



Finance Division The Council of the City of New York

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Report to the Committees on Finance and Public Safety
on the Fiscal Year 2016 Executive Budget for the

District Attorneys and Special Narcotics Prosecutor

May 21, 2015

Executive Budget Summary

- **Expense Budget:** The total Fiscal 2016 Executive Budget for the five District Attorneys (DAs or City's prosecutors) and Office of Special Narcotics Prosecutor (OSNP) is \$331.7 million, which is \$17.5 million, or 5.2 percent, more than the Fiscal 2015 Adopted Budget of \$314.3 million.
- **Headcount:** The total Fiscal 2016 Executive Budget Headcount for the five DAs and OSNP is 3,334.
 - DA New York – 975
 - DA Bronx – 691
 - DA Kings – 891
 - DA Queens – 499
 - DA Richmond - 86
 - OSNP - 192
- **Fiscal 2016 Executive Budget Changes:** The Fiscal 2016 Executive Budget makes no programmatic changes. It includes \$306,000 in other adjustments related to collective bargaining costs and heat, light and power adjustments.

DAs and OSNP Overview

This report provides an overview of the Fiscal 2016 Executive Budget for the DAs and OSNP. Appendices 1 and 2 report the changes made to the Fiscal 2015 and Fiscal 2016 Budgets since adoption of the Fiscal 2015 Budget. The DAs and OSNP do not have a capital budget. For additional information on the DA's and the OSNP's Budgets and their various programs, please refer to the report on the Fiscal 2016 Preliminary Budget available at:

<http://council.nyc.gov/html/budget/2016/Pre/da.pdf>

District Attorneys and Special Narcotics Prosecutor Financial Summary						
	2013	2014	2015	Executive Plan		*Difference
<i>Dollars in Thousands</i>	Actual	Actual	Adopted	2015	2016	2015 - 2016
Spending						
Personal Services	\$287,070	\$284,816	\$276,565	\$307,881	\$296,273	\$19,708
Other Than Personal Services	36,289	36,901	37,686	48,559	35,431	(2,255)
TOTAL	\$323,359	\$321,717	\$314,251	\$356,440	\$331,705	\$17,453
Budget by Program Area						
DA - New York County	\$104,551	\$97,595	\$92,541	\$112,639	\$98,350	\$5,809
DA - Bronx County	52,873	55,675	54,603	60,880	57,972	3,369
DA - Kings County	88,348	87,844	87,983	96,092	92,129	4,146
DA - Queens County	50,497	53,113	51,270	57,049	54,153	2,883
DA - Richmond County	8,943	9,294	9,508	10,272	9,719	212
Special Narcotics Prosecutor	18,146	18,196	18,346	19,508	19,381	1,035
TOTAL	\$323,359	\$321,717	\$314,251	\$356,440	\$331,705	\$17,453
Funding						
City Funds			\$300,299	\$318,985	\$317,752	\$17,453
Other Categorical			0	1,432	0	0
State			11,279	25,810	11,279	0
Federal - Other			58	7,087	58	0
Intra City			2,616	3,126	2,616	0
TOTAL	\$323,359	\$321,717	\$314,251	\$356,440	\$331,705	\$17,453
Budgeted Headcount						
DA - New York County	1,292	1,296	975	975	975	0
DA - Bronx County	785	812	691	691	691	0
DA - Kings County	1,052	1,011	891	913	891	0
DA - Queens County	586	604	499	499	499	0
DA - Richmond County	99	98	86	86	86	0
Special Narcotics Prosecutor	206	203	192	192	192	0
TOTAL	4,020	4,024	3,334	3,356	3,334	0

*The difference of Fiscal 2015 Adopted Budget compared to Fiscal 2016 Executive Budget.

The City's Fiscal 2016 Executive Budget totals \$78.3 billion, \$3.3 billion more than the Fiscal 2015 Adopted Budget of \$75 billion. City funds total \$56.8 billion, compared to the Fiscal 2015 Adopted Budget amount of \$54.8 billion. For the DAs and the OSNP, the Fiscal 2016 Executive Budget totals \$331.7 million.

The DAs and OSNP Fiscal 2016 Executive Budget of \$331.7 million is \$17.5 million more than its Fiscal 2015 Adopted Budget of \$314.3 million. The \$17.5 million increase is due to growth in the Personal Services (PS) budget of \$19.7 million and a decrease in the Other Than Personal

Services (OTPS) budget of \$2.3 million. The proposed budget is \$366,000 more than the Fiscal 2016 Preliminary Budget as a result of technical adjustments.

Since the Fiscal 2015 Adopted Budget, several initiatives have impacted both the agency's budget for Fiscal 2015 and Fiscal 2016. These include other adjustments of \$42.2 million in Fiscal 2015 and \$17.7 million in Fiscal 2016. Combined, the above actions reconcile the agencies to the current budget of \$356.4 million for Fiscal 2015 and \$331.7 million for Fiscal 2016.

The Fiscal 2016 Executive Budget reflects an increase to both the Fiscal 2015 and Fiscal 2016 budgets since the Preliminary Plan. This includes \$3.8 million in Fiscal 2015 and \$306,000 in Fiscal 2016. The overall headcount for the City's prosecutors and OSNP remains stable. (See Appendix 1 for a list of all Executive budget changes.)

- **City Tax-Levy Increase.** The Fiscal 2016 City-funded portion of the budget shows an increase of \$17.5 million compared to the Fiscal 2015 Adopted Budget. The current modified budget for Fiscal 2015 shows a growth of \$18.6 million. Both increases are primarily due to collective bargaining costs. In the Fiscal 2015 budget, collective bargaining totals \$15.1 million, while in Fiscal 2016 collective bargaining totals \$17.8 million.

DAs and OSNP Budget Highlights

Baseline Budget. In the Fiscal 2015 budget, each City's prosecutors received an increase to its baseline PS budget. The PS funding increase totaled \$18.9 million, a six percent increase from the Fiscal 2014 Adopted Budget. The funding supported PS needs at each office. At the Fiscal 2016 Preliminary Budget hearing, the City's prosecutors presented the various OTPS challenges facing their offices. These concerns ranged from storage to office space. The Fiscal 2016 Executive Budget does not include any additional funding to support OTPS expenses.

Asset Forfeiture Funds. The District Attorney of New York (DANY) anticipates receiving approximately \$807 million in federal and state asset forfeiture funds for its role in prosecuting three large banks (Hong Kong and Shanghai Banking Corporation, Standard Charter Bank, and National Bank of Paris and Paribas (BNPP)). In partnership with the Mayor's Office of Criminal Justice and the Office of Management and Budget, DANY has identified several shared criminal justice priorities to apply the funds towards. Some of these initiatives include:

- Mayor's Action Plan for Neighborhood Safety;
- Mayor's Taskforce on Behavioral Health and Criminal Justice;
- New York Police Department Mobility Initiative;
- Business improvements at the Office of the Chief Medical Examiner;
- Cybercrime units at each of the City prosecutors' offices; and
- Web-based Alternatives to Incarceration/Alternatives to Detention information clearinghouse database.

In addition to several shared initiatives, DANY will use some of the funding to support ongoing operations and staff development projects at its office. This funding will not be shown in DANY's budget, but will in the City's budget as State or federal funding once it has been transferred. Currently, the NYPD's Fiscal 2015 Budget recognizes \$20 million in federal funds for its information technology bureau. These funds are part of DANY's asset forfeiture funds. In addition to DANY's funding, the City anticipates receiving approximately \$447 million in asset forfeiture funds as part of the BNPP case.

Appendix 1: DAs and OSNP Fiscal 2016 Executive Budget Actions

<i>Dollars in Thousands</i>	Fiscal 2015			Fiscal 2016		
	City	Non-City	Total	City	Non-City	Total
DAs/OSNP Budget as of the Fiscal 2016 Preliminary Plan	\$318,856	\$33,772	\$352,628	\$317,448	\$13,953	\$331,401
Other Adjustments						
Heat, Light, and Power	(\$251)	\$0	(\$251)	(\$164)	\$0	(\$164)
CWA L1180 CB Increase	325	0	325	348	0	348
IATSE CB Increase	56	0	56	58	0	58
Lease Adjustments	0	0	0	64	0	64
Other Categorical Adjustments	0	249	249	0	0	0
State Funding Adjustments	0	137	137	0	0	0
Federal Funding Adjustments	0	3,298	3,298	0	0	0
Intra-City Funding Adjustments	0	0	0	0	0	0
Subtotal Other Adjustments	\$130	\$3,683	\$3,813	\$306	\$0	\$306
TOTAL All Changes	\$130	\$3,683	\$3,813	\$306	\$0	\$306
DAs/OSNP Budget as of the Fiscal 2016 Executive Plan	\$318,986	\$37,455	\$356,441	\$317,754	\$13,953	\$331,707

Appendix 2: DAs and OSNP Budget Actions since Fiscal 2015 Adoption

<i>Dollars in Thousands</i>	Fiscal 2015			Fiscal 2016		
	City	Non-City	Total	City	Non-City	Total
DAs/OSNP Budget as of the Fiscal 2015 Adopted Plan	\$300,298	\$13,953	\$314,251	\$300,023	\$13,953	\$313,976
Other Adjustments						
Heat, Light, and Power	(\$251)	\$0	(\$251)	(\$164)	\$0	(\$164)
CWA L1180 CB Increase	325	0	325	348	0	348
IATSE CB Increase	56	0	56	58	0	58
Lease Adjustments	0	0	0	64	0	64
DC37 Collective Bargaining	3,333	0	3,333	5,212	0	5,212
Buyers L300	6	0	6	6	0	6
PS Adjustment	9,783	0	9,783	12,156	0	12,156
Teamster Local 237	32	0	32	30	0	30
Revenue Agreement (901)	3,056	0	3,056	0	0	0
Revenue Agreement (903)	312	0	312	0	0	0
Revenue Agreement (904)	464	0	464	0	0	0
Revenue Agreement (905)	10	0	10	0	0	0
OTPS Adjustments	1,560	0	1,560	20	0	20
Other Categorical Adjustments	0	1,432	1,432	0	0	0
State Funding Adjustments	0	14,531	14,531	0	0	0
Federal Funding Adjustments	0	7,029	7,029	0	0	0
Intra-City Funding Adjustments	0	511	511	0	0	0
Subtotal Other Adjustments	\$18,686	\$23,502	\$42,188	\$17,729	\$0	\$17,729
TOTAL All Changes	\$18,686	\$23,502	\$42,188	\$17,729	\$0	\$17,729
DAs/OSNP Budget as of the Fiscal 2016 Executive Plan	\$318,984	\$37,455	\$356,439	\$317,752	\$13,953	\$331,705