

FY2025 PHILADELPHIA DAO BUDGET TESTIMONY

District Attorney's Office
Larry Krasner, District Attorney
April 16, 2024

INTRODUCTION

Good morning, Philadelphia Council President Kenyatta Johnson, Majority Leader Katherine Gilmore-Richardson, Appropriations Chair Councilmember Mark Squilla and members of this illustrious and esteemed Philadelphia City Council. My name is G. Lamar Stewart, Chief of the DAO's External Engagement & Government Affairs Division, testifying on behalf of Philadelphia District Attorney Larry Krasner and the 600 plus attorneys, law enforcement, support staff and victim services professionals employed by the Philadelphia District Attorney's Office. I'm joined today by several colleagues to include First Assistant District Attorney Robert Listenbee, Chief of Staff Jennifer Lin as well as supervisors and attorneys of the following DAO units: Gun Violence Task Force, Homicide & Non-Fatal Shootings Unit, Juvenile Unit, Organized Retail & House Theft Task Force, Dangerous Drug Offenders Unit, DATA Lab, Carjacking Enforcement Unit & our Conviction Integrity Unit.

Department Mission & Plans

Mission: The Philadelphia District Attorney's Office (DAO) seeks 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 by prioritizing public safety, supporting crime victims and survivors, ending the era of mass incarceration, and moving beyond the false promises of overly punitive policies.

Plans for Fiscal Year 2025:

Philadelphia District Attorney Larry Krasner, our Executive Team and DAO staff remains committed to prioritizing public safety, seeking appropriate consequences and accountability for offenders of crime, exonerating individuals who are innocent of crime and providing crisis and trauma support to witnesses and survivors through direct and referral services.

The Philadelphia District Attorney's Office is respectfully requesting funding support above the FY25 Proposed Operating Budget, from Philadelphia City Council in the amount: \$6,057,660 in Class 100, \$684,100 in Class 200, \$100,000 in Class 300/400 and \$1,250,000 in support of the DAO's Witness Relocation Program.

As the Philadelphia District Attorney's Office continues to strengthen its external partnerships with law enforcement, community & faith-based partners and government partners, we stand in solidarity with Mayor Cherelle Parker in making Philadelphia the safest, cleanest, and greenest big city in America, with economic opportunity for all.

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The Philadelphia District Attorney's Office plans to achieve its public safety goals in collaboration with local and federal justice partners by strengthening the operations of its previously City Council funded initiatives such as: the DAO's Organized Retail & House Theft Task Force, Carjacking Enforcement Unit and the Gun Crimes Strategies & Prevention Collaborative. Additionally, with the FY 25 Funding Support of Philadelphia City Council, we plan to build on those efforts by launching several new enforcement initiatives in the new fiscal year to include:

- Cleaner & Greener Enforcement Unit – The DAO will focus heightened prosecutorial attention, investigating collaboratively with law enforcement and appropriately prosecuting quality of life, short-dumping and environmental justice cases throughout the city and county of Philadelphia.
- Dangerous Drug Offenders Division – The DAO will expand our already existing Dangerous Drug Offenders Unit into a Division to develop and foster more robust short-term and long-term narcotics investigations. Through this expansion, which will mirror federal law enforcement style investigations, DDOD will operate extensive wiretap surveillance operations and increased focused on “priority corners and drug houses (also known as “trap houses”) throughout the city of Philadelphia.
- Cold Case Investigations Unit – The DAO will work collaboratively with the Philadelphia Police Department and other local, state and federal law enforcement partners to investigate, solve and prosecute unsolved cases to include by not limited to Fatal & Non-Fatal Shootings, Family Violence, Sexual Assault and Rape cases.
- Public Integrity Unit – The DAO will add additional personnel resources to the DAO's Conviction Integrity Unit to increase the unit's capacity to execute more post-conviction reviews and reduce the current number of conviction integrity request.
- DATA GovLab – The DAO is committed to increasing our office's transparency through quantitative DATA and Analytics, while also hearing and embracing the qualitative lived experiences of Philadelphia residents. Recently the DAO launched its DATA CoLab Initiative – which is a data-informed community engagement initiative fostering partnerships between the DAO's DATA Lab and community-based organizations. The DAO will develop a similar program, working in collaboration with the DAO's External Engagement & Government Affairs Division, to provide regularly available DATA packets to our partners in City Council and other government agencies. The goal is to provide DATA support to our partners in their efforts to utilize data to inform programming, advocacy and constituents' support.

In order to support our mission and new initiatives, the DAO respectfully notes the financial support needed for our attorneys and staff, particularly our ADAs. The voluminous caseloads handled by our ADAs require a robust retention practice, with a focus of reasonably compensating our attorneys in alignment with the increased costs of living in the City and recognition of the intensive workload each of our attorneys carries on a daily basis. This is a goal the DAO is addressing alongside other City legal organizations, who are also committed to sound retention practices including the increase of salaries for incoming attorneys to appropriately reflect the increased costs of living and heavy caseloads. The DAO seeks to retain excellent and diverse attorneys, particularly ADAs who have shown a commitment to the Office and/or have been able to contribute their skills through prior legal experience. Our goal would be to retain such committed and excellent attorneys, while being mindful of equity in relation to other ADAs who have received minimal to no adjustments during their time at the DAO. In doing so, we are confident that we can address the periodic spikes in attrition due to burnout and lack of work-life balance.

PROPOSED BUDGET OVERVIEW

| General Fund Financial Summary by Class | | | | | | |
|---|------------------------------|-------------------------|------------------------------|----------------------------|------------------------------|-----------------------|
| | FY23 Original Appropriations | FY23 Actual Obligations | FY24 Original Appropriations | FY24 Estimated Obligations | FY25 Proposed Appropriations | Difference: FY25-FY24 |
| Class 100 - Employee Compensation | \$40,467,055 | \$43,824,954 | \$46,912,929 | \$49,912,929 | \$50,075,638 | \$162,709 |
| Class 200 - Purchase of Services | \$3,343,738 | \$3,793,482 | \$3,378,866 | \$3,378,866 | \$3,378,866 | \$0 |
| Class 300/400 - Materials, Supplies & Equipment | \$533,417 | \$631,265 | \$832,275 | \$832,275 | \$832,275 | \$0 |
| Class 500 - Contributions | | \$1,875,000 | | | | \$0 |
| Total | \$44,344,210 | \$50,124,700 | \$51,124,070 | \$54,124,070 | \$54,286,779 | \$162,709 |

Proposed Funding Request:

The proposed Fiscal Year 2025 General Fund budget totals \$54,286,779, an increase of \$167,709 over Fiscal Year 2024 estimated obligation levels. This increase is due to contractual obligations.

The proposed budget includes:

- \$50,075,638 in Class 100, A \$162,709 increase over FY24. In FY25, the DAO has requested new funding for additional staffing in alignment with the City’s priorities of reducing gun violence, particularly involving prolific offenders, contributing to a safer, cleaner, greener Philadelphia. In addition, the DAO is seeking salary adjustments to support its incoming class of ADAs in the Fall of 2024, which will reflect the dramatic increases in cost of living. In doing so, the Office must also consider reasonably adjusting compensation of current ADAs, particularly those who have worked at the DAO for two or more years or have relevant prior legal experience, and have received minimal to no adjustments during their time working at the Office.
- \$3,378,866 in Class 200, flat funded over FY24 and a \$414,617 decrease over FY23. The District Attorney’s Office had another source of funds to utilize in FY24 for the mandatory Microsoft Outlook software upgrade to maintain compliance with OIC and ensure that our computers are operational. Additionally, these funds allowed the DAO to meet ongoing contractual obligations, including Evidence.com, our electronic discovery software. Our ongoing contractual obligations for FY25 have not changed, in fact, they have greatly increased and the current funding level will not allow the DAO to meet ongoing contractual obligations.
- \$832,275 in Class 300/400, flat funded over FY24. The DAO has been transitioning to a purchase schedule where a percentage of equipment is replaced annually. Additionally, in the absence of a Capital Budget, a large number of our copiers and printers are aged to the point of no repair. Additional funding is needed to continue our purchase schedule and replace failing equipment.

STAFFING LEVELS

The department is requesting 703 budgeted positions for FY25, an overall decrease of 12 positions from FY24.

15 newly budgeted grant positions are offset by a decrease of 27 positions in the general fund headcount. Additional funding is needed to increase our general fund headcount to implement new initiatives.

| Employment Levels (as of December 2023) | | |
|--|---------------|----------------------------|
| | FY25 Budgeted | Filled as of December 2023 |
| Number of Full-Time Positions | 703 | 715 |
| Number of Part-Time Positions | 4 | 4 |
| Number of Exempt Positions | 607 | 619 |
| Number of Executive Positions (deputy level and above) | 7 | 10 |
| Average Salary of All Full-Time Positions | \$83,108 | \$82,271 |
| Median Salary of All Full-Time Positions | \$73,010 | \$72,275 |

NEW HIRES

| New Hires (from 7/1/2023 to December 2023) | | | | | | |
|--|---------------------------|---------------|--------|--------|-------|----------|
| | Total Number of New Hires | American sign | French | German | Hindi | Japanese |
| Black or African American | 14 | | 1 | | | 1 |
| Asian | 4 | | | | 1 | |
| Hispanic or Latino | 4 | | 1 | | | |
| White | 52 | 1 | 1 | 1 | | |
| Other | 5 | | | | | |
| Total | 79 | 1 | 3 | 1 | 1 | 1 |

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| New Hires (from 7/1/2023 to December 2023) continued | | | | | | | |
|--|----------|---------|---------|--------|----------|------|--------|
| | Mandarin | Russian | Spanish | Telugu | Ukranian | Urdu | Yoruba |
| Black or African American | | | | | | | 1 |
| Asian | 1 | | 2 | 1 | | 1 | |
| Hispanic or Latino | | 1 | 3 | | | | |
| White | 1 | 1 | 4 | | 1 | | |
| Other | | | | | | | |
| Total | 2 | 2 | 9 | 1 | 1 | 1 | 1 |

| Detail for new hires since December 2023, if applicable: | | |
|--|---------------------------|---------|
| | Total Number of New Hires | Spanish |
| Black or African American | 4 | 1 |
| White | 2 | |
| Other | 1 | |
| Total | 7 | 1 |

PROGRAM BASED BUDGETING:

Program Name: General Support

Program Number: 1

FY25 Proposed General Fund:

Program Description:

The General Support Division monitors and safeguards the organizational, technological and fiscal health of the DAO. The General Support program specializes in resource delivery, compliance and communications. The General Support Division fulfills core government functions through the administrative units. From recruitment to retirement, the General Support Division ensures that all DAO staff not only have the resources necessary to seek justice, but also work in a safe, supportive, and efficient workspace. Additionally, the executive units provide communication and connection to the DAO.

FY25 Performance Measures:

| Measure | FY23 Actual | FY24 Target | FY25 Target |
|---------------------------------------|-------------|-------------|-------------|
| Data CoLab Community Partner Meetings | 24 | 45 | 45 |

Program Name: External Engagement and Government Affairs

Program Number: 2

FY25 Proposed General Fund:

Program Description:

The External Engagement and Government Affairs Division focuses on building relational equity with the community at large and government agencies through proactive, frequent and transparent engagement with community groups and governmental partners. The Division achieves its objectives through community meetings, proactive public relations and communications strategies, and other transparent means that promptly responds to the concerns of community, crisis-incidents and governmental requests (e.g. City Council members’ constituent services needs and community events where the DAO is invited by the elected official and community groups).

FY25 Strategic Goals:

- The DAO's External Engagement and Government Affairs Division will reboot and expand the impact of its One Stop Job & Resources HUB, partnering with local schools and community spaces, coordinating events for local employers to bring employment, trauma-care and housing resources to communities mostly impacted by poverty and crime.
- The DAO's External Engagement and Government Affairs Division will assist in coordinating the efforts of newly formed DAO public safety initiatives (such as Gun Crimes Strategies and Prevention Collaborative, Carjacking Enforcement Unit, Organized Retail and House Theft Task Force, etc.) and increase the community's access to these investigative and prosecutorial tools and resources through regular DAO led virtual and in-person community townhalls.

Program Name: Trials

Program Number: 3

FY25 Proposed General Fund:

Program Description:

The Trial Division is the backbone of the District Attorney’s Office providing general and specialized prosecution. *The majority of our lawyers* work in the Trial Division, seeking justice through criminal convictions, sentencing recommendations, and a wide array of specialty courts to address underlying issues – veterans’ court, drug courts, mental health court among others. The Division includes the Major Trials Unit, Municipal Court Unit (MC), Family Violence and Sexual Assault (FVSA), Homicide and Non-Fatal Shootings, Juvenile Unit (described further below), Gun Violence Task Force, Economic Crimes.

FY25 Strategic Goals:

- Continue the build-out of the Organized Retail and House Theft Task Force, Labor Protection Unit, Prolific Gun Unit, Carjacking Enforcement Unit and the Gun Crimes Strategies & Prevention Collaborative.
- Reduce the average caseload per ADA.

FY25 Performance Measures:

| Measure | FY23 Actual | FY24 Target | FY25 Target |
|----------------------------|-------------|-------------|-------------|
| Carjacking Arrests Charged | 53 | 150 | 150 |

Program Name: Investigations

Program Number: 4

FY25 Proposed General Fund:

Program Description:

The Investigations Division’s work generally starts before an arrest is made. Investigating and prosecuting complex criminal matters requires experienced Assistant District Attorneys, District Attorney Detectives, support staff, and 21st century prosecution tools. By investigating select criminal activity, the DAO is being proactive about making a safer and fairer Philadelphia. The Investigations Division focuses on ongoing criminal activity that preys on the poor and the powerless in the city’s communities. Focusing on these cases can make a real difference in promoting equity and helping people to escape poverty.

FY25 Strategic Goals:

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

Sustain AND GROW the Conviction Integrity Unit

- .Develop a Cold Case Unit.

FY25 Performance Measures:

| Measure | FY23 Actual | FY24 Target | FY25 Target |
|---|-------------|-------------|-------------|
| Number of Older Adults Served by the Elder Justice Unit | 60 | 400 | 400 |
| Federal Gun Crime Cases Prosecuted by Special US ADAs | 7 | 28 | 28 |
| Straw Purchase/Gun Trafficking Investigations Charged | 6 | 100 | 100 |

Program Name: Law

Program Number: 5

FY25 Proposed General Fund:

Program Description:

The DAO’s work often continues after a conviction is obtained and a sentence imposed. Litigation defending the constitutionality of a criminal conviction can last as long or longer than the sentence itself. The Law Division handles the District Attorney’s Office appellate and post-conviction work in state and federal court. With nearly **one out of five ADAs** working in the Law Division, this Division is the second largest in the DAO and is tasked with not just fighting to uphold decisions, but also to ensure just decisions.

FY25 Strategic Goals:

- Retain and prioritize diversity and inclusion within the Division.
- Continue to address PCRA backlog of over 10,000 cases.
- Continue improving the open file discovery process.

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- 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.

FY25 Performance Measures:

| Measure | FY23 Actual | FY24 Target | FY25 Target |
|----------------------------------|-------------|-------------|-------------|
| Appeals Unit: Convictions Upheld | N/A | 90% | 90% |

Program Name: Detective

Program Number: 6

FY25 Proposed General Fund:

Program Description:

The Detective Division assists the other DAO divisions by investigating crimes and submitting affidavits of probable cause referred to the District Attorney's Office in conjunction with prosecutors. Services performed by the Detective Division include witness interviews, evidence recovery and processing, warrant service, the location and transportation of witnesses, service of subpoenas, prisoner transport, and effectuating arrest warrants.

FY25 Strategic Goals:

- 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.

Program Name: Juvenile

Program Number: 7

FY25 Proposed General Fund:

Program Description:

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In the calendar year 2023, approximately 2,150 new petitions (cases) were opened in the DAO’s Juvenile Unit. This total included 170 petitions involving juveniles whose residence was in Philadelphia County and whose cases were referred to Philadelphia from other Pennsylvania counties. It also included 75 Direct File Juvenile (DFJ) cases where the youth were decertified from Adult Court to Juvenile Court.

In addition, there were also approximately 2400 petitions in review status before Judges and Hearing Officers while juveniles were in placement, on probation or were being supervised by the Delinquency/Dependency Cross Over Court.

The statutory mission of the Juvenile Division is to treat, supervise and rehabilitate youth while holding them appropriately accountable, and while protecting victims and ensuring safety in communities throughout the City. The DAO makes a concerted effort to rehabilitate youth within an adolescent development framework with the hope that our efforts will reduce the likelihood that they will return to the juvenile or criminal justice systems.

FY25 Strategic Goals:

- 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 focus on gun possession cases, particularly involving prolific offenders
- Continue to focus on retail theft cases in collaboration with the DAO’s Organized Retail and House Theft Task Force

FY25 Performance Measures:

| Measure | FY23 Actual | FY24 Target | FY25 Target |
|--|-------------|-------------|-------------|
| Diverted Youth Who Received Employment or Internship | N/A | 60 | 60 |

Program Name: Victim Support Services

Program Number: 8

FY25 Proposed General Fund:

Program Description:

The Victim Support Services Division is committed to engaging, empowering, and encouraging victims, co-victims, survivors, witnesses, and families as they journey through the healing process in the community and during the criminal justice process. The Victim Support Services Division

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is divided into two units. First is the Victim Services Unit. Victim & Witness Coordinators is to limit any further trauma, ease the burden of new legal responsibilities, and help ensure victims' voices are heard throughout the criminal justice process.

FY25 Strategic Goals:

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

FY25 Performance Measures:

| Measure | FY23 Actual | FY24 Target | FY25 Target |
|---|-------------|-------------|-------------|
| LGBTQ+ Victims Served | N/A | 250 | 250 |
| DAO Philadelphia CARES Unit Outreach - Number of New Survivors of Homicide Victims Served | 232 | 850 | 850 |

Program Name: Pre-Trial

Program Number: 9

FY25 Proposed General Fund:

Program Description:

The Charging Unit handles core matters and cases that occur pre-trial: 24 hours a day, seven days a week, the Charging Unit is promptly reviewing submitted evidence for all sight arrests and arrest warrants, and it determines which cases have sufficient evidence for formal charges to prosecute. Through constant communication with arresting agencies like the Philadelphia Police Department, the Charging Unit ensures that arrests and arrest warrants are supported by probable cause and that all reasonable investigatory processes were followed. The Charging Unit also serves a vital role in referring cases to appropriate units for prosecution, whether it be a specialty Trial Division Unit like Family Violence/Sexual Assault, or to a specialty unit like Diversion, Immigration, Private Criminal Complaints, or Emerging Adult Units.

The Diversion Unit utilizes thorough discretion to divert and connect people to appropriate resources. Diversion can occur at various stages of prosecution, from pre-conviction as an alternative to a trial through post-conviction alternatives to incarceration. Most diversion programs are collaborative approaches to identifying and confronting barriers to positive social determinants of health. These interventions include accepting

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treatment as a form of accountability for substance abuse, or connecting Veterans to their well-earned benefits and services. Additional Pre-Trial Units share similar goals of disconnecting people from the criminal legal system and engaging them in public health and social services.

The Pre-Trial Division seeks justice through connecting defendants to resources and alternatives to incarceration without relying on trials.

FY25 Strategic Goals:

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

FY25 Performance Measures:

| Measure | FY23 Actual | FY24 Target | FY25 Target |
|---|-------------|-------------|-------------|
| Percent of cases diverted from initial charging | 6.8% | 5.0% | 5.0% |

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OTHER BUDGETARY IMPACTS

Federal and State (Where Applicable)

The DAO does not foresee any significant changes to Federal or State grant funding in FY25.