just prosecutions of violations of criminal laws. Great effort has gone into recruiting and training DAO staff to implement our goals and the inability to retain them will slow the progress realized in the past two years. Therefore, we are requesting an increase of \$1,089,000 in Class 100 over our FY20 Budget to fund the DAO's portion of the embedded PPD collaboration and to continue the efforts for a safe and just City.

INCREASE REQUEST: \$1,089,000

CLASS 200

The Mayor's Proposed FY21 Operating Budget includes **a decrease of \$1,173,434** in Class 200. In FY20 the DAO received supplemental funding of \$500,000 to hire software developers through a staff augmentation contract with OIT. The supplemental funding was requested to create an effective E-Discovery system and replace our outdated Case Management System. The justification submitted in FY20 requested supplemental funding in fiscal years FY20 through FY22. This is the timeline needed to create and implement the new systems. Lack of funding for software developers acquired through OIT will delay this project, increase the project's long-term costs and negatively affect our criminal justice partners until the project is complete. The Public Defenders, private counsel, and the FJD are and will continue to be negatively impacted by the continued use of paper-based discovery. Throughout 2019, E-Discovery had approximately 70% downtime and has been offline since the summer of 2019. Even when working, E-Discovery is a poorly functioning application for today's needs. This workflow results in unnecessary costs in printing paper (copiers, toner, paper, etc.), delays in work due to lost or misplaced documents, ineffective communication as multiple people cannot simultaneously review one case file, and excessive time spent in court and with defense counsel and judges dealing with procedural issues in each criminal matter. Without an efficient method of passing large volumes of discovery documents, photographs, videos and other materials, defense attorneys have less time to prepare their cases and both defense counsel and the Courts spend unnecessary time attempting to account for and coordinate the passing of discovery from the DAO.

Therefore, the Office is requesting an additional \$97,000, or 2.5% over the FY20 budget in Class 200 to continue the improvement projects of the systems that were started in this fiscal year. This funding will allow for more efficient allocation of DAO resources to prioritize consumer protection and quality of life. Without an effective case management solution, the DAO will continue to conduct its business almost entirely on paper. An effective case management system will transform our capacity to digitize workflows, decrease the amount of court time required to see a case through to disposition and beyond, and increase transparency in our efforts to defense counsel, the judiciary, and the public.

INCREASE REQUEST: \$97,000

CLASS 300/400

The Mayor's Proposed FY21 Budget includes **a decrease of \$255,004** in Classes 300/400. The FY20 Operating Budget included an increase of \$150,000 in Classes 300/400. Class 300/400 had been level funded for the past 9 years prior to FY20. As a result of inflation and increased equipment needs of the DAO, our purchasing power has decreased over the past decade. The DAO is requesting an additional 2.5% over the FY20 budget in Classes 300/400.

INCREASE REQUEST: \$17,000

TOTAL FY21 BUDGET REQUEST OVER FY20 TARGET: \$1,203,000