

# THE COUNCIL OF THE CITY OF NEW YORK

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## **Report on the Fiscal 2017 Executive Budget District Attorneys and Special Narcotics Prosecutor May 23, 2016**

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## Executive Budget Summary

- **Expense Budget Overview.** The total Fiscal 2017 Executive Budget for the five District Attorneys (DAs or City's prosecutors) and Office of Special Narcotics Prosecutor (OSNP) is \$46.2 million, which is \$8.7 million, or 2.6 percent, more than the Fiscal 2016 Adopted Budget of \$337.5 million.
- **Headcount.** The total Fiscal 2017 Executive Budget headcount for the five DAs and OSNP is 3,357.
  - DA New York – 977
  - DA Bronx – 691
  - DA Kings – 891
  - DA Queens – 499
  - DA Richmond - 86
  - OSNP - 213
- **Fiscal 2017 Executive Budget Changes.** The Fiscal 2017 Executive Budget makes no programmatic changes. It includes salary increases totaling \$137,000 in the Fiscal 2017 budget for all five DAs and OSNP.

## DAs and OSNP Overview

This report provides an overview of the Fiscal 2017 Executive Budget for the DAs and OSNP. Appendix 1 reports the changes made to the Fiscal 2016 and Fiscal 2017 Budgets since adoption of the Fiscal 2016 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/fy17\\_documents.shtml](http://council.nyc.gov/html/budget/fy17_documents.shtml)

District Attorneys and Special Narcotics Prosecutor Financial Summary						
<i>Dollars in Thousands</i>	2014 Actual	2015 Actual	2016 Adopted	Executive Plan		*Difference 2016 - 2017
				2016	2017	
<b>Spending</b>						
Personal Services	\$284,816	\$311,993	\$298,893	\$314,073	\$308,228	\$9,334
Other Than Personal Services	36,901	37,143	38,572	56,405	37,967	(605)
<b>TOTAL</b>	<b>\$321,717</b>	<b>\$349,136</b>	<b>\$337,466</b>	<b>\$370,477</b>	<b>\$346,195</b>	<b>\$8,730</b>
<b>Budget by Program Area</b>						
District Attorney - New York County	\$97,595	\$107,621	\$98,575	\$118,833	\$101,786	\$3,211
District Attorney - Bronx County	55,675	60,989	58,022	61,531	59,770	1,748
District Attorney - Kings County	87,844	94,065	93,475	97,941	94,355	879
District Attorney - Queens County	53,113	56,953	55,983	59,718	58,148	2,165
District Attorney - Richmond County	9,294	10,302	9,969	10,827	10,014	45
Special Narcotics Prosecutor	18,196	19,206	21,441	21,628	22,121	681
<b>TOTAL</b>	<b>\$321,717</b>	<b>\$349,136</b>	<b>\$337,466</b>	<b>\$370,477</b>	<b>\$346,195</b>	<b>\$8,730</b>
<b>Funding</b>						
City Funds			\$323,513	\$327,462	\$332,243	\$8,730
Federal - Other			58	11,227	58	0
Intra City			2,616	2,651	2,616	0
Other Categorical			0	433	0	0
State			11,279	28,705	11,279	0
<b>TOTAL</b>	<b>\$321,717</b>	<b>\$349,136</b>	<b>\$337,466</b>	<b>\$370,477</b>	<b>\$346,195</b>	<b>\$8,730</b>
<b>Budgeted Headcount</b>						
District Attorney - New York County	1,296	1,331	977	977	977	0
District Attorney - Bronx County	813	834	691	691	691	0
District Attorney - Kings County	1,011	1,042	891	891	891	0
District Attorney - Queens County	604	634	499	499	499	0
District Attorney - Richmond County	98	98	86	86	86	0
Special Narcotics Prosecutor	203	197	213	213	213	0
<b>TOTAL</b>	<b>4,025</b>	<b>4,136</b>	<b>3,357</b>	<b>3,357</b>	<b>3,357</b>	<b>0</b>

\*The difference of Fiscal 2016 Adopted Budget compared to Fiscal 2017 Executive Budget.

The DAs and the OSNP's Fiscal 2017 Executive Budget totals \$346.2 million, which is \$8.7 million more than its Fiscal 2016 Adopted Budget of \$337.5 million. The \$8.7 million increase is due to growth in the Personal Services (PS) budget of \$9.3 million and a decrease in the Other than Personal Services (OTPS) of \$604,641.

Since the Fiscal 2016 Adopted Budget, several initiatives have impacted both the agencies budget for Fiscal 2016 and Fiscal 2017. These include other adjustments of \$8.1 million in Fiscal 2016 and \$1.7 million in Fiscal 2017. Combined, the above actions reconcile the agencies to the current budget of \$370.5 million for Fiscal 2016 and \$346.2 million for Fiscal 2017.

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 \$8.7 million when compared to the Fiscal 2016 Adopted Budget. The current modified budget for Fiscal 2016 shows a growth of \$3.9 million. Both increases are primarily due to technical adjustments and collective bargaining costs.

### New in the Executive Budget

The following are major financial plan actions for Fiscal 2017 included in the Executive Plan:

- **District Attorney Salary Increase.** The Fiscal 2017 Executive Plan includes \$69,000 in the Fiscal 2016 PS budget for salary increases for all six City Prosecutors. The funding is baselined at \$137,000 for the Fiscal 2017 PS budget.
- **Terminal Leave Payments.** The Fiscal 2017 Executive Plan includes \$151,000 for terminal leave payments in the Fiscal 2016 Budget for the Richmond County DA. This one-time City funded PS cost represents payments made to staff on leave or in retirement.

### DAs and OSNP Budget Issues

The Council's response to the Mayor's Fiscal 2017 Preliminary Budget called on the Administration to fully fund the budget needs of the five DAs. A collective increase of \$21.8 million would support several key initiatives and adequately fund core functions of each office to meet the growing demands of the offices. During the Fiscal 2017 Preliminary Budget Hearing for the Committee on Public Safety, each office presented budget constraints facing them in Fiscal 2017. The Fiscal 2017 Executive Plan did not include any budget actions to address the critical needs of the District Attorneys.

The table below reflects the total Fiscal 2017 funding requests made by each District Attorney:

Office	FY17 Funding Request ( <i>\$ in Thousands</i> )
New York	\$600
Bronx	\$11,564
Kings	\$1,032
Queens	\$4,999
Richmond	\$3,606
<b>Total</b>	<b>\$21,801</b>

The funding requests made by each office varied. The list below shows the various priorities and critical needs discussed by the five District Attorneys at the Fiscal 2017 Preliminary Budget Hearing.

- **Bronx County.** Of the \$11.5 million funding request, the Bronx County DA's funding needs includes the movement towards vertical integration prosecution, the creation of a Rikers Island Bureau, and a conviction integrity unit.
- **Richmond County.** The \$3.6 million funding request made by the Richmond County DA it includes support for the creation of a community partnerships unit, enhancement of staff in

various bureaus, the baselining of the Treatment Alternatives to a Safer Community, and improvements to its digital infrastructure.

- **Brooklyn County.** The Brooklyn DA requests \$1 million for the expansion of its crime strategies and forensic units and storage facility needs.
- **Queens County.** Of the \$4.9 million request, the Queens County DA's funding needs include the expansion of a variety of bureaus such as the detectives squad personnel, IT, appeals bureau, and increased funding support for a variety of OTPS needs.
- **New York County.** The \$600,000 funding request for New York County DA supports the creation of an Alternative to Incarceration unit.

## Appendix 1: DAs and OSNP Fiscal 2017 Budget Actions since Fiscal 2016 Adoption

<i>Dollars in Thousands</i>	FY 2016			FY 2017		
	City	Non-City	Total	City	Non-City	Total
<b>DA &amp; SNP Budget as of the Adopted 2016 Budget</b>	<b>\$323,514</b>	<b>\$13,953</b>	<b>\$337,467</b>	<b>\$330,208</b>	<b>\$13,953</b>	<b>\$344,161</b>
<b>New Needs - Prelim. 2017</b>						
DA Revenue Agreement - 901	\$1,048	\$0	\$1,048	\$0	\$0	\$0
DA Revenue Agreement - 903	243	0	243	0	0	0
DA Revenue Agreement - 904	844	0	844	0	0	0
DA Revenue Agreement - 905	111	0	111	0	0	0
<b>Subtotal, New Needs</b>	<b>\$2,246</b>	<b>\$0</b>	<b>\$2,246</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Other Adjustments - Prelim. 2017</b>						
DANY CB Carpenter Increase	\$106	\$0	\$106	\$106	\$0	\$106
BXDA OSA CB Increase	16	0	16	20	0	20
KCDA OSA CB Increase	17	0	17	21	0	21
QCDA OSA CB Increase	6	0	6	7	0	7
RCDA OSA CB Increase	9	0	9	11	0	11
Other Categorical Adjustments	0	231	231	0	0	0
State Funding Adjustments	0	14,976	14,976	0	0	0
Federal Funding Adjustments	0	7,040	7,040	0	0	0
<b>Subtotal, Other Adjustments</b>	<b>\$154</b>	<b>\$22,247</b>	<b>\$22,401</b>	<b>\$165</b>	<b>\$0</b>	<b>\$165</b>
<b>TOTAL, All Changes Prelim. 2017</b>	<b>\$2,399</b>	<b>\$22,247</b>	<b>\$24,646</b>	<b>\$165</b>	<b>\$0</b>	<b>\$165</b>
<b>DA &amp; SNP Budget as of the Preliminary 2017 Budget</b>	<b>\$325,913</b>	<b>\$36,200</b>	<b>\$362,113</b>	<b>\$330,373</b>	<b>\$13,953</b>	<b>\$344,326</b>
<b>New Needs - Exec. 2017</b>						
DA Salary Increase - 901	\$11	\$0	\$11	\$23	\$0	\$23
DA Salary Increase - 902	11	0	11	23	0	23
DA Salary Increase - 903	11	0	11	23	0	23
DA Salary Increase - 904	11	0	11	23	0	23
DA Salary Increase - 905	11	0	11	23	0	23
Terminal Leave Payments - 905	151	0	151	0	0	0
DA Salary Increase - 906	12	0	12	23	0	23
<b>Subtotal, New Needs</b>	<b>\$220</b>	<b>\$0</b>	<b>\$220</b>	<b>\$137</b>	<b>\$0</b>	<b>\$137</b>
<b>Other Adjustments - Exec. 2017</b>						
Collective Bargaining Increase	\$2,040	\$0	2,040	\$1,691	\$0	1,691
Heat, Light and Power	(767)	0	(767)	(612)	0	(612)
Other Categorical Adjustment	0	201	201	0	0	0
State Funding Adjustment	0	2,505	2,505	0	0	0
Federal Funding Adjustment	0	4,130	4,130	0	0	0
Intra-City Funding Adjustment	0	35	35	0	0	0
Lease Adjustment	0	0	0	654	0	654
<b>Subtotal, Other Adjustments</b>	<b>\$1,273</b>	<b>\$6,871</b>	<b>\$8,145</b>	<b>\$1,732</b>	<b>\$0</b>	<b>\$1,732</b>
<b>TOTAL, All Changes - Exec. 2017</b>	<b>\$1,494</b>	<b>\$6,871</b>	<b>\$8,365</b>	<b>\$1,869</b>	<b>\$0</b>	<b>\$1,869</b>
<b>DA &amp; SNP Budget as of the Fiscal 2017 Executive Plan</b>	<b>\$327,407</b>	<b>\$43,071</b>	<b>\$370,478</b>	<b>\$332,242</b>	<b>\$13,953</b>	<b>\$346,195</b>